

MINUTES OF REGULAR MEETING

MONTGOMERY COUNTY COMMISSION

APRIL 2, 2018

INFORMATION SESSION

Chairman Dean called the meeting to order at 8:07 a.m. The meeting was held at the Montgomery County Administration Building and Courthouse Annex III.

The meeting was opened with prayer led by Commissioner Singleton. All five Commissioners were present.

COMMENTS FROM SCHEDULED ATTENDEES, STAFF AND COMMISSIONERS

COMMENTS FROM ADMINISTRATOR MIMS

Administrator Mims briefed the Commission on scheduled attendees and items on the agenda.

DISCUSSION BY THE COMMISSION

Commissioner Harris requested a \$6,370 miscellaneous appropriation from his education account and Chairman Dean and Commissioner Singleton requested a \$4,000 miscellaneous appropriation from each of their education accounts to the BOE, Jefferson Davis High School, Athletics Department for athletic equipment.

Chairman Dean and Commissioner Harris requested a \$5,000 miscellaneous appropriation from each of their designated revenue accounts to Alabama State University for the football program.

The Commission agreed to make a \$5,000 miscellaneous appropriation from the joint designated revenue account to Empowering Communities Helping Ourselves (ECHO) for program services.

The Commission agreed to make a \$10,000 miscellaneous appropriation from the joint designated revenue account to Heritage Training & Career Center for job training and employment assistance.

The Commission agreed to make an \$11,000 miscellaneous appropriation from the joint designated revenue account to All Collaborating to Serve Community Development Corporation (ACTS CDC) for community development.

The Commission agreed to add these items to the miscellaneous appropriations accounts that were on the agenda.

PRESENTATION BY CHAIRMAN LOUIS MAXWELL WITH THE MACON COUNTY COMMISSION AND CONSULTANT KIM DAVIS WITH THE MACON COUNTY ECONOMIC DEVELOPMENT AUTHORITY

Chairman Louis Maxwell with the Macon County Commission briefed the Commission on the T-100 Simulator Trainer Project. Chairman Maxwell introduced Consultant Kim Davis with the Macon County Economic Development Authority. After discussion, the Commission agreed to waive rules and add to the agenda a Resolution showing their support of the Macon County Economic Development Authority in its efforts to land the T-X Project through the T-100 Trainer Jet.

PRESENTATION BY FIFTEENTH JUDICIAL PRESIDING CIRCUIT JUDGE JOHNNY HARDWICK

Fifteenth Judicial Presiding Circuit Judge Johnny Hardwick requested that the Commission approve a policy regarding cell phones in the Courthouse and Youth Facility. After discussion, the Commission agreed to place on the next agenda a Resolution regarding cell phone use in the Courthouse and Youth Facility.

PRESENTATION BY SHERIFF DERRICK CUNNINGHAM AND ADMINISTRATOR MIMS

Administrator Mims informed the Commission that, for the past three years, Sheriff Derrick Cunningham has issued a letter approving a non-profit tax exempt alcohol license for the Montgomery Area Family Violence Program, Inc., for the Ranch Round Up event. The Alabama Beverage Control Board has requested that the Commission authorize Sheriff Cunningham to issue this letter in the future. After discussion, the Commission agreed to waive rules and add to the agenda authorization for Sheriff Cunningham to issue the approval letter for the April 12, 2018 Ranch Round Up event. The Commission agreed that, in the future, they would approve the license for this event.

Sheriff Cunningham briefed the Commission regarding an Agreement with Cornerstone/Norment Service & Supply regarding security system maintenance. After discussion, the Commission agreed to place this item on the next agenda.

Sheriff Cunningham briefed the Commission regarding an Agreement with Crosby Communications, LLC regarding video surveillance and access control maintenance. After discussion, the Commission agreed to place this item on the next agenda.

Sheriff Cunningham briefed the Commission regarding a Bid Award to Gulf States Distributors for leather and accessories, Bid Number 52110-18B-008. After discussion, the Commission agreed to place this item on the next agenda.

Administrator Mims presented a Manufacturer License to Applicant Lake Point Vineyard and Winery located at 674 Lake Point Drive, Mathews, Alabama 36052. After discussion, the Commission agreed to place this item on the next agenda.

PRESENTATION BY CEO GILBERT DARRINGTON AND BOARD CHAIRPERSON CLASSIE THOMAS WITH HEALTH SERVICES, INC.

CEO Gilbert Darrington and Board Chairperson Classie Thomas with Health Services, Inc., briefed the Commission regarding services offered by the organization. After discussion, the Commission agreed to place a Budget Change Request in the amount of \$52,500 for Health Services, Inc., on the next agenda.

PRESENTATION BY DIRECTOR OF GENERAL SERVICES TOM PIERCE WITH THE CITY OF MONTGOMERY

Director of General Services Tom Pierce with the City of Montgomery briefed the Commission regarding the Fairview Framers Market. Mr. Pierce presented a proposed Memorandum of Understanding concerning subsidizing the Farmer's Market. The Commission agreed to invite Ms. Flora Brown with the Fairview Farmers Market to the next meeting and to further discuss the Memorandum of Understanding.

PRESENTATION BY CHIEF INFORMATION AND TECHNOLOGY OFFICER LOU IALACCI

Chief Information and Technology Officer Lou Ialacci briefed the Commission regarding Amendment Number 2 to Contract with Graybar, regarding a one (1) year extension, beginning May 9, 2018 and ending on May 8, 2019, for security cameras, Contract Number 51965-16B-019. After discussion, the Commission agreed to place this item on the next agenda.

PRESENTATION BY COUNTY ENGINEER GEORGE SPEAKE

County Engineer George Speake asked the Commission to approve a Position Fill Request for a Retired RSA Employee to temporarily fill the Engineering Department's Bridge and Building Inspector Technician position. After discussion, the Commission agreed to place this item on the next agenda.

Mr. Speake advised the Commission that Old Selma Road near the Lowndes County line will be closed on April 17 and 18, 2018, in order to replace a deteriorated cross-drain pipe. This work is needed in preparation for the upcoming Old Selma Road resurfacing project that is tentatively scheduled for the June 2018 ALDOT letting.

He also advised the Commission that bids were opened at the March 2018 ALDOT letting for the Macon County-Flowers Road resurfacing project, and the low bidder was Wiregrass Construction Co., Inc.

PRESENTATION BY CHIEF PROBATE CLERK WILLIAM FLOWERS

Chief Probate Clerk William Flowers briefed the Commission regarding a No-Cost Contractual Agreement with the Alabama Secretary of State to provide for online filing of business and non-profit entities. After discussion, the Commission agreed to place this item on the next agenda.

Mr. Flowers briefed the Commission regarding the purchase and installation of new printers for tag decals. He stated that Probate Judge Steven Reed would discuss budgeting for these items during the 2018-2019 Budget Hearings.

PRESENTATION BY DIRECTOR KENYATTE HASSELL WITH YOUNG LIFE, INC.

Director Kenyatte Hassell with Young Life, Inc., briefed the Commission regarding the organization and requested funding in the amount of \$10,000 for the youth program. After discussion, the Commission agreed to make a \$10,000 miscellaneous appropriation from the joint designated revenue account to this program.

PRESENTATION BY DIRECTOR OF RISK MANAGEMENT SCOTT KRAMER

Director of Risk Management Scott Kramer briefed the Commission regarding the 2018 Americans with Disability Act (ADA) Transition Plan Public Rights of Way and Parks. After discussion, the Commission agreed to place this item on the next agenda.

COMMENTS FROM ADMINISTRATOR MIMS AND DEPUTY ADMINISTRATOR CAUTHEN

Administrator Mims presented a Resolution to change the time and location of the May 7, 2018 County Commission Meeting to Weeping Willow Baptist Church, located at 2925 Forbes Drive, Montgomery, Alabama. He noted that the information session will begin at 5:00 p.m., with the formal session at 6:30 p.m. After discussion, the Commission agreed to place this item on the next agenda.

Deputy Administrator Cauthen briefed the Commission regarding a Final Pay Application from Stallings & Sons, Inc., for Montgomery County Administration Building and Courthouse Annex I renovations of Sheriff's Offices. After discussion, the Commission agreed to place this item on the next agenda.

PRESENTATION BY SENIOR PERSONNEL ANALYST CAMI HACKER

Senior Personnel Analyst Cami Hacker briefed the Commission regarding Position Fill Requests for a College Intern and a Retired RSA Employee/Clerical. After discussion, the Commission agreed to place these items on the next agenda.

RECESS TO EXECUTIVE SESSION

Administrator Mims presented a letter from Senior Vice President of Corporate Development Ellen G. McNair, Montgomery Area Chamber of Commerce regarding the Calling of an Executive Session to Discuss a Commerce or Trade Matter. Commissioner Harris made a motion to go into the Executive Session. The motion was seconded by Commissioner Singleton and unanimously approved by each Commissioner, openly giving their individual vote. Administrator Mims noted that all five Commissioners were present and that the Commission would reconvene to the Formal Session. Chairman Dean recessed the Information Session to the Executive Session. (Letter from Ellen McNair and a Checklist for Conducting Lawful Executive Sessions, Pages 21-1 and 21-2, are attached to these Minutes).

RECESS TO FORMAL SESSION

Commissioner Harris made a motion to recess the Executive Session. The motion was seconded by Commissioner Singleton and unanimously approved by the Commission. Chairman Dean recessed the Executive Session to the Formal Session.

FORMAL SESSION

Chairman Dean welcomed everyone to the Formal Session.

The meeting was opened with prayer led by Bishop Sawyer of Mathew Church of God.

The Pledge of Allegiance was led by Chairman Dean.

Administrator Mims called Roll to establish a quorum, and the following Commissioners were present: Chairman Dean, Vice Chairman Walker and Members Harris, Sankey and Singleton. Also present were County Attorney Thomas T. Gallion, III and County Engineer George C. Speake.

Commissioner Harris made a motion to approve the Minutes of the Regular Meeting of March 19, 2018. The motion was seconded by Vice Chairman Walker and unanimously approved by the Commission.

CONSENT AGENDA

Administrator Mims presented the Accounts Payable Checks and Payroll Checks Authorization for approval.

Commissioner Singleton made a motion to approve the Accounts Payable and Payroll Checks, as presented by Administrator Mims. The motion was seconded by Commissioner Harris and unanimously approved by the Commission. (Copies of Accounts Payable Checks and Payroll Checks Authorization, Consent Agenda Pages 1 through 6, are attached to these Minutes.)

RESOLUTION

COUNTY COMMISSION – ADOPTED RESOLUTION RECOGNIZING AND CONGRATULATING THE GEORGE WASHINGTON CARVER HIGH SCHOOL BOYS’ BASKETBALL TEAM ON WINNING THE 2018 AHSAA 6A DIVISION TITLE AND DECLARING MONDAY, APRIL 2, 2018, AS “CARVER HIGH SCHOOL WOLVERINES DAY”

Commissioner Harris made a motion to adopt the Resolution Recognizing and Congratulating the George Washington Carver High School Boys’ Basketball Team on winning the 2018 AHSAA 6A Division Title and Declaring Monday, April 2, 2018, as “**Carver High School Wolverines Day**”. The motion was seconded by Commissioner Singleton and unanimously approved by the Commission.

Public Affairs Manager Hannah Hawk read the Resolution, and Chairman Dean presented it to the team, coaches and support staff. (Copy of Resolution, Agenda Page 1-1, is attached to these Minutes.)

NEW BUSINESS

COUNTY COMMISSION – ADOPTED RESOLUTION PROVIDING FOR MONTGOMERY COUNTY’S PARTICIPATION IN THE 2018 “BACK-TO-SCHOOL” SALES TAX HOLIDAY

Commissioner Singleton made the motion to adopt the Resolution Providing for Montgomery County’s Participation in the 2018 “Back-to-School” Sales Tax Holiday. The motion was seconded by Vice Chairman Walker and unanimously approved by the Commission. (Copies of Resolution, State Department of Revenue Notification and Resolution, Agenda Pages 2-1 through 2-3, are attached to these Minutes.)

RISK MANAGEMENT – APPROVED MEMORANDUM OF UNDERSTANDING WITH THE ALABAMA MEDICAID AGENCY REGARDING REIMBURSEMENT FOR INMATES AND BUSINESS ASSOCIATE ADDENDUM AGREEMENT

Commissioner Singleton made a motion to approve the Memorandum of Understanding with The Alabama Medicaid Agency regarding Reimbursement for Inmates and Business Associate Addendum Agreement. The motion was seconded by Commissioner Harris and unanimously approved by the Commission. (Copies of Memoranda, Email and Memorandum Of Understanding, Agenda Pages 3-1 through 3-17, are attached to these Minutes.)

ENGINEERING DEPARTMENT – APPROVED AGREEMENT WITH THE ALABAMA DEPARTMENT OF TRANSPORTATION REGARDING RESURFACING MACON COUNTY ROAD FROM SR-110 (VAUGHN ROAD) TO MACON COUNTY LINE AND FLOWERS ROAD FROM BULLOCK COUNTY LINE TO SR-110 (VAUGHN ROAD), PROJECT# STPMN-5117(250); MCP# 51-80-17; CPMS REF. #100067923 AND RELATED RESOLUTION

Commissioner Harris made a motion to approve the Agreement with the Alabama Department of Transportation regarding Resurfacing Macon County Road from SR-110 (Vaughn Road) to Macon County Line and Flowers Road from Bullock County Line to SR-110 (Vaughn Road), Project# STPMN-5117(250); MCP# 51-80-17; CPMS Ref. #100067923 and Related Resolution. The motion was seconded by Commissioner Singleton and unanimously approved by the Commission. (Copies of Memorandum, Agreement, Resolution and Document, Agenda Pages 4-1 through 4-7, are attached to these Minutes.)

COUNTY COMMISSION – APPROVED RENEWAL OF MEMORANDUM OF AGREEMENT WITH THE MOORE-ZEIGLER GROUP, LLC, TO PROVIDE CONTRACT SERVICES CONCERNING THE MONTGOMERY COUNTY COMMISSION’S MINORITY AND WOMEN-OWNED BUSINESS INITIATIVE

Commissioner Singleton made a motion to approve the Renewal of Memorandum of Agreement with The Moore-Zeigler Group, LLC, to Provide Contract Services concerning the Montgomery County Commission's Minority and Women-Owned Business Initiative. The motion was seconded by Vice Chairman Walker. Chairman Dean, Vice Chairman Walker, and Commissioner Singleton voted in favor of the motion. Commissioner Harris and Commissioner Sankey voted in opposition and the motion carried. (Copies of Memorandum, Agreement and Documents, Agenda Pages 5-1 through 5-5, are attached to these Minutes.)

RISK MANAGEMENT – APPROVED RENEWAL OF GROUP LIFE INSURANCE AND AD&D POLICY FOR COUNTY EMPLOYEES WITH STANDARD LIFE, SECURED THROUGH HARMON DENNIS BRADSHAW, INC.

Commissioner Harris made a motion to approve the Renewal of Group Life Insurance and AD&D Policy for County Employees with Standard Life, Secured through Harmon Dennis Bradshaw, Inc. The motion was seconded by Commissioner Singleton and unanimously approved by the Commission. (Copies of Memorandum and Email, Agenda Pages 6-1 and 6-2, are attached to these Minutes.)

COUNTY COMMISSION – APPROVED CHANGE IN THE ORDER OF BUSINESS IN THE OFFICIAL AGENDA OF COMMISSION MEETINGS

Vice Chairman Walker made a motion to approve a Change in the Order of Business in the Official Agenda of Commission Meetings. The motion was seconded by Commissioner Sankey. Vice Chairman Walker, Commissioner Sankey, Commissioner Harris and Commissioner Singleton voted in favor of the motion. Chairman Dean voted in opposition and the motion carried. (Copy of Memorandum, Agenda Page 7-1, is attached to these Minutes.)

