



# Baldwin County Commission

## Legislation Text

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File #: 23-0180, Version: 1

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**Meeting Type:** BCC Regular Meeting

**Meeting Date:** 12/5/2022

**Item Status:** New

**From:** Ronald J. Cink, Budget Director/Interim County Administrator

**Submitted by:** Anu Gary, Administrative Services Manager

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### ITEM TITLE

Appointed Contract Employees - Considerations Related to Employment Contracts

### STAFF RECOMMENDATION

**Discussion item only at this time** - Discuss contracts for appointed employees.

Based on the discussion during the December 5<sup>th</sup> meeting, and as directed by the Commission, staff will have an agenda item prepared for a future Commission meeting for contract approvals.

Related to the Employment Contracts between the Baldwin County Commission and the Appointed Contract Employees, take the following actions:

1) Budget Director - Considerations Related to Employment Contract

Authorize and approve the execution of the Employment Contract between the Baldwin County Commission and TBD applicable to the position of Budget Director, with an annual compensation of \$ TBD, with said Contract being effective on TBD and expiring on TBD.

2) Building Official - Considerations Related to Employment Contract

Authorize and approve the execution of the Employment Contract between the Baldwin County Commission and TBD applicable to the position of Building Official, with an annual compensation of \$ TBD, with said Contract being effective on TBD and expiring on TBD.

3) Clerk/Treasurer - Considerations Related to Employment Contract

Authorize and approve the execution of the Employment Contract between the Baldwin County Commission and TBD applicable to the position of Clerk/Treasurer, with an annual compensation of \$ TBD, with said Contract being effective on TBD and expiring on TBD.

4) Communication and Information Systems Director - Considerations Related to Employment Contract

Authorize and approve the execution of the Employment Contract between the Baldwin County Commission and [TBD](#) applicable to the position of [Communication and Information Systems Director](#), with an annual compensation of \$[TBD](#), with said Contract being effective on [TBD](#) and expiring on [TBD](#).

5) County Administrator - Considerations Related to Employment Contract

Authorize and approve the execution of the Employment Contract between the Baldwin County Commission and [TBD](#) applicable to the position of [County Administrator](#), with an annual compensation of \$[TBD](#), with said Contract being effective on [TBD](#) and expiring on [TBD](#).

6) County Engineer - Considerations Related to Employment Contract

Authorize and approve the execution of the Employment Contract between the Baldwin County Commission and [TBD](#) applicable to the position of [County Engineer](#), with an annual compensation of \$[TBD](#), with said Contract being effective on [TBD](#) and expiring on [TBD](#).

7) Development and Environmental Director (Solid Waste) - Considerations Related to Employment Contract

Authorize and approve the execution of the Employment Contract between the Baldwin County Commission and [TBD](#) applicable to the position of [Development and Environmental Director](#), with an annual compensation of \$[TBD](#), with said Contract being effective on [TBD](#) and expiring on [TBD](#).

8) Emergency Management Director - Considerations Related to Employment Contract

Authorize and approve the execution of the Employment Contract between the Baldwin County Commission and [TBD](#) applicable to the position of [Emergency Management Director](#), with an annual compensation of \$[TBD](#), with said Contract being effective on [TBD](#) and expiring on [TBD](#).

9) Juvenile Detention Director - Considerations Related to Employment Contract

Authorize and approve the execution of the Employment Contract between the Baldwin County Commission and [TBD](#) applicable to the position of [Juvenile Detention Director](#), with an annual compensation of \$[TBD](#), with said Contract being effective on [TBD](#) and expiring on [TBD](#).

10) Personnel Director - Considerations Related to Employment Contract

Authorize and approve the execution of the Employment Contract between the Baldwin County Commission and [TBD](#) applicable to the position of [Personnel Director](#), with an annual compensation of \$[TBD](#), with said Contract being effective on [TBD](#) and expiring on [TBD](#).

**BACKGROUND INFORMATION**

**Previous Commission action/date:** The Commission currently has nine Employment Contracts for the 10 appointed contract positions. The current employment contracts expire 11/16/2022. The contracts must be cancelled or continued within 90 days of the Commission taking office for the 2022 -2026 Term.

**Background:** According to local legislation applicable to Baldwin County, a certain and limited number of Baldwin County Commission administrative positions shall be appointed contract employees. Section 45-2-120.12 of the Code of Alabama (1975) reads, in part, as follows:

One appointed employee position may be filled by the judge of probate which position shall be designated chief clerk.

Two appointed employee positions may be filled by the revenue commissioner which positions shall be designated chief clerk of collections and chief appraiser.

Three appointed employee positions may be filled by the sheriff which positions shall be designated chief deputy, chief jailer, and chief of the civil division.

The following shall be appointed contract employees: county administrator, emergency management director, juvenile detention director, personnel director, building official, clerk/treasurer, county engineer, development and environmental director, budget director, and communication and information systems director.

Each of the appointed contract employees shall be employed under contract with the commission. Each contract shall include at a minimum the following provisions:

- 1) A provision for termination and severance.
- 2) A job description for the position.
- 3) An annual written evaluation to be reviewed with the employee and retained by the commission in the employee's personnel file.
- 4) A provision that the contract will be nonbinding on the successor commission after each four-year election; however, the contracts must be cancelled or continued within 90 days of the successor commission taking office.
- 5) A provision that any appointed contract employee employed by the county commission may not be subject to any action to cancel or not to renew the contract or in any other manner dismiss or terminate the contract employee except by a three-fourths vote of the elected members of the county commission.

## **FINANCIAL IMPACT**

**Total cost of recommendation:** TBD

**Budget line item(s) to be used:** TBD

**If this is not a budgeted expenditure, does the recommendation create a need for funding?**  
N/A

### **LEGAL IMPACT**

**Is legal review necessary for this staff recommendation and related documents?**  
N/A

**Reviewed/approved by:** N/A

**Additional comments:** N/A

### **ADVERTISING REQUIREMENTS**

**Is advertising required for this recommendation?** N/A

**If the proof of publication affidavit is not attached, list the reason:** N/A

### **FOLLOW UP IMPLEMENTATION**

**For time-sensitive follow up, select deadline date for follow up:** N/A

**Individual(s) responsible for follow up:** Commission Administration; Personnel

**Action required (list contact persons/addresses if documents are to be mailed or emailed):**  
Administration:

- 1) Ensure full execution of employment contract as soon as approved. Coordinate with appointed employees to attend the [TBD](#) meeting or sign prior to BCC approval.
- 2) Provide a copy of the fully executed contract to the employee via email, original contracts to Deidra Hanak, Personnel Director, copy kept in Admin. contract files with note re: where original is filed.
- 3) Upload contract to BCAP / Contracts Online.
- 4) Update Contract Employees List with contract approval dates and relevant info.

**Additional instructions/notes:** N/A