

**RECESSED CULLMAN COUNTY COMMISSION MEETING
November 12, 2009**

CALL TO ORDER AND WELCOME

Chairman James Graves called the Recessed Commission Meeting to order at 9:02 a.m.

CALL OF ROLL TO ESTABLISH QUORUM

Charlotte Slatton, County Clerk, called the roll; present were Chairman James Graves, Commissioner Doug Williams, Commissioner Wayne Willingham, and County Attorney Dan Willingham.

NEW BUSINESS

Resolution 2010-05 - Authorize the signing of an agreement to retain Goodwin Mills Cawood for engineering mediation

Chairman Graves questioned if a mediation agreement was warranted at this time. The City of Cullman opposes the Smith Lake water project and rejects the County's proposal to sell Lake Catoma and the filtration plant to a proposed joint water authority. Attorney Willingham stated the resolution is worded to include discussion of any construction, maintenance, operation and ownership of water sources and water filtration that the County or City may wish to pursue.

Concerns were expressed in the previous Commission Meeting as to the impartial mediation of the engineering firm since they have done work for both the County and City. Bert Hankins, a representative from Goodwin Mills Cawood, submitted a letter to the Commission which states the firm will not solicit or accept any work related to the current water projects under mediation with the three entities involved; the County, the City of Cullman and the Cullman County Water Department.

Commissioner Williams made a motion to authorize the signing of an agreement to retain Goodwin Mills Cawood for engineering mediation with regard to water issues between the County and City of Cullman. Commissioner Willingham seconded. Upon a unanimous voice vote the motion passed.

Water Contract with City of Cullman

Chairman Graves stated the City of Cullman presented to the County a Water Purchase Agreement on the Duck River Dam project on October 8, 2009. A deadline of November 23, 2009 was given to the County for acceptance. He stated the County cannot sign the contract for several reasons and a letter is being sent to the City outlining the County's position.

Resolution 2010-06 – Consider an addition to the Personnel Handbook providing for an employee pay supplement

Chairman Graves stated clarification is needed to the Personnel Handbook authorizing the County to give an employee pay supplement. Current wording suggests any pay supplement would be a "bonus", thus an illegal payment. Commissioner Willingham made a motion to approve the resolution for the addition of employee pay supplements to the Personnel Handbook. Commissioner Williams seconded. The motion passed on a unanimous voice vote.

Consider guidelines for leave time an employee can donate to another employee

Chairman Graves stated in the past employees have been allowed to donate sick leave time to another employee. However there are no provisions in the Personnel Handbook for this practice. Guidelines will be considered and brought before the Commission at a later date.

Currently the Personnel Handbook is being revised. When revisions are complete, the personnel department will meet with each County Department for employee training on all personnel issues.

OLD BUSINESS

Resolution 2010-01 – Authorize the Chairman to sign an agreement with the State of Alabama for use of County Road 1223 as a detour route

Commissioner Willingham stated he has contacted the road commissioner from Morgan County concerning the maintenance of County Road 1223 during the repair of Highway 31 N. They have signed an agreement with the State providing for the maintenance and repair of the section of County Road 1223 that is in Morgan County. Commissioner Willingham asked the County Attorney to include in the revised agreement with the State the provisions for the repair of County Roads 1242, 1212 (Old Corn Road) and Highway 157 in addition to County Road 1223; with the stipulation once the Highway 31 N project is completed the paving will have a minimum of one and one-half inches of asphalt. Commissioner Willingham made a motion to authorize the Chairman to sign the agreement with the State of Alabama for use of County Road 1223 as a detour route, contingent on the additional roads being added to the repair list. Commissioner Williams seconded, and upon a voice vote, the motion passed unanimously.

-

ADJOURN MEETING

Chairman Graves adjourned the meeting at 9:17 a.m.

James D. Graves, Chairman

J. Douglas Williams
Associate Commissioner

Wayne Willingham
Associate Commissioner

-