COUNTY COMMISSION – APPROVED MISCELLANEOUS APPROPRIATIONS TO AGENCIES

Administrator Mims requested approval of the miscellaneous appropriations to Agencies included in the April 2, 2018 Agenda. During the County Commission Meeting this date, Chairman Dean requested the addition of miscellaneous appropriation reprogramming requests and his fellow Commissioners concurred.

Vice Chairman Walker made a motion to approve the Miscellaneous Appropriations Reprogramming Requests. The motion was seconded by Commissioner Singleton and unanimously approved by the Commission. (Copy of Updated Spreadsheet, Agenda Page 8-1, is attached to these Minutes.)

COUNTY COMMISSION – APPROVED MISCELLANEOUS APPROPRIATIONS TO EDUCATION

Administrator Mims requested approval of the miscellaneous appropriations to Education included in the April 2, 2018 Agenda. During the County Commission Meeting this date,

Chairman Dean requested the addition of miscellaneous appropriation reprogramming requests and his fellow Commissioners concurred.

Commissioner Singleton made a motion to approve the Miscellaneous Appropriations Reprogramming Requests. The motion was seconded by Commissioner Harris and unanimously approved by the Commission. (Copy of Updated Spreadsheet, Agenda Page 9-1, is attached to these Minutes.)

ENGINEERING DEPARTMENT – APPROVED BID AWARD TO TRACTOR AND EQUIPMENT COMPANY FOR HYDRO SEEDING SYSTEM, BID NUMBER 53100-18B-010

Commissioner Harris made a motion to approve Bid Award to Tractor and Equipment Company for Hydro Seeding System, Bid Number 53100-18B-010. The motion was seconded by Vice Chairman Walker and unanimously approved by the Commission. (Copies of Memorandum and Bid, Agenda Pages 10-1 and 10-2, are attached to these Minutes.)

COUNTY COMMISSION – APPROVED BUDGET CHANGE REQUEST NUMBER 15 IN THE AMOUNT OF \$57,711 REGARDING FUNDING FOR 50% OF THE FY2018 SALARY AND BENEFITS FOR THE ONE PLACE FAMILY JUSTICE CENTER DIRECTOR

Commissioner Harris made a motion to approve Budget Change Request Number 15 in the Amount of \$57,711 regarding Funding for 50% of the FY2018 Salary and Benefits for the One Place Family Justice Center Director. The motion was seconded by Commissioner Singleton and unanimously approved by the Commission. (Copy of Budget Change Request, Agenda Page 11-1, is attached to these Minutes.)

TAX AND AUDIT DEPARTMENT – APPROVED BUDGET CHANGE REQUEST NUMBER 2

Commissioner Singleton made a motion to approve Budget Change Request Number 2, Tax and Audit Department. The motion was seconded by Commissioner Harris and unanimously approved by the Commission. (Copy of Budget Change Request, Agenda Page 12-1, is attached to these Minutes.)

DETENTION FACILITY – APPROVED POSITION FILL REQUESTS (3)

1. Corrections Officer Trainee, Position Number 500419015
2. Corrections Officer Trainee, Position Number 500419144
3. Corrections Officer Trainee, Position Number 500419170

Commissioner Harris made a motion to approve Position Fill Requests, Detention Facility. The motion was seconded by Commissioner Singleton and unanimously approved by the Commission. (Copies of Position Fill Requests, Agenda Page 13-1 through 13-3, are attached to these Minutes.)

ENGINEERING DEPARTMENT – APPROVED POSITION FILL REQUEST (1)

1. Civil Engineer Tech III, Position Number 640629004

Vice Chairman Walker made a motion to approve Position Fill Request, Engineering Department. The motion was seconded by Commissioner Singleton and unanimously approved by the Commission. (Copy of Position Fill Request, Agenda Page 14-1, is attached to these Minutes.)

SHERIFF’S OFFICE – APPROVED POSITION FILL REQUESTS (3)

1. Deputy Sheriff Sergeant, Position Number 550432052
2. Auto Servicer, Position Number 550587001
3. Automotive Mechanic, Position Number 550590001

Commissioner Singleton made a motion to approve Position Fill Requests, Sheriff’s Office. The motion was seconded by Commissioner Harris and unanimously approved by the Commission. (Copies of Position Fill Requests, Agenda Pages 15-1 through 15-3, are attached to these Minutes.)

VARIOUS DEPARTMENTS – APPROVED TRAVEL/TRAINING REQUESTS (10)

DEPARTMENTS

TRAVEL/TRAINING REQUESTS

- | | |
|---------------------------|------------------------------|
| 1. County Commission | Request Number 9 |
| 2. Risk Management | Request Number 12 |
| 3. Probate Judge’s Office | Request Number 13 and 14 |
| 4. Tax & Audit | Request Number 8 |
| 5. Sheriff’s Office | Request Number 28 and 29 |
| 6. Personnel Department | Request Number 18, 19 and 20 |

Commissioner Harris made a motion to approve Travel/Training Requests. The motion was seconded by Commissioner Singleton and unanimously approved by the Commission. (Copies of Travel/Training Requests, Agenda Pages 16-1 through 16-10, are attached to these Minutes.)

WAIVE RULES

Chairman Dean requested to waive rules and add the following items to the agenda, and his fellow Commissioners concurred:

COUNTY COMMISSION – APPROVED RESOLUTION IN SUPPORT OF MACON COUNTY ECONOMIC DEVELOPMENT AUTHORITY’S EFFORT TO LAND THE T-100 SIMULATOR TRAINER PROJECT

Vice Chairman Walker made a motion to approve Resolution in Support of Macon County Economic Development Authority's Efforts to land the T-100 Simulator Trainer Project. The motion was seconded by Commissioner Harris and unanimously approved by the Commission. (Copies of Memorandum and Resolution, Agenda Pages 17-1 and 17-2, are attached to these Minutes.)

COUNTY COMMISSION – APPROVED SHERIFF DERRICK CUNNINGHAM'S APPROVAL OF THE ISSUANCE OF A NON-PROFIT TAX EXEMPT ALCOHOL LICENSE FOR THE MONTGOMERY AREA FAMILY VIOLENCE PROGRAM, INC., FOR THE RANCH ROUND-UP 2018, ON APRIL 12, 2018.

Commissioner Harris made a motion to approve Sheriff Derrick Cunningham's approval of issuance of a Non-Profit Tax Exempt Alcohol License for The Montgomery Area Family Violence Program, Inc., for the Ranch Round-up 2018 on April 12, 2018. The motion was seconded by Commissioner Singleton and unanimously approved by the Commission. (Copies of Memorandum, Letter, State of Alabama Alcohol License Application and Receipt Confirmation Page, Agenda Pages 18-1 and 18-7, are attached to these Minutes.)

COUNTY COMMISSION – APPROVED RESOLUTION TO RECOGNIZE MRS. WILLE PEARL WILSON CANNON ON HER 100TH BIRTHDAY ON APRIL 6, 2018

Vice Chairman Walker made a motion to approve the Resolution to Recognize Mrs. Cannon on her 100th Birthday on April 6, 2018. The motion was seconded by Commissioner Harris and unanimously approved by the Commission. (Copy of Resolution, Agenda Page 19-1, is attached to these minutes.)

COUNTY COMMISSION – APPROVED MISCELLANEOUS APPROPRIATIONS FROM DESIGNATED REVENUE

Commissioner Harris made a motion to approve the Miscellaneous Appropriations From Designated Revenue. The motion was seconded by Vice Chairman Walker and unanimously approved by the Commission. (Copy of Updated Spreadsheet, Agenda Page 20-1, is attached to these Minutes.)

COMMENTS BY COMMISSIONERS AND ATTENDEES

Bishop Sawyer of the Mathew Church of God said good morning and gave the Commission an update on the progress of the Pike Road, US 80 and Wares Ferry Road intersection. He said Governor Ivey is reviewing the petition with 2,000 signatures, and a new study of the project has been completed. He asked the Commission for their continued support.

Mr. Crews Reeves of Midtown Alliance Homeowners Association thanked the Commission for approving the Commission Meeting Agenda Change.

Teresa Tillman, Program Director of Women of Refined Gold Inc., greeted the Commission and gave some background information about her organization. She said she works with women and

youth who are victims of Domestic Violence. Ms. Tillman said she wanted to introduce her organization to the Commission. She also said she would like help in getting the word out to the public that there are services available for victims of Domestic Violence.

Commissioner Singleton said good morning and complimented the Carver Basketball Team. He said he attended the Montgomery Sheriff's Office Easter Egg Hunt and thanked the Sheriff and MCSO employees for all that they do for the Community.

Commissioner Sankey said good morning. He thanked Ms. Teresa Tillman for the work she is doing to help the citizen of Montgomery County. He also thanked Sheriff Derrick Cunningham for all that he does for the community.

Vice Chairman Walker had no comment

Chairman Dean thanked everyone for attending the Montgomery County Commission meeting and suggested that each visitor invite someone to attend a meeting.

Commissioner Harris said good morning and that Easter is a great season, similar to Christmas, when Jesus was born, but Easter is when He gave salvation. He praised Commissioner Doug Singleton for reaching out to help a family in Ramer in need. Commissioner Harris thanked Commissioner Singleton and others for all that they are doing to make a difference in the lives of others.

Commissioner Singleton thanked Commissioner Harris for kind words.

RECESS TO INFORMATION SESSION

Chairman Dean recessed the Formal Session to the Information Session.

INFORMATION SESSION

COMMENTS FROM SCHEDULED ATTENDEES, STAFF AND COMMISSIONERS

COMMENTS FROM ADMINISTRATOR MIMS

Administrator Mims briefed the Commission regarding the purchase of land from the Chemical Addictions Program, Inc., (CAP). He presented an appraisal proposal from Valbridge Property Advisors. After discussion, the Commission agreed to place the proposal on the next agenda.

Administrator Mims informed the Commission that the terms of William Blake and James Harrell will expire on June 5, 2018 as members of the Montgomery County Public Building Authority. The Commission asked Administrator Mims to verify whether these members would like to be reappointed and to report back at the next meeting.

Administrator Mims informed the Commission that the term of Gary Burton as a member of the Montgomery City/County Public Library will expire June 1, 2018. He noted that Catherine

Wright has resigned from the board. Administrator Mims stated that the terms of Betsy Atkins and Janice Franklin have expired. The Commission agreed to reappoint Mr. Burton, Ms. Atkins and Ms. Franklin if they would like to serve another term. Vice Chairman Walker recommended Mr. Phil Johnson to replace Catherine Wright. After discussion, the Commission agreed to place these appointments on the next agenda.

Administrator Mims informed the Commission that the Community Celebration Committee has recommended that the 200 Alabama Bicentennial Grant be awarded to the Montessori School at Hampstead in the amount of \$5,000. After discussion, the Commission agreed to place this item on the next agenda.

ADJOURNMENT

Commissioner Harris made a motion to adjourn the meeting of the Montgomery County Commission on April 2, 2018, at 10:45 a.m. The motion was seconded by Commissioner Singleton and unanimously approved by the Commission.

AGENDA

APR - 2 2018

4-2-18 Meeting

MONTGOMERY COUNTY COMMISSION

THE FOLLOWING ACCOUNTS PAYABLE WERE AUDITED AND
ORDERED PAID

CHECKS ARE DATED 3-16-18

Check Number	To	Check Number
276533		276594
Total Checks Paid		\$4,655,856.45

INFORMATION PERTAINING TO PAYEES OF THE CHECKS AND AMOUNTS
PAID ARE MAINTAINED IN THE FINANCE DEPARTMENT IN THE ACCOUNTS
PAYABLE CHECK REGISTER

MONTGOMERY COUNTY COMMISSION

THE FOLLOWING ACCOUNTS PAYABLE WERE AUDITED AND
ORDERED PAID

CHECKS ARE DATED 3-16-18

Check Number	To	Check Number
276595		276675
Total Checks Paid		\$8,593,510.53

INFORMATION PERTAINING TO PAYEES OF THE CHECKS AND AMOUNTS
PAID ARE MAINTAINED IN THE FINANCE DEPARTMENT IN THE ACCOUNTS
PAYABLE CHECK REGISTER

MONTGOMERY COUNTY COMMISSION

THE FOLLOWING ACCOUNTS PAYABLE WERE AUDITED AND
ORDERED PAID

CHECKS ARE DATED 3-23-18

Check Number	To	Check Number
276676		276728
Total Checks Paid		\$782,452.18

INFORMATION PERTAINING TO PAYEES OF THE CHECKS AND AMOUNTS
PAID ARE MAINTAINED IN THE FINANCE DEPARTMENT IN THE ACCOUNTS
PAYABLE CHECK REGISTER

AGENDA

APR - 2 2018

4-2-18 Meeting

MONTGOMERY COUNTY COMMISSION

THE FOLLOWING ACCOUNTS PAYABLE WERE AUDITED AND
ORDERED PAID

CHECKS ARE DATED 3-23-18

Check Number	To	Check Number
276729		276803
Total Checks Paid		\$746,507.31

INFORMATION PERTAINING TO PAYEES OF THE CHECKS AND AMOUNTS
PAID ARE MAINTAINED IN THE FINANCE DEPARTMENT IN THE ACCOUNTS
PAYABLE CHECK REGISTER

AGENDA

APR - 2 2018

4-2-18 Meeting

MONTGOMERY COUNTY COMMISSION

THE FOLLOWING ACCOUNTS PAYABLE WERE AUDITED AND
ORDERED PAID

CHECKS ARE DATED 3-23-18

Check Number	To	Check Number
279804		276846
Total Checks Paid		\$357,706.75

INFORMATION PERTAINING TO PAYEES OF THE CHECKS AND AMOUNTS
PAID ARE MAINTAINED IN THE FINANCE DEPARTMENT IN THE ACCOUNTS
PAYABLE CHECK REGISTER

MONTGOMERY COUNTY COMMISSION

THE FOLLOWING TRANSACTIONS WERE AUDITED AND
ORDERED PAID

CHECKS ARE DATED
3/30/18

Payroll Check Number	129820	To	Payroll Check Number	129869	\$	45,777.44
Direct Deposits					\$	924,915.44
Payroll Check Number	129870	To	Payroll Check Number	129877	\$	204,291.25
Direct Deposits					\$	64,491.41
Federal Deposits					\$	305,594.23
Total Payroll Paid					\$	1,545,069.77

INFORMATION PERTAINING TO PAYEES OF THE CHECKS AND AMOUNTS PAID
ARE MAINTAINED IN THE FINANCE DEPARTMENT IN THE PAYROLL CHECK REGISTER



Established 1816
Montgomery, Alabama

Resolution

WHEREAS; George Washington Carver High School began in September of 1948; and

WHEREAS, since its inception, the boys' basketball team has won five state championship titles, with wins in 1983, 1984, 2012, 2015 and 2018; and

WHEREAS, the G.W. Carver High School Wolverines boys' basketball team, under the leadership of Coach J.J. Jackson, completed the 2018 season with an impressive 29-7 schedule; and

WHEREAS, on Saturday, March 3rd, in Birmingham, Alabama, the Wolverines defeated the defending champs, Paul W. Bryant High School, in an exciting 74-59 victory to win the Division 6A State Championship, thus securing the school's fifth state championship title, the third in seven years.

NOW, THEREFORE, BE IT RESOLVED, that the Montgomery County Commission recognizes and thanks Coach James "J.J." Jackson, his coaching staff and the G.W. Carver High School boys' basketball team for the sacrifices made on and off the court that are required to perform at the state championship level. Furthermore, the Commission congratulates the G.W. Carver Wolverines' boys' basketball team on winning the 2018 AHSAA 6A Division Title and does hereby declare Monday, April 2, 2018, as "*Carver High School Wolverines Day*" in Montgomery County, Alabama.

We hereby certify that the above Resolution was adopted by the Montgomery County Commission on this, the 2nd day of April, 2018.

CHAIRMAN ELTON N. DEAN, SR.

VICE CHAIRMAN RONDA M. WALKER

COMMISSIONER DANIEL HARRIS, JR.

COMMISSIONER ISAAH SANKEY

COMMISSIONER DOUG SINGLETON

ELTON N. DEAN, SR.
CHAIRMAN

RONDA M. WALKER
VICE CHAIRMAN

DANIEL HARRIS, JR.
ISALAH SANKEY
DOUG SINGLETON

A COUNTY OLDER THAN THE STATE

MONTGOMERY COUNTY COMMISSION

Tax & Audit Department
P.O. Box 4779
Montgomery, Alabama 36103-4779

ESTABLISHED 1816

Terri A. Henderson, CRE
Revenue Manager

Administrative and Auditing for:
Montgomery County Alabama
Sales & Use Taxes; Lodging Tax;
Gasoline Tax; and Fuel Tax

Telephone (334) 832-1697
FAX (334) 832-1223
Website www.mc-ala.org

AGENDA

APR - 2 2018

MEMORANDUM

DATE: March 14, 2018

TO: Sherrill Thomas, Finance Director

FROM: Terri Henderson, Revenue Manager *Terri Henderson 03/14/2018* *SD Thomas 3/14/18*

RE: 2018 "Back-to-School" Sales Tax Holiday, July 20-22, 2018

Please see notice attached from the State of Alabama Department of Revenue ("ADOR") dated March 5, 2018 specific to the 2018 "Back-to-School" Sales Tax Holiday authorized pursuant to Act No. 2017-120. The dates for the 2018 "Back-to-School" Sales Tax Holiday will be third full weekend of July 2018 beginning at 12:01 a.m. on Friday, July 20, 2018 and ending at twelve midnight on Sunday, July 22, 2018. If we are going to participate again this year, I would respectfully request that this topic be discussed during the next Informal Session of the Montgomery County Commission Meeting on March 19, 2018. Please note the draft resolution attached has been prepared in anticipation that this item will be included on the formal agenda for the Montgomery County Commission Meeting on April 2, 2018.

Please note that written notification of our participation and a certified copy of our resolution will be due back to the ADOR before the June 20, 2018 deadline. Thank you in advance for your assistance with this matter.

tah/attachments



State of Alabama Department of Revenue

(www.revenue.alabama.gov)
50 North Ripley Street
Montgomery, Alabama 36132

March 5, 2018

2018 "Back-to-School" Sales Tax Holiday July 20-22, 2018

Deadline to notify ADOR: June 20, 2018

The 2018 "Back-to-School" Sales Tax Holiday begins at 12:01 a.m. on Friday, July 20, 2018, and ends at twelve midnight on Sunday, July 22, 2018. As required by Rule 810-6-3-.65, a participating county or municipality shall submit a certified copy of their adopted resolution or ordinance providing for the Sales Tax Holiday, and any subsequent amendments thereof, to the Alabama Department of Revenue before June, 20, 2018. The Department will compile this information into a list of all counties and municipalities participating in the "Back-to-School" Sales Tax Holiday and issue a current publication of the list on its website at: <https://revenue.alabama.gov/sales-use/sales-tax-holidays/>. Notification of participation in the sales tax holiday may not be included in the published list if received after June, 20, 2018.

Retail businesses and the public need to know whether or not your locality will participate in the 2018 "Back-to-School" Sales Tax Holiday. Please put it on your calendar to discuss and vote on this matter soon and notify the ADOR of the decision.

IMPORTANT

RESPONSE REQUIRED

IMPORTANT

Participating? Send a certified copy of any resolution, ordinance, or amendment adopted by your locality.

Not Participating? Send an email, fax or letter (with signature line) stating: "The (City/Town/County) of _____ will not be participating in the 2018 Back-to-School Sales tax holiday." It is important that you inform us of that fact, otherwise, retailers and the public wonder if you are participating and forgot to notify the Department of Revenue.

Retailers and the public rely on the list provided by the Department of Revenue and the Department cannot post a locality's participation status based on assumption; notification of nonparticipation or a copy of the resolution/ordinance from the locality is required.

Notification can be faxed, mailed or emailed:

FAX: 334-353-7666

MAIL: ALABAMA DEPARTMENT OF REVENUE
ATTN: Wanda Robbins
Sales & Use Tax Division
Post Office Box 327900
Montgomery, Alabama 36132-7900

EMAIL: wanda.robbs@revenue.alabama.gov

QUESTIONS: 334-353-8044

"An Affirmative Action / Equal Opportunity Employer"

**RESOLUTION PROVIDING FOR MONTGOMERY COUNTY'S
PARTICIPATION IN THE "SALES TAX HOLIDAY"
IN JULY 2018, AS AUTHORIZED
BY ACT NO. 2017-120**

WHEREAS, during its 2017 Regular Session, the Alabama Legislature enacted Act No. 2017-120, effective March 29, 2017, which provides an exemption of the state sales and use tax for certain non-commercial purchases related to school clothing and supplies during the third full weekend in July of each year; and

WHEREAS, Act No. 2017-120 authorizes the county commission to provide for an exemption of county sales and use taxes for purchases of items covered by the Act during the same time period in which the state sales and use tax exemption is in place, provided a resolution to that effect is adopted at least thirty days prior to 12:01 a.m. on the third Friday in July; and

WHEREAS, Code of Alabama 1975, § 11-51-210(e) requires that the county commission notify the Alabama Department of Revenue of any new local tax or amendment to an existing local tax levy at least 30 days prior to the effective date of the change; and

WHEREAS, the exemption of certain county sales and use taxes for the third full weekend of July 2018 herein adopted by the county commission is an amendment to the county's sales and use tax levy warranting notice to the Alabama Department of Revenue as provided in Code of Alabama 1975, § 11-51-210(e);

WHEREFORE BE IT RESOLVED BY THE MONTGOMERY COUNTY COMMISSION that it does hereby provide for an exemption of the 2½ percent county sales and use tax on purchases of items covered by Act No. 2017-120 beginning at 12:01 a.m. on Friday, July 20, 2018 and ending at twelve midnight on Sunday, July 22, 2018.

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of the April 2, 2018 meeting of the Montgomery County Commission, and be immediately forwarded to the Alabama Department of Revenue in compliance with Code of Alabama 1975, § 11-51-210(e).

IN WITNESS WHEREOF, the Montgomery County Commission has caused this Resolution to be executed in its name and on its behalf by its Chairman on this the 2nd day of April, 2018.

I hereby certify that the above
Resolution was adopted by the
Montgomery County Commission
on this, the 2nd day of April, 2018.

Elton N. Dean, Sr.
Chairman

ELTON N. DEAN, SR.
CHAIRMAN
RONDA M. WALKER
VICE CHAIRMAN

DANIEL HARRIS, JR.
ISAIAH SANKEY
DOUG SINGLETON



DONALD L. MIMS, CPA, MPA
ADMINISTRATOR
FLORENCE M. CAUTHEN
DEPUTY ADMINISTRATOR
334.832.1210
FAX: 334.832.2533
TDD: 334.265.3568
WWW.MC-ALA.ORG

AGENDA

APR - 2 2018

March 23, 2018

MEMORANDUM

TO: Donald L. Mims
County Administrator

FROM: Scott Kramer *SK*
Director of Risk Management

SUBJECT: MOU and Business Associate Addendum with the Alabama Medicaid Agency

On March 19, 2018, I met with the County Commission to discuss the Memorandum of Understanding and the Business Associate Addendum with the Alabama Medicaid Agency. With the Medicaid reimbursement rates, the Montgomery County Commission should see reduced hospital costs for the inmates. As such, it is my recommendation that we move forward in signing these agreements. If at anytime, we are not pleased with this program, we have the option to terminate the agreement. Last week, I discussed the agreements with Morgan Arrington, General Counsel for ACCA, questioning any concerns from other Counties (see attached). Ms. Arrington stated there were no concerns from other counties.

I am requesting the County Commission's approval of this item outlined above.

Cc: Florence Cauthen, Deputy Administrator

- A COUNTY OLDER THAN THE STATE -

P.O. Box 1667 MONTGOMERY, ALABAMA 36102-1667 PHONE: 334.832.1210

Scott Kramer

Φρομ: Morgan Arrington <MArrington@alabamacounties.org>
Σεντ: Friday, March 16, 2018 2:59 PM
Το: Scott Kramer
Συβφεχτ: RE: Request for Opinion - MOU regarding Medicaid Reimbursement for Inmates

Scott,

Thanks for your call yesterday. As I mentioned on the phone, in my capacity as General Counsel for ACCA, I have reviewed the MOU and have no concerns about counties entering into the agreement with the Alabama Medicaid Agency. The MOU does contain numerous references to federal laws and regulations. I represent that those provisions are standard language required by the Alabama Medicaid Agency in each of its agreements with other entities. While I do not, and cannot, speak for the Alabama Medicaid Agency, I am familiar with the organization as I previously served nearly five years in its legal department. I believe Medicaid is a great partner to counties in this program and I look forward to seeing the results of this program trickle down to counties.

We hope you consider participation. We would enjoy working with Montgomery County.

Thanks,



Morgan Arrington
General Counsel
Association of County Commissions of Alabama
334-263-7594 office • 334-263-7678 fax
www.alabamacounties.org

From: Scott Kramer [mailto:ScottKramer@mc-ala.org]

Sent: Thursday, March 15, 2018 4:38 PM

To: Morgan Arrington <MArrington@alabamacounties.org>

Subject: FW: Request for Opinion - MOU regarding Medicaid Reimbursement for Inmates

Morgan,

I appreciate your efforts in establishing this legislature that will prove to be cost savings (or cost avoidance for our outside inmate healthcare costs. If you could document some of the info we discussed, it would be helpful. My meeting with the Commission is Monday, so if you could respond by then it would be greatly appreciated.

One more question, how many Counties have shown interest in this matter?

Scott Kramer
City / County Director of Risk Management
Montgomery, Alabama
334-832-1280

From: Tammy Nix

Sent: Tuesday, March 13, 2018 11:36 AM

**MEMORANDUM OF UNDERSTANDING
BETWEEN
MONTGOMERY COUNTY COMMISSION
AND
THE ALABAMA MEDICAID AGENCY**

THIS AGREEMENT is effective the 1st day of January, 2018, by and between the Alabama Medicaid Agency (hereinafter referred to as Medicaid) and the Montgomery County Commission (hereinafter referred to as Contractor) regarding the exchange of necessary data to coordinate reinstatement for certain services provided to Medicaid recipients who are inmates of a public institution under the administrative control or responsibility of the county sheriff and for whom the county is responsible for the provision of medical care (hereinafter referred to as Contractor's Facility); and

WHEREAS, the Alabama Legislature passed Alabama Act 2017-298 (hereinafter referred to as the Act), which requires the suspension, but not termination, of Medicaid eligibility for individuals who are eligible for Medicaid, but are Inmates of Contractor's Facility. The Act further provides for reinstatement of Medicaid benefits for inpatient services in a medical institution received by such Inmates who are otherwise eligible for Medicaid; and

WHEREAS, in order to effectuate the purposes of the Act, Medicaid and Contractor must exchange information regarding certain individuals' Medicaid eligibility and whether they are an Inmate of Contractor's Facility as defined in Sections 2 and 3 of this Agreement and must further develop such methods, systems, processes, procedures, and such other means as may be necessary to effectuate the purposes of the Act.

NOW, THEREFORE, the Medicaid and Contractor hereby agree as follows:

1. This Agreement shall be effective during a pilot period of January 1, 2018 through December 31, 2018, and except as otherwise provided, shall remain in effect for such term until terminated by agreement of both Medicaid and Contractor or upon thirty (30) days written notice to the other party. This agreement may be amended as required, provided that such is in writing and signed by both Medicaid and Contractor.
2. For the purposes of this Agreement, the term "Inmate" shall be defined as any person being held in a public institution under the administrative control and responsibility of the county sheriff and for whom the county is responsible for the provision of medical care. The term includes a person in custody while awaiting arraignment or bond, a pretrial detainee, a convicted person who is awaiting transfer to but has not otherwise become the responsibility of the Department of Corrections, or a person serving his or her sentence in the county jail.
3. For the purposes of this Agreement, the terms "public institution" and "Contractor's Facility" shall be defined as an institution under the administrative control and responsibility of the county sheriff and for whom the county is responsible for the provision of medical care.
4. Medicaid and the Association of County Commissions of Alabama (hereinafter referred to as Association) will enter into a separate Memorandum of Understanding which authorizes the Association

3-3

to communicate with Medicaid on behalf of Contractor and enables Contractor to be compliant with the identification and notification requirements found in Section 1, paragraphs (1), (2), (4) and (5) of the Act.

5. Contractor agrees to provide the Association such information as is necessary for Medicaid to determine whether Inmates of Contractor's Facility are subject to the Act. Such information shall include the name, date of birth, and social security number, as well as such other information as Medicaid may require. Medicaid will use this information solely for the purpose of determining whether such Inmates meet Medicaid eligibility requirements and are subject to the Act.
6. Medicaid and Contractor both agree to use a mutually acceptable means to securely exchange any and all data or other information required to be exchanged pursuant to this Agreement. Such means of secure exchange shall comply with all applicable requirements of the Health Insurance Portability and Accountability Act (HIPAA) of 1996 and any implementing regulations as adopted, as well as the attached Alabama Medicaid Business Associate Addendum as addressed in paragraph 12 of this Agreement.
7. Medicaid agrees to use the information exchanged pursuant to this Agreement for the sole purpose of designing methods, systems, processes, procedures, and such other means as may be necessary to effectuate the purposes of the Act, including but not limited to:
 - a. suspending or terminating Medicaid eligibility for Inmates who are not otherwise eligible for Medicaid;
 - b. for those Inmates who were eligible for Medicaid prior to becoming an Inmate and who are otherwise eligible for Medicaid:
 - i. suspending Medicaid eligibility, provided the Inmate continues to be otherwise eligible for Medicaid;
 - ii. ensuring Medicaid payment for covered inpatient services received outside of Contractor's Facility by Inmates otherwise eligible for Medicaid benefits; and
 - iii. upon an inmate's release from Contractor's Facility, promptly removing the suspension of Medicaid eligibility if the inmate is otherwise eligible for Medicaid.
8. Contractor will monthly, provide information to be submitted electronically to Medicaid through the Association. The information submitted shall include:
identifying information for each inmate in custody (name, date of birth, gender, SSN);
date of incarceration;
date of release if known; and
date of death if known.
9. Medicaid will process the file against all Medicaid recipients and send a return file back to the Association containing the following information. The return file shall include each Inmate submitted by the county displaying the following indicators:
 - a. An indicator for Inmates who were not found active on Medicaid's file;
 - b. An indicator for Inmates who were found active on Medicaid's file who have been suspended because they are no longer eligible for Medicaid services due to incarceration;

- c. An indicator for individuals who are active and remain active SSI on Medicaid file and who are eligible for inpatient services in a medical institution for the month in question; and
 - d. Any indicators for Inmates who were found active on Medicaid file who have been suspended but are only eligible for inpatient services in a medical institution for the month in question.
- 10. Contractor shall notify Medicaid of all Inmates in custody with an indicator in paragraph 9, category c. or d. above, who have received inpatient services in a medical facility outside of a Contractor's Facility. During the pilot period, Medicaid agrees to provide a monitored email address to which Contractor shall send notification of an Inmate's admission to an inpatient medical institution. Upon submission of an electronic notification, Medicaid will take all necessary steps to ensure that a claim that has been properly submitted by the provider for an Inmate who is eligible for coverage of inpatient services will be processed in accordance with the Act and federal law. Medicaid agrees to be responsible for providing inpatient medical institutions enrolled as providers under the Alabama Medicaid program all necessary information needed to submit claims for Inmates who are eligible for services in accordance with the Act and federal law.
 - 11. Separate from the identification and notification requirements, Section 1(d)(3) of the Act also requires that Contractor or other responsible governmental will be responsible for payment of the full amount of any federally required state match due for inpatient services triggered under the Act. Upon receipt from a provider of an invoice or itemized statement for inpatient medical services received by an eligible Inmate, Contractor will send the state match due (currently 28.56% but subject to change) and a copy of the invoice to Medicaid. Nothing in this agreement shall cause Contractor to be responsible for any additional costs that could arise due to Medicaid's failure to timely remit payments to the provider in accordance with the Alabama Medicaid State Plan.
 - 12. In the event that an Inmate is eligible for coverage of benefits for inpatient medical services, but Medicaid denies or rejects a properly submitted claim for an eligible Inmate, Medicaid will take all reasonable and necessary steps to ensure payment of a proper claim.
 - 13. Medicaid agrees to provide Contractor with a revised Agreement for the period beginning January 1, 2019 which contains detailed provisions of a reimbursement process that is in compliance with the Act and federal law by no later than August 1, 2018.
 - 14. Under no circumstances shall any commitments by Medicaid constitute a debt of the State of Alabama as prohibited by Article XI, Section 213, Constitution of Alabama of 1901, as amended by Amendment 26. It is further agreed that if any provision of this Agreement shall contravene any statute or Constitutional provision or amendment, whether now in effect or which may, during the course of this Agreement, be enacted, then that conflicting provision in the Agreement shall be deemed null and void. Both Medicaid and Contractor's sole remedy for the settlement of any and all monetary disputes arising under the terms of this Agreement shall be limited to the filing of a claim with the Board of Adjustment for the State of Alabama.
 - 15. For any and all other disputes arising under the terms of this Agreement, both Medicaid and Contractor hereto agree, in compliance with the recommendations of the Governor and Attorney General, when

considering settlement of such disputes, to utilize appropriate forms of non-binding alternative dispute resolution including, but not limited to, mediation by and through private mediators.

16. Each officer or employee of any person to whom Social Security information is or may be disclosed shall be notified in writing by such person that Social Security information disclosed to such officer or employee can be only used for authorized purposes and to that extent and any other unauthorized use herein constitutes a felony punishable upon conviction by a fine of as much as \$5,000.00 or imprisonment for as long as five years, or both, together with the cost of prosecution. Such person shall also notify each such officer or employee that any such unauthorized further disclosure of Social Security information may also result in an award of civil damages against the officer or employee in an amount not less than \$1,000.00 with respect to each instance of unauthorized disclosure. These penalties are prescribed by IRC Sections 7213 and 7431 and set forth at 26 CFR 301.6103(n). Nothing herein shall be deemed a waiver of immunity granted to the Medicaid or Contractor under federal or state law.
17. Additionally, it is incumbent upon both Medicaid and Contractor to inform their officers and employees of penalties for improper disclosure implied by the Privacy Act of 1974, 5 U.S.C. § 552a. Specifically, 5 U.S.C. § 552a(i)(1), which is made applicable to both Medicaid and Contractor by 5 U.S.C. § 552a(m)(1), provides that any officer or employee, who by virtue of his/her employment or official position, has possession of or access to agency records which contain individually identifiable information, the disclosure of which is prohibited by the Privacy Act or regulations established thereunder, and who knowing that disclosure of the specific material is prohibited, willfully discloses that material in any manner to any person or agency not entitled to receive it, shall be guilty of a misdemeanor and fined not more than \$5,000.00. Nothing herein shall be deemed a waiver of immunity granted to either Medicaid or Contractor under federal or state law.
18. Both Medicaid and Contractor hereby certify that neither they nor their principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this Agreement by any Federal department or agency.
19. Both Medicaid and Contractor acknowledge and understand that this Agreement is not effective until it has received all requisite state and local government approvals and no information contemplated under this Agreement shall be exchanged until all requisite approvals have been obtained.

20. Pursuant to Ala. Code §31-13-9(k), by signing this Agreement, both Medicaid and Contractor affirm, for the duration of this Agreement, that they will not violate federal immigration law or knowingly employ, hire for employment, or continue to employ an unauthorized alien within the state of Alabama. Furthermore, either Medicaid or Contractor found to be in violation of this provision shall be deemed in breach of this Agreement and shall be responsible for all damages resulting therefrom.

Alabama Medicaid Agency

This agreement has been reviewed
for and is approved as to content.

Montgomery County Commission

Stephanie McGee Azar
Commissioner

Elton N. Dean, Sr.
Commission Chairman

Date Signed

Date Signed

This agreement has been reviewed for legal
form and complies with all applicable laws,
rules, and regulations of the State of Alabama
governing these matters.

Legal Counsel

Legal Counsel

**ALABAMA MEDICAID AGENCY
BUSINESS ASSOCIATE ADDENDUM**

This Business Associate Addendum (this “Agreement”) is made effective the 1st day of January, 2018, by and between the Alabama Medicaid Agency (“Covered Entity”), an agency of the State of Alabama, and Montgomery County Commission (“Business Associate”) (collectively the “Parties”).

1. BACKGROUND

- 1.1. Covered Entity and Business Associate are parties to a contract entitled Contract Number: C80629640 (the “Contract”), whereby Business Associate agrees to perform the certain services for or on behalf of Covered Entity.
- 1.2. The relationship between Covered Entity and Business Associate is such that the Parties believe Business Associate is or may be a “business associate” within the meaning of the HIPAA Rules (as defined below).
- 1.3. The Parties enter into this Business Associate Addendum with the intention of complying with the HIPAA Rules allowing a covered entity to disclose protected health information to a business associate, and allowing a business associate to create or receive protected health information on its behalf, if the covered entity obtains satisfactory assurances that the business associate will appropriately safeguard the information.

2. DEFINITIONS

2.1 General Definitions

The following terms used in this Agreement shall have the same meaning as those terms in the HIPAA Rules: Breach, Data Aggregation, Designated Record Set, Disclosure, Electronic Protected Health Information, Health Care Operations, Individual, Minimum Necessary, Notice of Privacy Practices, Protected Health Information, Required by Law, Secretary, Security Incident, Subcontractor, Unsecured Protected Health Information, and Use.

2.2 Specific Definitions

2.2.1 Business Associate. “Business Associate” shall generally have the same meaning as the term “business associate” at 45 C.F.R. § 160.103

2.2.2 Covered Entity. “Covered Entity” shall generally have the same meaning as the term “covered entity” at 45 C.F.R. § 160.103.

2.2.3 HIPAA Rules. "HIPAA Rules" shall mean the Privacy, Security, Breach Notification, and Enforcement Rules at 45 C.F.R. Part 160 and Part 164.

3. OBLIGATIONS OF BUSINESS ASSOCIATE

Business Associate agrees to the following:

- 3.1** Use or disclose PHI only as permitted or required by this Agreement or as Required by Law.
- 3.2** Use appropriate safeguards to prevent use or disclosure of PHI other than as provided for by this Agreement. Further, Business Associate will implement administrative, physical and technical safeguards (including written policies and procedures) that reasonably and appropriately protect the confidentiality, integrity and availability of electronic PHI that it creates, receives, maintains or transmits on behalf of Covered Entity as required by Subpart C of 45 C.F.R. Part 164.
- 3.3** Mitigate, to the extent practicable, any harmful effect that is known to Business Associate of a use or disclosure of PHI by Business Associate in violation of the requirements of this Agreement.
- 3.4** Report to Covered Entity within five (5) business days any use or disclosure of PHI not provided for by this Agreement of which it becomes aware.
- 3.5** Ensure that any subcontractors that create, receive, maintain, or transmit protected health information on behalf of the business associate agree to the same restrictions, conditions, and requirements that apply to the business associate with respect to such information in accordance with 45 C.F.R. § 164.502(e)(1)(ii) and § 164.308(b)(2), if applicable.
- 3.6** Provide Covered Entity with access to PHI within thirty (30) business days of a written request from Covered Entity, in order to allow Covered Entity to meet its requirements under 45 C.F.R. § 164.524, access to PHI maintained by Business Associate in a Designated Record Set.
- 3.7** Make amendment(s) to PHI maintained by Business Associate in a Designated Record Set that Covered Entity directs or agrees to, pursuant to 45 C.F.R. § 164.526 at the written request of Covered Entity, within thirty (30) calendar days after receiving the request.
- 3.8** Make internal practices, books, and records, including policies and procedures and PHI, relating to the use and disclosure of PHI received from, or created or received by the Business Associate on behalf of, Covered Entity, available to Covered Entity or to the Secretary within five (5) business days after receipt of written notice or as designated by the Secretary for purposes of determining compliance with the HIPAA Rules.
- 3.9** Maintain and make available the information required for Covered Entity to respond to a request by an individual for an accounting of disclosures of PHI as necessary to satisfy the Covered Entity's obligations under 45 C.F.R. § 164.528.
- 3.10** Provide to the Covered Entity, within thirty (30) days of receipt of a written request from Covered Entity, the information required for Covered Entity to respond to a request by an Individual or an authorized representative for an accounting of disclosures of PHI in accordance with 45 C.F.R. § 164.528.
- 3.11** Maintain a comprehensive security program appropriate to the size and complexity of the Business Associate's operations and the nature and scope of its activities as defined in the Security Rule.

3.12 Notify the Covered Entity within five (5) business days following the discovery of a breach of unsecured PHI on the part of the Contractor or any of its sub-contractors, and

3.12.1 Provide the Covered Entity the following information:

3.12.1(a) The number of recipient records involved in the breach.

3.12.1(b) A description of what happened, including the date of the breach and the date of the discovery of the breach if known.

3.12.1(c) A description of the types of unsecure protected health information that were involved in the breach (such as whether full name, social security number, date of birth, home address, account number, diagnosis, disability code, or other type information were involved).

3.12.1(d) Any steps the individuals should take to protect themselves from potential harm resulting from the breach.

3.12.1(e) A description of what the Business Associate is doing to investigate the breach, to mitigate harm to individuals and to protect against any further breaches.

3.12.1(f) Contact procedures for individuals to ask questions or learn additional information, which shall include the Business Associate's toll-free number, email address, Web site, or postal address.

3.12.1(g) A proposed media release developed by the Business Associate.

3.12.2 Work with Covered Entity to ensure the necessary notices are provided to the recipient, prominent media outlet, or to report the breach to the Secretary of Health and Human Services (HHS) as required by 45 C.F.R. Part 164, Subpart D.;

3.12.3 Pay the costs of the notification for breaches that occur as a result of any act or failure to act on the part of any employee, officer, or agent of the Business Associate;

3.12.4 Pay all fines or penalties imposed by HHS under 45 C.F.R. Part 160, "HIPAA Administrative Simplification: Enforcement Rule" for breaches that occur as a result of any act or failure to act on the part of any employee, officer, or agent of the Business Associate.

3.12.5 Co-ordinate with the Covered Entity in determining additional specific actions that will be required of the Business Associate for mitigation of the breach.

4. PERMITTED USES AND DISCLOSURES

Except as otherwise limited in this Agreement, if the Contract permits, Business Associate may

- 4.1. Use or disclose PHI to perform functions, activities, or services for, or on behalf of, Covered Entity as specified in the Contract, provided that such use or disclosure would not violate the Subpart E of 45 C.F.R. Part 164 if done by Covered Entity;
- 4.2. Use PHI for the proper management and administration of the Business Associate or to carry out the legal responsibilities of the Business Associate.
- 4.3. Disclose PHI for the proper management and administration of the Business Associate, provided that:
 - 4.3.1 Disclosures are Required By Law; or
 - 4.3.2 Business Associate obtains reasonable assurances from the person to whom the information is disclosed that it will remain confidential and used or further disclosed only as Required By Law or for the purpose for which it was disclosed to the person, and the person notifies the Business Associate of any instances of which it is aware in which the confidentiality of the information has been breached.
- 4.4 Use PHI to provide data aggregation services to Covered Entity as permitted by 42 C.F.R. § 164.504(e)(2)(i)(B).

5. REPORTING IMPROPER USE OR DISCLOSURE

The Business Associate shall report to the Covered Entity within five (5) business days from the date the Business Associate becomes aware of:

- 5.1 Any use or disclosure of PHI not provided for by this agreement
- 5.2 Any Security Incident and/or breach of unsecured PHI

6. OBLIGATIONS OF COVERED ENTITY

The Covered Entity agrees to the following:

- 6.1 Notify the Business Associate of any limitation(s) in its notice of privacy practices in accordance with 45 C.F.R. § 164.520, to the extent that such limitation may affect Alabama Medicaid's use or disclosure of PHI.
- 6.2 Notify the Business Associate of any changes in, or revocation of, permission by an Individual to use or disclose PHI, to the extent that such changes may affect the Business Associate's use or disclosure of PHI.
- 6.3 Notify the Business Associate of any restriction to the use or disclosure of PHI that Covered Entity has agreed to in accordance with 45 C.F.R. § 164.522, to the extent that such restriction may affect the Business Associate's use or disclosure of PHI.
- 6.4 Not request Business Associate to use or disclose PHI in any manner that would not be permissible under the Privacy Rule if done by Covered Entity.
- 6.5 Provide Business Associate with only that PHI which is minimally necessary for Business Associate to provide the services to which this agreement pertains.

7. TERM AND TERMINATION

7.1 Term. The Term of this Agreement shall be effective as of the effective date stated above and shall terminate when the Contract terminates.

7.2 Termination for Cause. Upon Covered Entity's knowledge of a material breach by Business Associate, Covered Entity may, at its option:

7.2.1 Provide an opportunity for Business Associate to cure the breach or end the violation, and terminate this Agreement if Business Associate does not cure the breach or end the violation within the time specified by Covered Entity;

7.2.2 Immediately terminate this Agreement; or

7.2.3 If neither termination nor cure is feasible, report the violation to the Secretary as provided in the Privacy Rule.

7.3 Effect of Termination.

7.3.1 Except as provided in paragraph (2) of this section or in the Contract, upon termination of this Agreement, for any reason, Business Associate shall return or destroy all PHI received from Covered Entity, or created or received by Business Associate on behalf of Covered Entity. This provision shall apply to PHI that is in the possession of subcontractors or agents of Business Associate. Business Associate shall retain no copies of the PHI.

7.3.2 In the event that Business Associate determines that the PHI is needed for its own management and administration or to carry out legal responsibilities, and returning or destroying the PHI is not feasible, Business Associate shall provide to Covered Entity notification of the conditions that make return or destruction not feasible. Business Associate shall:

7.3.2(a) Retain only that PHI which is necessary for business associate to continue its proper management and administration or to carry out its legal responsibilities;

7.3.2(b) Return to covered entity or, if agreed to by covered entity, destroy the remaining PHI that the business associate still maintains in any form;

7.3.2(c) Continue to use appropriate safeguards and comply with Subpart C of 45 C.F.R. Part 164 with respect to electronic protected health information to prevent use or disclosure of the protected health information, other than as provided for in this Section, for as long as business associate retains the PHI;

7.3.2(d) Not use or disclose the PHI retained by business associate other than for the purposes for which such PHI was retained and subject to the same conditions set out at Section 4, "Permitted Uses and Disclosures" which applied prior to termination; and

7.3.2(e) Return to covered entity or, if agreed to by covered entity, destroy the PHI retained by business associate when it is no longer needed by business associate for its proper management and administration or to carry out its legal responsibilities.

7.4 Survival

The obligations of business associate under this Section shall survive the termination of this Agreement.

8. GENERAL TERMS AND CONDITIONS

- 8.1 This Agreement amends and is part of the Contract.
- 8.2 Except as provided in this Agreement, all terms and conditions of the Contract shall remain in force and shall apply to this Agreement as if set forth fully herein.
- 8.3 In the event of a conflict in terms between this Agreement and the Contract, the interpretation that is in accordance with the HIPAA Rules shall prevail. Any ambiguity in this Agreement shall be resolved to permit Covered Entity to comply with the HIPAA Rules.
- 8.4 A breach of this Agreement by Business Associate shall be considered sufficient basis for Covered Entity to terminate the Contract for cause.
- 8.5 The Parties agree to take such action as is necessary to amend this Agreement from time to time for Covered Entity to comply with the requirements of the HIPAA Rules.

IN WITNESS WHEREOF, Covered Entity and Business Associate have executed this Agreement effective on the date as stated above.

ALABAMA MEDICAID AGENCY

Signature: _____

Printed Name: Clay Gaddis

Title: Privacy Officer

Date: _____

BUSINESS ASSOCIATE

Signature: _____

Printed Name: _____

Title: _____

Date: _____

IMMIGRATION STATUS

I hereby attest that all workers on this project are either citizens of the United States or are in a proper and legal immigration status that authorizes them to be employed for pay within the United States.

Signature of Contractor

Witness

State of _____)

County of _____)

CERTIFICATE OF COMPLIANCE WITH THE BEASON-HAMMON ALABAMA TAXPAYER AND CITIZEN PROTECTION ACT (ACT 2011-535, as amended by Act 2012-491)

DATE: _____

RE Contract/Grant/Incentive (describe by number or subject): Contract# C80629640 and between Montgomery County Commission (Contractor/Grantee) and Alabama Medicaid Agency (State Agency or Department or other Public Entity)

The undersigned hereby certifies to the State of Alabama as follows:

1. The undersigned holds the position of _____ with the Contractor/Grantee named above, and is authorized to provide representations set out in this Certificate as the official and binding act of that entity, and has knowledge of the provisions of THE BEASON-HAMMON ALABAMA TAXPAYER AND CITIZEN PROTECTION ACT (ACT 2011-535 of the Alabama Legislature, as amended by Act 2012-491) which is described herein as "the Act".

2. Using the following definitions from Section 3 of the Act, select and initial either (a) or (b), below, to describe the Contractor/Grantee's business structure.

BUSINESS ENTITY. Any person or group of persons employing one or more persons performing or engaging in any activity, enterprise, profession, or occupation for gain, benefit, advantage, or livelihood, whether for profit or not for profit. "Business entity" shall include, but not be limited to the following:

- a. Self-employed individuals, business entities filing articles of incorporation, partnerships, limited partnerships, limited liability companies, foreign corporations, foreign limited partnerships, foreign limited liability companies authorized to transact business in this state, business trusts, and any business entity that registers with the Secretary of State.
- b. Any business entity that possesses a business license, permit, certificate, approval, registration, charter, or similar form of authorization issued by the state, any business entity that is exempt by law from obtaining such a business license, and any business entity that is operating unlawfully without a business license.

EMPLOYER. Any person, firm, corporation, partnership, joint stock association, agent, manager, representative, foreman, or other person having control or custody of any employment, place of employment, or of any employee, including any person or entity employing any person for hire within the State of Alabama, including a public employer. This term shall not include the occupant of a household contracting with another person to perform casual domestic labor within the household.

_____(a) The Contractor/Grantee is a business entity or employer as those terms are defined in Section 3 of the Act.

_____(b) The Contractor/Grantee is not a business entity or employer as those terms are defined in Section 3 of the Act.

3. As of the date of this Certificate, Contractor/Grantee does not knowingly employ an unauthorized alien within the State of Alabama and hereafter it will not knowingly employ, hire for employment, or continue to employ an unauthorized alien within the State of Alabama;
4. Contractor/Grantee is enrolled in E-Verify unless it is not eligible to enroll because of the rules of that program or other factors beyond its control.

Certified this _____ day of _____ 20____.

Name of Contractor/Grantee/Recipient

By: _____

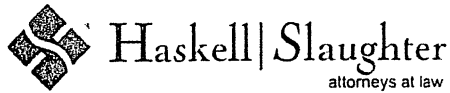
Its _____

The above Certification was signed in my presence by the person whose name appears above, on

this _____ day of _____ 20____.

WITNESS: _____

Print Name of Witness



Haskell Slaughter & Gallion, LLC

8 Commerce Street

Suite 1200

Montgomery, Alabama 36104

t. 334.265.8573 | f. 334.264.7945

TTG

MEMORANDUM

March 13, 2018

To: Donnie Mims

From: Thomas T. Gallion, III

Re: Request for Opinion- Memorandum of Understanding ("MOU) with The Alabama Medicaid Agency

I have reviewed the memorandum from Scott Kramer and the MOU regarding the Medicaid Reimbursement for Inmates and the attached documents.

I find that the MOU is legal and binding on the parties executing same. However, I would not execute the MOU until Scott addresses the issue at the next MCC meeting. I would also check with the ACCA and see if any other counties have questions about the MOU. The State Medicaid problems have existed for many years and MCC needs to make sure additional expenses are not passed down to the MCC.

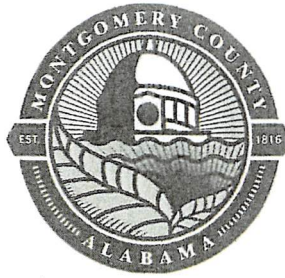
After the discussion with the MCC, Scott and the ACCA as stated above then the decision can be made by a majority vote of the Commissioners.

If this is done then I am also of the opinion that the services provided for in this agreement are in the best interest of the public health, safety, education, and general welfare of the citizens of Montgomery County. I, therefore, see no reason why the agreement should not be executed if it is the desire of the Montgomery County Commission.

50051-317

ELTON N. DEAN, SR.
CHAIRMAN
RONDA M. WALKER
VICE CHAIRMAN

DANIEL HARRIS, JR.
ISAIAH SANKEY
DOUG SINGLETON



DONALD L. MIMS, CPA, MPA
ADMINISTRATOR
FLORENCE M. CAUTHEN
DEPUTY ADMINISTRATOR
334.832.1210
FAX: 334.832.2533
TDD: 334.265.3568
WWW.MC-ALA.ORG

March 12, 2018

MEMORANDUM

TO: Thomas T. Gallion, III
County Attorney

FROM: Donald L. Mims *DLM*
County Administrator

SUBJECT: Request for Opinion – Memorandum of Understanding with The Alabama
Medicaid Agency

Enclosed is an email from Director of Risk Management Scott Kramer and a Memorandum of Understanding with The Alabama Medicaid Agency regarding Medicaid reimbursement for inmates.

Please review the enclosed documents and issue an opinion by Wednesday, March 14, 2018, as to whether the MOU is acceptable.

As always, thank you for your assistance.

/tn

Enclosures

- A COUNTY OLDER THAN THE STATE -

P.O. BOX 1667 MONTGOMERY, ALABAMA 36102-1667 PHONE: 334.832.1210

3-17

ELTON N. DEAN, SR.
CHAIRMAN
RONDA M. WALKER
VICE CHAIRMAN

DANIEL HARRIS, JR.
ISAIAH SANKEY
DOUG SINGLETON



ENGINEERING DEPARTMENT

GEORGE C. SPEAKE, PE, PLS
COUNTY ENGINEER
Kevin A. Boone, PE
ASSISTANT COUNTY ENGINEER
334.832.1310
FAX: 334.832.7190
WWW.MC-ALA.ORG

AGENDA

APR - 2 2018

March 5, 2018

MEMORANDUM

TO: Donald L. Mims
County Administrator

FROM: George C. Speake
County Engineer *George C. Speake*
3/5/2018

SUBJECT: Approval of Agreement for Resurfacing
Macon County Road from SR-110 (Vaughn Road) to Macon County Line and
Flowers Road from Bullock County Line to SR-110 (Vaughn Road)
Project# STPMN-5117(250), MCP 51-80-17, CPMS Ref. # 100067923

Please place on the agenda for the nearest possible Montgomery County Commission meeting approval of attached agreement between the Alabama Department of Transportation (ALDOT) and Montgomery County concerning funding for resurfacing Macon County Road from SR-110 (Vaughn Road) to Macon County Line and Flowers Road from Bullock County Line to SR-110 (Vaughn Road), Project# STPMN-5117(250), MCP# 51-80-17, CPMS Ref. # 100067923.

If approved please have attached agreement executed and return to this office for further processing.

GCS/gcs

Attachment

cc; File

- A COUNTY OLDER THAN THE STATE -

P.O. Box 1667 MONTGOMERY, ALABAMA 36102-1667 PHONE: 334.832.1310

A G R E E M E N T – M P O (F A S T P F u n d s)

This Agreement is made and entered into by and between the STATE OF ALABAMA, acting by and through the ALABAMA DEPARTMENT OF TRANSPORTATION, party of the first part (hereinafter called the STATE), and MONTGOMERY COUNTY, ALABAMA (FEIN 63-6001653), party of the second part (hereinafter called the COUNTY):

W I T N E S S E T H

WHEREAS, the STATE and COUNTY desire to cooperate in the level, resurface and traffic stripe CR-2 (Macon County Rd.) from SR-110 (Vaughn Rd.) to the Macon County Line (Site 1) and CR-37 (Flowers Rd.) from the Bullock County Line To SR-110 (Vaughn Rd.) (Site 2) -Length- 7.69 Miles. Project # STPMN-5117 (250), MCP 51-80-17, CPMS Ref. # 100067923.

NOW THEREFORE, it is mutually agreed between the STATE and COUNTY as follows;

- A. The COUNTY will furnish all Right-of-Way for project without cost to the State or this Project.
- B. The COUNTY will adjust and/or relocate all Utilities on the project without cost to the State or this Project.
- C. The COUNTY will make the survey, complete the plans and furnish all preliminary engineering for the project with County forces without cost to the STATE or this Project. The plans will be subject to the approval of the STATE and the project will be constructed in accordance with the plans approved by the STATE and the terms of this Agreement.
- D. The COUNTY will furnish all construction engineering for the project with County forces or with a consultant selected and approved by the STATE not to exceed 5% without prior approval by the State. The cost of the construction engineering shall be included as part of the construction cost for the project.
- E. If necessary, the COUNTY will file an Alabama Department of Environmental Management (ADEM) National Pollutant Discharge Elimination System (NPDES) Notice of Registration (NOR) (Code Chapter 335-6-12) for this project without cost to the STATE or this project. The COUNTY will be the permittee of record with ADEM for the permit. The contractor shall be a co-permittee with the COUNTY for the permit, and shall comply with all requirements of the permit. The COUNTY and the contractor will be responsible for compliance with the permit and the STATE will have no obligation regarding the permit. The COUNTY will furnish the STATE (Division) a copy of the permit prior to any work being performed by the contractor.
- F. The STATE will furnish the necessary inspection and testing of materials when needed as part of the cost of the project.
- G. The STATE will not be liable for Federal Aid Funds in any amount. The project will be limited to 1,181,095.78 Federal funds unless the Montgomery Area Metropolitan Planning Organization agrees, subject to the approval of the STATE, to reprogram the allocated Federal funds for the Montgomery Area sufficient to pay 80% of the project cost. In the event of an underrun in project costs, the amount of Federal Aid funds will be the amount stated below, or 80% of eligible project costs, whichever is less.
- H. The estimated cost of construction of this project payable by the parties is the amount set forth below:

FA STP Funds (Montgomery Area Dedicated)	\$ 1,181,095.78
County Funds	295,273.94
TOTAL (Incl. E & I)	\$ 1,476,369.72

I. The STATE will be responsible for advertisement and receipt of bids, and the award of the Contract. Following the receipt of bids and prior to the award of the Contract, the STATE will invoice the COUNTY for its prorata share of the estimated cost as reflected by the bid of the successful bidder plus E & I, and the COUNTY will pay this amount to the STATE no later than 30 days after the date bids are opened.

J. The COUNTY will submit reimbursement invoices for work performed under the terms of this Agreement to the Alabama Department of Transportation within six (6) months after the completion and acceptance of the project. Any invoices submitted after this six (6) month period will not be eligible for payment.

K. The COUNTY will comply with the Alabama Department of Transportation Standard Specifications for Highway Construction, Latest Edition, on this project and will ensure that alignment and grades on this project meet the standards of the Alabama Department of Transportation and the project will be built in accordance with the approved plans.

L. An audit report must be filed with the Department of Examiners of Public Accounts, upon receipt by the County, for any audit performed on this project in accordance with Act No. 94-414.

M. Upon completion and acceptance of this project, the County will maintain the project in satisfactory condition in accordance with the requirements of the Alabama Department of Transportation.

N. The COUNTY will be responsible at all times for all of the work performed under this agreement and, the COUNTY will protect, defend, indemnify, and hold harmless the State of Alabama, the Alabama Department of Transportation, the officials, officers, and employees, in both their official and individual capacities, and their agents and/or assigns, from and against any and all action, damages, claims, loss, liabilities, attorney's fees or expense whatsoever or any amount paid in compromise thereof arising out of or connected with the work performed under this agreement.

O. The COUNTY will be obligated for the payment of damages occasioned to private property, public utilities or the general public, caused by the legal liability (in accordance with Alabama and/or Federal law) of the COUNTY, its agents, servants, employees or facilities.

P. By entering into this agreement, the COUNTY is not an agent of the STATE, its officers, employees, agents or assigns. The COUNTY is an independent entity from the STATE and nothing in this agreement creates an agency relationship between the parties.

Q. Exhibit M is attached hereto as a part hereof.

R. Exhibit N is attached hereto as a part hereof.

S. This agreement may be terminated by either party upon the delivery of a thirty (30) day notice of termination.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed by those officers, officials and persons thereunto duly authorized, and the agreement is deemed to be dated and to be effective on the date stated hereinafter as the date of the approval of the Governor of Alabama.

SEAL

ATTEST:

MONTGOMERY COUNTY, ALABAMA

Clerk (Signature)

BY:
(Signature) Chairman,
Montgomery County Commission

Type Name of Clerk

Type Name of Chairman

RECOMMENDED

STATE OF ALABAMA,
ACTING BY AND THROUGH THE
ALABAMA DEPARTMENT OF
TRANSPORTATION

State Local Transportation Engineer
D. E. Phillips, Jr., P.E.

Chief Engineer
Don T. Arkle, P.E.

APPROVED AS TO FORM:

Chief Counsel, William F Patty
Alabama Department of Transportation

Transportation Director
John R. Cooper

THE WITHIN AND FOREGOING AGREEMENT IS HEREBY APPROVED ON THE DAY
OF , 20 .

GOVERNOR OF ALABAMA
KAY IVEY

RESOLUTION NUMBER _____

BE IT RESOLVED, by the County Commission of Montgomery County, Alabama, that the County enter into an agreement with the State of Alabama; acting by and through the Alabama Department of Transportation for:

Level, Resurface and Traffic Stripe CR-2 (Macon County Rd) from SR-110 (Vaugh Rd.) to the Macon County Line (Site 1) and CR-37 (Flowers Rd) from the Bullock County Line to SR-110 (Vaughn Rd.) (Site 2) Length- 7.69 Miles. Project # STPMN-5117 (250), MCP 51-80-17, CPMS Ref. # 100067923;

which agreement is before this Commission, and that the agreement be executed in the name of the County, by the Chairman of the Commission for and on its behalf and that it be attested by the County Clerk and the seal of the County affixed thereto.

BE IT FURTHER RESOLVED, that upon the completion of the execution of the agreement by all parties, that a copy of such agreement be kept of record by the County Clerk.

Passed, adopted, and approved this _____ day of _____,

20 _____.

ATTESTED:

County Clerk

Chairman, County Commission

I, the undersigned qualified and acting clerk of Montgomery County, Alabama, do hereby certify that the above and foregoing is a true copy of a resolution lawfully passed and adopted by the County Commission of the County named therein, at a regular meeting of such Commission held on the

_____ day of _____, 20 _____, and that such resolution is of record in the Minute Book of the County.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the County on this

_____ day of _____, 20 _____.

County Clerk

SEAL

EXHIBIT M

CERTIFICATION FOR FEDERAL-AID CONTRACTS: LOBBYING

This certification is applicable to the instrument to which it is attached whether attached directly or indirectly with other attachments to such instrument.

The prospective participant/recipient, by causing the signing of and the submission of this Federal contract, grant, loan, cooperative AGREEMENT, or other instrument as might be applicable under Section 1352, Title 31, U. S. Code, and the person signing same for and on behalf of the prospective participant/recipient each respectively certify that to the best of the knowledge and belief of the prospective participant or recipient and of the person signing for and on behalf of the prospective participant/recipient, that:

- a. No Federal appropriated funds have been paid or will be paid, by or on behalf of the prospective participant/recipient or the person signing on behalf of the prospective participant/recipient as mentioned above, to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- b. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, or other instrument as might be applicable under Section 1352, Title 31, U. S. Code, the prospective participant/recipient shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U. S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

The prospective participant/recipient also agrees by submitting this Federal contract, grant, loan, cooperative agreement or other instrument as might be applicable under Section 1352, Title 31, U.S. Code, that the prospective participant/recipient shall require that the language of this certification be included in all lower tier subcontracts, which exceed \$100,000 and that all such subrecipients shall certify and disclose accordingly.

EXHIBIT N

FUNDS SHALL NOT BE CONSTITUTED AS A DEBT

It is agreed that the terms and commitments contained herein shall not be constituted as a debt of the State of Alabama in violation of Article 11, Section 213 of the Constitution of Alabama, 1901, as amended by Amendment Number 26. It is further agreed that if any provision of this AGREEMENT shall contravene any statute or Constitutional provision of amendment, either now in effect or which may, during the course of this AGREEMENT, be enacted, then the conflicting provision in the AGREEMENT shall be deemed null and void.

When considering settlement of controversies arising from or related to the work covered by this AGREEMENT, the parties may agree to use appropriate forms of non-binding alternative dispute resolution.

TERMINATION DUE TO INSUFFICIENT FUNDS

- a. If the agreement term is to exceed more than one fiscal year, then said agreement is subject to termination in the event that funds should not be appropriated for the continued payment of the agreement in subsequent fiscal years.
- b. In the event of proration of the fund from which payment under this AGREEMENT is to be made, agreement will be subject to termination.

NO GOVERNMENT OBLIGATION TO THIRD PARTY CONTRACTORS

The STATE and COUNTY acknowledge and agree that, notwithstanding any concurrence by the Federal Government in or approval of the solicitation or award of the underlying contract, absent the express written consent by the Federal Government, the Federal Government is not a party to this contract and shall not be subject to any obligations of or liabilities to the STATE, COUNTY, or any other party (whether or not a party to that contract) pertaining to any matter resulting from the underlying contract.

The COUNTY agrees to include the above clause in each subcontract financed in whole or in part with Federal assistance provided to FHWA. It is further agreed that the clause shall not be modified, except to identify the subcontractor who will be subject to its provisions.

AGENDA

APR - 2 2018

March 22, 2018

MEMORANDUM

TO: Montgomery County Commission

FROM: Florence M. Cauthen, Deputy Administrator 

SUBJECT: Minority and Small Business Initiative

Please find attached a contract with the Moore-Zeigler Group to provide services to advance Montgomery County Commission's Minority and Women-Owned Business Initiative. At its meeting on March 19, 2018, the Commission agreed that the contract be placed on the next agenda.

The County of Montgomery, Alabama

THE SMALL AND MINORITY BUSINESS SUPPORT INITIATIVE PROGRAM

**MEMORANDUM OF AGREEMENT
TO
PROVIDE CONTRACT SERVICES**

This Memorandum of Agreement between The Montgomery County Commission and the Moore-Zeigler Group, LLC, a contract services provider has an effective start date of March 1, 2018 and an ending date of February 28, 2019. During the period of the agreement Moore-Zeigler Group, LLC agrees to provide, at a rate of \$3,000.00 per month, not to exceed a total cost of \$36,000.00 per year, the following services to the Montgomery County Commission

- **To serve as Program Manager** to implement the Small and Minority Business Support Initiative Program.
- **Develop Activities for Capacity Building** to assist the small minority business owners in developing additional job scopes and capabilities.
- **Coordinate Montgomery County Purchasing Department** to understand county procedures and to participate in distribution of bids.
- **Provide access to an updated database (DBENetworks)** of small minority businesses selected to participate in the program.
- **Ensure that accurate and current files** and records of participants are created and oversee the preparation and submission of appropriate reports of the progress and status of the program.

Performance Goals

The specific goals of the program are:

1. Increase the number of county contracts awarded to small and minority business firms by providing them with the tools and resources they need to enhance their favorability with prime contractors.
2. Utilizing these tools and resources to provide assistance to small and minority-owned firms in gaining access to capital through community and regional banks and financial institutions and acquiring bonding and insurance.
3. Provide job opportunities by matching the need for workers with prime contractors and large non-minority sub-contractors who have a past history of utilizing small minority-owned businesses as sub-contractors.
4. Implement a business development component to assist individual small minority-owned businesses to become more versatile by increasing their capabilities into areas related to, or that will enhance their main specialty allowing them to be more attractive to the prime contractors when selecting a sub-contractor.

Monitoring and Evaluation:

MZG will provide to the County a Quarterly written report detailing all activities performed on the County's behalf MZG, will solicit feedback from the County as to any specific area or direction the County wishes to have addressed, and request an evaluation of those activities from the County relative to the effectiveness all MZG activities.

Final Report:

Moore-Zeigler Group will provide to the County, a final detailed report at the completion of the 12-month period. The report will be submitted to the County 60 days after contract after the period is completed.

The Moore-Zeigler Group, LLC, fully understands that the \$3,000.00 per month fee covers all consultant costs to include, but are not limited to, food, lodging, travel, parking or the purchase of administrative supplies

Both, The Montgomery County Commission and **The Moore-Zeigler Group, LLC** concur that his agreement in no way represents full-time or permanent employment, nor does the contract services provider have a claim or right to any benefits paid to any employee of the Montgomery County Commission. The consultant is engaged as an Independent contractor and is not eligible for fringe benefits including retirement, medical insurance, FICA matching contributions, etc. with the County of Montgomery. Both parties understand that this agreement represents a contract relationship and that the contract service provider is fully responsible for paying their own taxes.

Carmen Moore Zeigler
The Moore-Zeigler Group, LLC

Elton N. Dean, Sr.
Chairman,
Montgomery County Commission

Date

Date

Montgomery County Commission Minority and Women-Owned Business Initiative

Policy Statement

The Montgomery County Commission (MCC) is committed to:

- increase participation by Minority and Women-Owned Businesses (M/WBs) in the procurement process in Montgomery County;
- ensure equal opportunity for M/WBs to participate in the procurement process;
- prohibit discrimination on the basis of race, color, religion, national origin, sex, age, disability, or veteran status in the procurement process; and
- achieve a minimum of 30% participation by M/WBs in the bidding process in Montgomery County.

Policy Implementation

The Montgomery County Commission will engage and/or hire a M/WB Liaison to assist Montgomery County's Purchasing Department in developing and executing a plan to implement the M/WB policy in compliance with Montgomery County purchasing procedures. The plan will include, but not be limited to, steps to accomplish the following:

- disseminate information on available business opportunities to ensure M/WBs are provided an equal opportunity to participate in the procurement process;
- maintain and update a directory of M/WBs;
- make prospective contractors and vendors aware of the MCC's M/WB policy;
- attend pre-bid /pre-proposal conference(s) to explain M/WB objectives and to respond to questions;
- review requests for bids/proposals prior to formal advertising or solicitation to make sure that proper instructions are included regarding the MCC's M/WB objectives; and
- maintain accurate and up-to-date records demonstrating M/WB efforts and accomplishments.

The plan will also establish procedures to ensure equal opportunity to compete in MCC's procurement process, such as:

- arrange solicitations, time for submission of bids/proposals, quantities, specifications, and deliveries to better facilitate the participation of M/WBs;
- implement informational programs on opportunities and procedures.
- provide information on avenues of access on items such as the inability to obtain insurance, bonding, financing, and technical assistance.
- include the MCC's M/WB policy and objectives in requests for bids and proposals.
- provide information and communication on contracting procedures, specifications and RFPs to M/WBs in a timely manner.

Recognition of M/WBs

To ensure that the MCC's M/WB policy benefits businesses which are owned and controlled in both form and substance by minority individuals or women, the MCC shall recognize M/WB certification by the Alabama Department of Economic and Community Affairs (ADECA) or Federal 8-A certification.

ADECA eligibility requirements for certification by ADECA include but are not limited to the following:

1. A business must be at least 51 percent minority/woman-owned, controlled and operated on a daily basis
2. Must have been in operation for at least one year prior to applying for minority business certification status
3. Must have a legal presence (license) to operate in Alabama
4. Majority owner(s) must be a legal resident of the United States by birth or naturalization
5. Must be **socially disadvantaged** (defined as those individuals who have been subjected to racial or ethnic prejudice, sexual or cultural bias because of their identity as a member of a group without regard to their individual qualities)
6. Must be **economically disadvantaged** (defined as those individuals whose ability to compete in the free enterprise system has been impaired due to diminished capital and credit opportunities)
7. Must be a member(s) of an officially designated **socially disadvantaged group** such as African-American, Native American or Alaskan Native, Hispanic-American, Women, Asian-Pacific American, and Asian-Indian America.

Nothing in this policy and its implementation is to be construed to require MCC to award a bid and/or contract to any bidder other than the lowest responsible bidder or to require contractors to award subcontracts to or make purchases from M/WBs who do not submit the lowest responsible sub-bid.

ELTON N. DEAN, SR.
CHAIRMAN
RONDA M. WALKER
VICE CHAIRMAN

DANIEL HARRIS, JR.
ISAIAH SANKEY
DOUG SINGLETON



DONALD L. MIMS, CPA, MPA
ADMINISTRATOR
FLORENCE M. CAUTHEN
DEPUTY ADMINISTRATOR
334.832.1210
FAX: 334.832.2533
TDD: 334.265.3568
WWW.MC-ALA.ORG

AGENDA

APR - 2 2018

March 22, 2018

MEMORANDUM

TO: Donald L. Mims
County Administrator

FROM: Scott Kramer 
Director of Risk Management

SUBJECT: Life Insurance Renewal

On March 19, 2018, I met with the County Commission to discuss the renewal of the group life insurance and AD&D coverage. A two year rate guarantee had previously been secured effective June 1, 2016 through John Dorrough of Harmon Dennis Bradshaw with Standard Life at a rate of \$.10 / \$1000 of coverage plus the broker fee for the Life Insurance. The AD&D coverage will remain at a rate of .015 / \$1,000. As discussed with the Commission this week, these rates were extended through 1/1/19.

I am requesting the County Commission's approval of this item outlined above.

Cc: Florence Cauthen, Deputy Administrator

6-1

Scott Kramer

Φρομ: John Dorough <jdorough@hdbinsurance.com>
Σεντ: Tuesday, March 13, 2018 11:46 AM
Το: Scott Kramer
Χχ: Melody Singleton; Danny Cox
Συβφεχτ: FW: 161667_Montgomery County Commission (06/01/2018 Renewal - Inquiry)

Scott,

Please see confirmation below from The Standard on the rate extension for the Montgomery County Commission group life insurance until 1-1-2019.

I think negotiating the renewals for the City and the County collectively with The Standard will give us additional pull for a better result.

Feel free to call me with any questions.

Thanks,



John W. Dorough, III, GBDS

Manager, Individual and Employee Benefits Department

Harmon Dennis Bradshaw

7115 Halcyon Summit Drive, Montgomery, AL 36117

PO Box 241667, Montgomery, AL 36124

☎ Office Number 334.273.7277 | ☎ Cell 334.324.0325 | ☎ Fax 334.273.1009 | ✉ mailto: jdorough@hdbinsurance.com

www.hdbinsurance.com



From: Taree Murphy [mailto:Taree.Murphy@standard.com]

Sent: Friday, March 9, 2018 1:45 PM

To: Gene McCall <Gene.McCall@standard.com>; Melody Singleton <msingleton@hdbinsurance.com>; Brian Askelson <Brian.Askelson@standard.com>

Cc: John Dorough <jdorough@hdbinsurance.com>; Danny Cox <dcox@hdbinsurance.com>

Subject: RE: 161667_Montgomery County Commission (06/01/2018 Renewal - Inquiry)

Melody,

Thank you for reaching out!

We have been able to get approval with our UW team to push out the renewal for the County until 1/1/2019. Please let me know if you have any questions or if you need any additional information.

I hope you have a nice weekend!

Taree

Taree Murphy, Account Manager
The Standard

AGENDA

APR - 2 2018

March 28, 2018

MEMORANDUM

TO: Montgomery County Commission

FROM: Florence M. Cauthen 
Deputy Administrator

SUBJECT: Change in Order of Business in the Official Agenda of Commission Meetings

At its meeting on March 19, 2018, the Commissioners discussed a change in the Order of Business in the Official Agenda of Commission Meetings to move the Comments from Citizens to follow the Roll Call to Establish a Quorum.

The Commissioners agreed to place the proposed change on the next agenda.

8-1

APR - 2 2018

MEMORANDUM

TO: Donald L. Mims, County Administrator

FROM: Tammy Turner, Buyer II TT

DATE: March 15, 2018

RE: Invitation to Bid No. 53100-18B-010
Hydro Seeding System

Request that approval of award on the above referenced Invitation to Bid to the only bid of Tractor and Equipment Company in the amount of \$13,245.00 be placed on a future agenda. (Copy of spread sheet attached.)

Coordination of award made with George Speake, County Engineer.

Attachment

[illegible]

Page 1

10-2

MONTGOMERY COUNTY COMMISSION

BUDGET CHANGE REQUEST

Request Number: 15

AGENDA

APR - 2 2018

DEPARTMENT: County Commission Appropriations REQUESTED BY: Donald L. Mims 2/21/18
Elected Official/Dept. Head Date

FINANCE REVIEW: REVIEWED BY: Sherrill Thomas 2/21/18
Finance Director Date

COMMISSION APPROVAL PROCESSING:

Briefing Memo

Agenda

✓

COUNTY COMMISSION APPROVAL:

Administrator Date

ACCOUNT NAME	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE (DECREASE)	REVISED BUDGET
Family Justice Center	001-56701.450	0	57,711	57,711
Fund Balance	001.35900	0	(57,711)	(57,711)
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
TOTAL		\$ 0	\$ 0	\$ 0

JUSTIFICATION: To budget for funding 50% of the FY 2018 salary and benefits for the Family Justice Center Director. The City of Montgomery will provide the other 50%. Previous funding 2016 \$30,000 2017 \$50,000. The State District Attorney budget funded the position prior to 2016.

**MONTGOMERY COUNTY COMMISSION
BUDGET CHANGE REQUEST**

Request Number: 2

AGENDA

APR - 2 2018

DEPARTMENT: Tax & Audit REQUESTED BY: Terri Henderson 3/26/18
Elected Official/Dept. Head Date

FINANCE REVIEW: REVIEWED BY: Sherrill Thomas 3/26/18
Finance Director Date

COMMISSION APPROVAL PROCESSING: Briefing Memo ☐
Agenda ☒

COUNTY COMMISSION APPROVAL: _____
Administrator Date

ACCOUNT NAME	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE (DECREASE)	REVISED BUDGET
Refund Prior Year Revenue	001-51800-335	31,703	10,736	42,439
Contract Services	001-51800-304	168,297	(10,736)	157,561
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
TOTAL		\$ 200,000	\$ 0	\$ 200,000

JUSTIFICATION: Transfer of \$10,736 from Contract Services to fund Prior Year Refunds of general fund portion of sales and use taxes due back to taxpayers.

POSITION FILL REQUEST- BUDGETED VACANCY

APR - 2 2018

DEPARTMENT: M. C. Sheriff's Office - Detention Facility
 DEPARTMENT HEAD: Derrick Cunningham, Sheriff
 SUPERVISOR: Wanda Robinson, Colonel

POSITION INFORMATION:

Position Title Corrections Officer Trainee
 Position Number 500419015 (Replace R Motley)
 Pay Grade PCT Pay Range \$30,096
 Proposed Effective Date April 9, 2018
 Type of Hire (☒) New (☐) Promotional
 Type of Appointment (☒) Permanent (☐) Temporary

DEPARTMENT APPROVAL:

Derrick Cunningham

Department Head

Date 03/23/2018

PAYROLL/FINANCE REVIEW:

Requested position is vacant and budgeted.

Lisa Herring

Employee Benefit Manager

Date 03/23/2018

Sherrill Thomas

Finance Director

Date 3/26/2018

ADMINISTRATIVE APPROVAL:

County Administrator

Date _____

POSITION FILL REQUEST- BUDGETED VACANCY

APR - 2 2018

DEPARTMENT: M. C. Sheriff's Office - Detention Facility

DEPARTMENT HEAD: Derrick Cunningham, Sheriff

SUPERVISOR: Wanda Robinson, Colonel

POSITION INFORMATION:

Position Title Corrections Officer Trainee

Position Number 500419144 (replace S. Daniels)

Pay Grade PCT Pay Range \$30,096

Proposed Effective Date April 9, 2018

Type of Hire (☒) New (☐) Promotional

Type of Appointment (☒) Permanent (☐) Temporary

DEPARTMENT APPROVAL:

Derrick Cunningham

Department Head

Date 3/19/2018

PAYROLL/FINANCE REVIEW:

Requested position is vacant and budgeted.

Lisa Herring

Employee Benefit Manager

Date 03/22/2018

Sherrill Thomas

Finance Director

Date 3/22/2018

ADMINISTRATIVE APPROVAL:

County Administrator

Date _____

APR - 2 2018

POSITION FILL REQUEST- BUDGETED VACANCY

DEPARTMENT: M. C. Sheriff's Office - Detention Facility
 DEPARTMENT HEAD: Derrick Cunningham, Sheriff
 SUPERVISOR: Wanda Robinson, Colonel

POSITION INFORMATION:

Position Title Corrections Officer Trainee
 Position Number 500419170(replace T. Tolbert)
 Pay Grade PCT Pay Range \$30,096
 Proposed Effective Date April 9, 2018
 Type of Hire (☒) New (☐) Promotional
 Type of Appointment (☒) Permanent (☐) Temporary

DEPARTMENT APPROVAL:

Derrick Cunningham Date 3/26/2018
 Department Head

PAYROLL/FINANCE REVIEW:

Requested position is vacant and budgeted.

Lisa Herring Date 03/26/2018
 Employee Benefit Manager

Sherrill Thomas Date 3/26/2018
 Finance Director

ADMINISTRATIVE APPROVAL:

 County Administrator Date _____

APR - 2 2018

POSITION FILL REQUEST- BUDGETED VACANCY

DEPARTMENT: Montgomery County Engineering Construction
 DEPARTMENT HEAD: George Speake
 SUPERVISOR: Kevin Boone

POSITION INFORMATION:

Position Title Civil Engineer Tech III
 Position Number 640629004
 Pay Grade A09 Pay Range 50,627 - 75,642
 Proposed Effective Date April 9, 2018
 Type of Hire (☐) New (☒) Promotional
 Type of Appointment (☒) Permanent (☐) Temporary

DEPARTMENT APPROVAL:

George Speake

Department Head

Date March 12, 2018

PAYROLL/FINANCE REVIEW:

Requested position is vacant and budgeted.

Lisa Herring

Employee Benefit Manager

Date 03/12/2018

Sherrill Thomas

Finance Director

Date 3/22/2018

ADMINISTRATIVE APPROVAL:

 County Administrator

Date _____

POSITION FILL REQUEST- BUDGETED VACANCY

APR - 2 2018

DEPARTMENT: Montgomery County Sheriff's Office
 DEPARTMENT HEAD: Derrick Cunningham, Sheriff
 SUPERVISOR: Kevin Murphy, Chief Deputy

POSITION INFORMATION:

Position Title Deputy Sheriff Sergeant
 Position Number 550432052 (Replace F Johnson)
 Pay Grade PS3 Pay Range \$44,664 - \$66,733
 Proposed Effective Date April 9, 2018
 Type of Hire (☐) New (☒) Promotional
 Type of Appointment (☒) Permanent (☐) Temporary

DEPARTMENT APPROVAL:

Derrick Cunningham

Department Head

Date 03/23/2018

PAYROLL/FINANCE REVIEW:

Requested position is vacant and budgeted.

Lisa Herring

Employee Benefit Manager

Date 03/23/2018

Sherrill Thomas

Finance Director

Date 3/26/2018

ADMINISTRATIVE APPROVAL:

County Administrator

Date _____

APR - 2 2018

POSITION FILL REQUEST- BUDGETED VACANCY

DEPARTMENT: Montgomery County Sheriff's Office
 DEPARTMENT HEAD: Derrick Cunningham, Sheriff
 SUPERVISOR: Kevin Murphy, Chief Deputy

POSITION INFORMATION:

Position Title Auto Servicer
 Position Number 550587001
 Pay Grade S6 Pay Range \$27,921 - 41,718
 Proposed Effective Date April 9, 2018
 Type of Hire (☒) New (☐) Promotional
 Type of Appointment (☒) Permanent (☐) Temporary

DEPARTMENT APPROVAL:

Derrick Cunningham

Department Head

Date March 16, 2018

PAYROLL/FINANCE REVIEW:

Requested position is vacant and budgeted.

Lisa Herring

Employee Benefit Manager

Date 03/22/2018

Sherrill Thomas

Finance Director

Date 3/22/2018

ADMINISTRATIVE APPROVAL:

 County Administrator

Date _____

APR - 2 2018

POSITION FILL REQUEST- BUDGETED VACANCY

DEPARTMENT: Montgomery County Sheriff's Office
 DEPARTMENT HEAD: Derrick Cunningham, Sheriff
 SUPERVISOR: Kevin Murphy, Chief Deputy

POSITION INFORMATION:

Position Title Automotive Mechanic
 Position Number 550590001
 Pay Grade S09 Pay Range \$34,109 - \$50,965
 Proposed Effective Date April 9, 2018
 Type of Hire (☒) New (☐) Promotional
 Type of Appointment (☒) Permanent (☐) Temporary

DEPARTMENT APPROVAL:

Derrick Cunningham Date March 16, 2018
 Department Head

PAYROLL/FINANCE REVIEW:

Requested position is vacant and budgeted.

Lisa Herring Date 03/22/2018
 Employee Benefit Manager

Sherrill Thomas Date 3/22/2018
 Finance Director

ADMINISTRATIVE APPROVAL:

 County Administrator Date _____

Montgomery County Commission
Travel / Training Request Approval
Request # 9

AGENDA

APR - 2 2018

Date: March 27, 2018
To: Donald L. Mims, Administrator
From: Donald Mims
Re: Approval for the following travel:

Destination: Orange Beach, Alabama
Departure Date: May 09, 2018 Return Date: May 10, 2018
Conference Leave (Days / Hours): (2) Days
Purpose of Travel: to attend the 2018 ACAA Annual Conference

Traveler (s) Name: 1. Donald Mims 4. _____
2. _____ 5. _____
3. _____ 6. _____

Check Mode of Transportation: County Vehicle ☐ Commercial Air ☐
Private Vehicle ☒ Other (Specify) ☐

Total (est.) Cost: \$991.66 Advance Registration Required: \$210.00

Department Name: County Commission Fund Name: General

Additional Comments: Registration- \$210.00 Lodging- \$415.84 Meals- \$150.00 Mileage- \$215.82

To: Donald L Mims, Administrator
From: Donald L. Mims, Administrator

The above request is app. 4/2/18 reimbursement of actual and necessary expenses in the
approximate amount of \$991.66 and advance registration of \$210.00 is authorized.

<i>To be completed by the Finance Department</i>	
Fund Code:	<u>001-51100.265</u> (ex: 000-00000-000)
Description:	<u>Registration & Training</u>
Current Budget:	<u>\$22,500.00</u>
Approved Requests:	<u>\$8,238.64</u>
Budget Available:	<u>\$14,261.36</u>
Current Requests:	<u>\$991.66</u>
Budget Balance:	<u>\$13,269.70</u>

Donald L. Mims, Administrator

Reviewed by: S. Thomas

Date: 3/27/2018

cc: Finance Director / Buyer

Montgomery County Commission
Travel / Training Request Approval
Request # 12

AGENDA

APR - 2 2018

Date: March 26, 2018
To: Donald L. Mims, Administrator
From: Scott Kramer
Re: Approval for the following travel:

Destination: Orange Beach, Alabama
Departure Date: June 6, 2018 Return Date: June 8, 2018
Conference Leave (Days / Hours): (3) Days
Purpose of Travel: to attend the 2018 ACCMA Summer Conference

Traveler (s) Name: 1. Scott Kramer 4. _____
2. _____ 5. _____
3. _____ 6. _____

Check Mode of Transportation: County Vehicle ☐ Commercial Air ☐
Private Vehicle ☒ Other (Specify) ☐

Total (est.) Cost: \$585.82 Advance Registration Required: _____
Department Name: Risk Management Fund Name: Liability
Additional Comments: Reservation \$220.00 Meals-\$150.00 Mileage-\$215.82

To: Scott Kramer, Risk Manager
From: Donald L. Mims, Administrator

The above request is app. 4/2/18 reimbursement of actual and necessary expenses in the
approximate amount of \$585.82 and advance registration of \$0.00 is authorized.

<i>To be completed by the Finance Department</i>	
Fund Code:	<u>007-51120.265</u> (ex: 000-00000-000)
Description:	<u>Registration & Training</u>
Current Budget:	<u>\$15,000.00</u>
Approved Requests:	<u>\$2,216.09</u>
Budget Available:	<u>\$12,783.91</u>
Current Requests:	<u>\$585.82</u>
Budget Balance:	<u>\$12,198.09</u>

Donald L. Mims, Administrator

Reviewed by: S. Thomas
Date: 3/26/2018
cc: Finance Director / Buyer

Montgomery County Commission
Travel / Training Request Approval
Request # 13

AGENDA

APR - 2 2018

Date: 3/15/18
To: Donald L. Mims, Administrator
From: Judge Steven L. Reed
Re: Approval for the following travel:

Destination: Tuscaloosa, AL
Departure Date: 4/19/18 Return Date: 4/20/18
Conference Leave (Days / Hours): 2 Days
Purpose of Travel: To attend the Alabama Probate Judges Conference

Traveler (s) Name: 1. Steven L. Reed 4. _____
2. _____ 5. _____
3. _____ 6. _____

Check Mode of Transportation: County Vehicle ☐ Commercial Air ☐
Private Vehicle ☒ Other (Specify) ☐

Total (est.) Cost: \$950.00 Advance Registration Required: _____
Department Name: Judge of Probate Fund Name: 001-51300.265

Additional Comments: Advance registration of \$275 is needed by April 10th. Check should be made payable to Alabama Probate Judges Association and mailed to Alabama Law Institute P. O. Box 861425 Tuscaloosa, AL 35486

To: Judge Steven L. Reed
From: Donald L. Mims, Administrator

The above request is app. 4/2/18 reimbursement of actual and necessary expenses in the approximate amount of \$950.00 and advance registration of \$0.00 is authorized.

<i>To be completed by the Finance Department</i>	
Fund Code:	<u>001-51300.265</u> (ex: 000-00000-000)
Description:	<u>Registration & Training</u>
Current Budget:	<u>\$17,000.00</u>
Approved Requests:	<u>\$9,004.02</u>
Budget Available:	<u>\$7,995.98</u>
Current Requests:	<u>\$950.00</u>
Budget Balance:	<u>\$7,045.98</u>

Donald L. Mims, Administrator

Reviewed by: S. Thomas
Date: 3/19/2018

cc: Finance Director / Buyer

163

Montgomery County Commission
Travel / Training Request Approval

Request # 14

AGENDA

APR - 2 2018

Date: 3/15/18
To: Donald L. Mims, Administrator
From: Judge Steven L. Reed
Re: Approval for the following travel:

Destination: Coral Gables, Florida
Departure Date: 4/17/18 Return Date: 4/18/18
Conference Leave (Days / Hours): 2 Days
Purpose of Travel: To attend the U.S. Election Assistance Commission Standard Boards Meeting

Traveler (s) Name: 1. Steven L. Reed 4. _____
2. _____ 5. _____
3. _____ 6. _____

Check Mode of Transportation: County Vehicle ☐ Commercial Air ☒
Private Vehicle ☐ Other (Specify) ☐

Total (est.) Cost: \$0.00 Advance Registration Required: _____
Department Name: Judge of Probate Fund Name: 001-51300.265
Additional Comments: The EAC Standards Board will be paying all costs for travel.

To: Judge Steven L. Reed
From: Donald L. Mims, Administrator

The above request is app. 4/2/18 reimbursement of actual and necessary expenses in the
approximate amount of \$0.00 and advance registration of \$0.00 is authorized.

<i>To be completed by the Finance Department</i>	
Fund Code:	<u>001-51300.265</u> (ex: 000-00000-000)
Description:	<u>Registration & Training</u>
Current Budget:	<u>\$17,000.00</u>
Approved Requests:	<u>\$9,004.02</u>
Budget Available:	<u>\$7,995.98</u>
Current Requests:	<u>\$950.00</u>
Budget Balance:	<u>\$7,045.98</u>

Donald L. Mims, Administrator

Reviewed by: S. Thomas
Date: 3/19/2018

cc: Finance Director / Buyer

Montgomery County Commission
Travel / Training Request Approval
Request # 8

AGENDA

APR - 2 2018

Date: March 26, 2018
To: Donald L. Mims, Administrator
From: Terri Henderson, Revenue Manager
Re: Approval for the following travel:

Destination: Hoover, AL
Departure Date: May 2, 2018 Return Date: May 4, 2018
Conference Leave (Days / Hours): 3 Days
Purpose of Travel: Attend ALTIST CRE II: Minimum Examination for Local Government
Examiners. Upon testing and successful completion qualifies for 20 CPE hours
toward CRE 2018 requirement for attendee.

Traveler (s) Name: 1. Maxine Taylor 4. _____
2. _____ 5. _____
3. _____ 6. _____

Check Mode of Transportation: County Vehicle ☐ Commercial Air ☐
Private Vehicle ☒ Other (Specify) ☐

Total (est.) Cost: \$815.47 Advance Registration Required: \$300.00

Department Name: Tax & Audit Department Fund Name: 001-51800-265

Additional Comments: Registration Fee \$300.00. Lodging \$300.00. Meals \$125.00. Mileage \$90.47.
ALTIST CRE Program Course Sponsored by Auburn University
Government & Economic Development Institute.

To: Terri Henderson, Revenue Manager

From: Donald L. Mims, Administrator

The above request is app. 4/2/18 reimbursement of actual and necessary expenses in the
approximate amount of \$815.47 and advance registration of \$300.00 is authorized.

<i>To be completed by the Finance Department</i>	
Fund Code:	<u>001-51800.265</u> (ex: 000-00000-000)
Description:	<u>Registration & Training</u>
Current Budget:	<u>\$12,250.00</u>
Approved Requests:	<u>\$4,996.82</u>
Budget Available:	<u>\$7,253.18</u>
Current Requests:	<u>\$815.47</u>
Budget Balance:	<u>\$6,437.71</u>

Donald L. Mims, Administrator



Reviewed by: S. Thomas

Date: 3/26/2018

cc: Finance Director / Buyer

Montgomery County Commission
Travel / Training Request Approval
Request # 29

AGENDA

APR - 2 2018

Date: March 22, 2018
To: Donald L. Mims, Administrator
From: Sheriff Derrick Cunningham
Re: Approval for the following travel:

Destination: Newnan, Ga
Departure Date: April 16, 2018 Return Date: April 19, 2018
Conference Leave (Days / Hours): 4 Days
Purpose of Travel: attend K9 Seminar

Traveler (s) Name: 1. Josh Henry 4. _____
2. Tim Heath 5. _____
3. _____ 6. _____

Check Mode of Transportation: County Vehicle ☒ Commercial Air ☐
Private Vehicle ☐ Other (Specify) ☐

Total (est.) Cost: \$1,200.00 Advance Registration Required: \$0.00
Department Name: Montgomery County Sheriff's Office Fund Name: 001-52110.380
Additional Comments: _____

To: Sheriff Derrick Cunningham
From: Donald L. Mims, Administrator

The above request is app. 4/2/18 reimbursement of actual and necessary expenses in the
approximate amount of \$1,200.00 and advance registration of \$0.00 is authorized.

<i>To be completed by the Finance Department</i>	
Fund Code:	<u>001-52110.380</u> (ex: 000-00000-000)
Description:	<u>Investigations-K-9</u>
Current Budget:	<u>\$45,300.00</u>
Approved Requests:	<u>\$19,453.00</u>
Budget Available:	<u>\$25,847.00</u>
Current Requests:	<u>\$1,200.00</u>
Budget Balance:	<u>\$24,647.00</u>

Donald L. Mims, Administrator

Reviewed by: S. Thomas
Date: 3/22/2018

cc: Finance Director / Buyer

166

Montgomery County Commission
Travel / Training Request Approval
Request # 18

Date: March 7, 2018
To: Donald L. Mims, Administrator
From: Carmen Douglas, Personnel Director
Re: Approval for the following travel:

AGENDA

APR - 2 2018

Destination: Troy, AL
Departure Date: 4/11/2018 Return Date: 4/11/2018
Conference Leave (Days / Hours): 1 Day
Purpose of Travel: Trenholm State Community College 2018 Career Fair

Traveler (s) Name: 1. Monica Caudle 4. _____
2. Henry Jackson 5. _____
3. _____ 6. _____

Check Mode of Transportation: County Vehicle ☒ Commercial Air ☐
Private Vehicle ☐ Other (Specify) ☐

Total (est.) Cost: \$0.00 Advance Registration Required: \$0.00
Department Name: Personnel Fund Name: Merit System

Additional Comments: _____

To: Carmen Douglas, Personnel Director
From: Donald L. Mims, Administrator

The above request is app. 4/2/18 reimbursement of actual and necessary expenses in the
approximate amount of \$0.00 and advance registration of \$0.00 is authorized.

<i>To be completed by the Finance Department</i>		
Fund Code:	<u>123-51961.190</u>	(ex: 000-00000-000)
Description:	<u>Recruiting</u>	
Current Budget:	<u>\$5,000.00</u>	
Approved Requests:	<u>\$2,618.99</u>	
Budget Available:	<u>\$2,381.01</u>	
Current Requests:	<u>\$0.00</u>	
Budget Balance:	<u>\$2,381.01</u>	

Donald L. Mims, Administrator

Reviewed by: S. Thomas

Date: 3/22/2018

cc: Finance Director / Buyer

Montgomery County Commission
Travel / Training Request Approval

Request # 19

AGENDA

APR - 2 2018

Date: March 20, 2018
To: Donald L. Mims, Administrator
From: Carmen Douglas, Personnel Manager
Re: Approval for the following travel:

Destination: Atlanta, GA
Departure Date: April 22, 2018 Return Date: April 24, 2018
Conference Leave (Days / Hours): 2 Days
Purpose of Travel: Institute for Applied Management & Law Certificate in Conducting Lawful Investigations Seminar

Traveler (s) Name: 1. Kaila Matney 4. _____
2. _____ 5. _____
3. _____ 6. _____

Check Mode of Transportation: County Vehicle ☐ Commercial Air ☐
Private Vehicle ☒ Other (Specify) ☐

Total (est.) Cost: \$2,531.49 Advance Registration Required: \$1,575.00

Department Name: Personnel Fund Name: Merit System

Additional Comments: Registration - \$1575; Mileage - \$175.49; Food - \$225; Hotel - \$478
Parking - \$78

To: Carmen Douglas, Personnel Director

From: Donald L. Mims, Administrator

The above request is app. 4/2/18 reimbursement of actual and necessary expenses in the
approximate amount of \$2,531.49 and advance registration of \$1,575.00 is authorized.

<i>To be completed by the Finance Department</i>	
Fund Code:	<u>123-51961.265</u> (ex: 000-00000-000)
Description:	<u>Registration & Training</u>
Current Budget:	<u>\$25,000.00</u>
Approved Requests:	<u>\$10,604.27</u>
Budget Available:	<u>\$14,395.73</u>
Current Requests:	<u>\$2,531.49</u>
Budget Balance:	<u>\$11,864.24</u>

Donald L. Mims, Administrator

Reviewed by: S. Thomas

Date: 3/22/2018

cc: Finance Director / Buyer

Montgomery County Commission
Travel / Training Request Approval
Request # 20

AGENDA

APR - 2 2018

Date: March 20, 2018
To: Donald L. Mims, Administrator
From: Carmen Douglas, Personnel Director
Re: Approval for the following travel:

Destination: Montgomery, AL
Departure Date: August 9, 2018 Return Date: August 10, 2018
Conference Leave (Days / Hours): 2 Days
Purpose of Travel: to attend The Global Leadership Summit

Traveler (s) Name: 1. Cami Hacker 4. _____
2. _____ 5. _____
3. _____ 6. _____

Check Mode of Transportation: County Vehicle ☐ Commercial Air ☐
Private Vehicle ☒ Other (Specify) ☐

Total (est.) Cost: \$189.00 Advance Registration Required: \$189.00

Department Name: Personnel Fund Name: Merit System

Additional Comments: _____

To: Carmen Douglas, Personnel Director

From: Donald L. Mims, Administrator

The above request is app. 4/2/18 reimbursement of actual and necessary expenses in the
approximate amount of \$189.00 and advance registration of \$189.00 is authorized.

<i>To be completed by the Finance Department</i>	
Fund Code:	<u>123-51961.265</u> (ex: 000-00000-000)
Description:	<u>Registration and Training</u>
Current Budget:	<u>\$25,000.00</u>
Approved Requests:	<u>\$10,604.27</u>
Budget Available:	<u>\$14,395.73</u>
Current Requests:	<u>\$2,720.49</u>
Budget Balance:	<u>\$11,675.24</u>

Donald L. Mims, Administrator

Reviewed by: S. Thomas

Date: 3/22/2018

cc: Finance Director / Buyer

16-9

Montgomery County Commission
Travel / Training Request Approval
Request # 28

AGENDA

APR - 2 2018

Date: March 16, 2018
To: Donald L. Mims, Administrator
From: Sheriff Derrick Cunningham
Re: Approval for the following travel:

Destination: New Orleans, Louisiana
Departure Date: June 3, 2018 Return Date: June 15, 2018
Conference Leave (Days / Hours): 10 Days
Purpose of Travel: attend Command & Staff Leadership Residency Program

Traveler (s) Name: 1. George Beaudry 4. _____
2. _____ 5. _____
3. _____ 6. _____

Check Mode of Transportation: County Vehicle ☒ Commercial Air ☐
Private Vehicle ☐ Other (Specify) ☐

Total (est.) Cost: \$5,300.00 Advance Registration Required: \$2,000.00

Department Name: Montgomery County Sheriff's Office Fund Name: 749-52110.499

Additional Comments: There is a 6 week self-paced online course to attend as well that is included in the total cost of tuition.
Then a 2 week residency program will be held on the travel dates indicated above

To: Sheriff Derrick Cunningham
From: Donald L. Mims, Administrator

The above request is app. 4/2/18 reimbursement of actual and necessary expenses in the
approximate amount of \$5,300.00 and advance registration of \$2,000.00 is authorized.

<i>To be completed by the Finance Department</i>	
Fund Code:	<u>749-52110.499</u> (ex: 000-00000-000)
Description:	<u>Administration Expense</u>
Current Budget:	<u>\$365,200.00</u>
Approved Requests:	<u>\$152,355.00</u>
Budget Available:	<u>\$212,845.00</u>
Current Requests:	<u>\$5,300.00</u>
Budget Balance:	<u>\$207,545.00</u>

Donald L. Mims, Administrator

Reviewed by: S. Thomas

Date: 3/22/2018

cc: Finance Director / Buyer

1610

AGENDA

APR - 2 2018



Office of Public Affairs

P.O. Box 1667
Montgomery, AL 36102
(334) 832-1270

Thursday, March 29, 2018

MEMORANDUM

TO: Montgomery County Commission

FROM: Hannah Hawk
Manager of Public Affairs

SUBJECT: Request approval to waive rules for Resolution in support of the T-X Project

I am requesting the Commission's approval to waive rules for the Resolution in support of the T-X Project landing in Macon County. Macon County Commission requested the resolution be passed as quickly as possible as it competes to bring the project along with hundreds of high paying jobs to the area.

I am asking that the Commission waive rules and place this item on the agenda for the April 2nd meeting.

Thank you for your consideration.

Resolution

WHEREAS, Leonardo-DRS is a worldwide and respected manufacturer of trainer jet aircraft that has selected and signed a Memorandum of Agreement with the State of Alabama and the Macon County Economic Development Authority to come to Alabama; and

WHEREAS, should Leonardo-DRS win the USAF award, its production site will be at historic Moton Field in Tuskegee, Alabama, an investment of \$250 - \$300 million and the creation of 750 high wage, new jobs for Alabamians; and

WHEREAS, Leonardo-DRS' aircraft is the T-100, a state-of-the-art 21st Century trainer jet currently used by U.S. allies including Israel, Poland, Italy, United Arab Emirates and Singapore; and

WHEREAS, Leonardo-DRS considered dozens of airfields across the United States to assemble the aircraft but chose historic Tuskegee, Alabama because of the outstanding workforce, universities and aerospace supply chain; and

WHEREAS, the 75 year history between the world famous Tuskegee Airmen, who were based in Italy in WWII, and the people of Italy has come full circle by way of an Italian company building the American Trainer Jet Aircraft at Moton Field; and

WHEREAS, the investment and selection of Tuskegee, Alabama by Leonardo-DRS will create a generational wave of partnerships and new wealth within the City of Tuskegee, Macon County, Tuskegee University and among partner communities all along the Interstate-85 Corridor, and will bring great celebration to the accomplishment of the Tuskegee Airmen and begin a new legacy for the next generation of Tuskegee Airmen to build on their esteemed example; and

WHEREAS, Leonardo-DRS is focusing on building the lowest-cost, lowest-risk, highest-value aircraft for the USAF and its future pilots in its bid for the T-X Project through the T-100 Trainer Jet.

NOW, THEREFORE, BE IT RESOLVED, that the Montgomery County Commission does hereby fully support the Macon County Economic Development Authority in its efforts to land the T-X Project through the T-100 Trainer Jet.

We hereby certify that the above Resolution was adopted by the Montgomery County Commission on this, the 2nd day of April, 2018.

CHAIRMAN ELTON N. DEAN, SR.

VICE CHAIRMAN RONDA M. WALKER

COMMISSIONER DANIEL HARRIS, JR.

COMMISSIONER ISAAH SANKEY

COMMISSIONER DOUG SINGLETON

ELTON N. DEAN, SR.
CHAIRMAN
RONDA M. WALKER
VICE CHAIRMAN

DANIEL HARRIS, JR.
ISAIAH SANKEY
DOUG SINGLETON



DONALD L. MIMS, CPA, MPA
ADMINISTRATOR
FLORENCE M. CAUTHEN
DEPUTY ADMINISTRATOR
334.832.1210
FAX: 334.832.2533
TDD: 334.265.3568
WWW.MC-ALA.ORG

AGENDA

APR - 2 2018

March 29, 2018

MEMORANDUM

TO: Montgomery County Commission

FROM: Donald L. Mims *DLM*
County Administrator

SUBJECT: Application for Non-Profit Tax Exempt Alcohol License for The Montgomery Area Family Violence Program, Inc.

Today, I received an email from ABC Board Inspector J.J. Menefee, which stated, "Attached is a copy of the application for the non-profit event and a copy of the letter that we received from the Sheriff of Montgomery County that gives their approval for the event. The letter from the Sheriff has been used in the past 3 years for approval by ABC, but this year, the people in our central office want to confirm with the Montgomery County Commission that it was acceptable for the Sheriff to give approval for the event. If this event has the approval from the County Commission or agrees with the letter from the Sheriff, please send a letter that I can send with the application to our central office for approval."

The attached application for Non-Profit Tax Exempt Alcohol License is from The Montgomery Area Family Violence Program, Inc., for the Ranch Round Up 2018. This event will be held April 12, 2018 at 755 Old Carter Hill Road in Pike Road.

The County Commission meeting on April 2, 2018 is the only meeting prior to this event. Based upon Mr. Menefee's email, I am requesting that the County Commission waive rules and authorize Sheriff Derrick Cunningham to approve this non-profit tax exempt alcohol license for this event as he has done the last three years and for future events for The Montgomery Area Family Violence Program, Inc.

Should you have any questions, please contact me.

DLM/tn

Attachments

- A COUNTY OLDER THAN THE STATE -

P.O. Box 1667 MONTGOMERY, ALABAMA 36102-1667 PHONE: 334.832.1210



DERRICK CUNNINGHAM
SHERIFF OF MONTGOMERY COUNTY

KEVIN J. MURPHY
CHIEF DEPUTY

COLONEL WANDA J. ROBINSON
DIRECTOR OF DETENTION

January 10, 2018

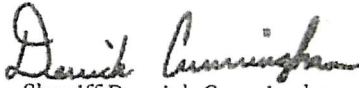
Agent Rita McCray
Alabama Alcohol Beverage Control Board
2715 Gunter Park Drive West
Montgomery, AL 36109

Dear Agent McCray:

The Montgomery County Sheriff's Office has no objection to the issuance of the Special Events License to the Montgomery Area Family Violence Program (Family Sunshine Center, Inc.) for the event scheduled for April 12, 2018, at 755 Old Carter Hill Road in Pike Road.

If you have any questions, please feel free to contact my representative, Lt. Leigh Persky at 334. 832.7778..

Sincerely,


Sheriff Derrick Cunningham

DC/crv

Cc: Lt. Leigh Persky

SHERIFF'S OFFICE
POST OFFICE BOX 4219
MONTGOMERY, ALABAMA 36103-4219
OFFICE 334.832.4980
FAX 334.832.7113

WWW.MONTGOMERYSHERIFF.COM

DETENTION FACILITY
225 SOUTH MCDONOUGH STREET
MONTGOMERY, ALABAMA 36104
OFFICE 334.832.1386
FAX 334.265.0990

18-2

REVIEWED

By James Menefee at 9:19 am, Mar 26, 2018



**STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD**

ALCOHOL LICENSE APPLICATION

Confirmation Number: 20180130091305778



Type License: 240 - NON-PROFIT TAX EXEMPT

State: \$0.00 County: \$0.00

Type License:

State: County:

Trade Name: RANCH ROUND UP 2018

Filing Fee: \$0.00

Applicant: THE MONTGOMERY AREA FAMILY VIOLENCE PROGRAM INC Transfer Fee:

Location Address: 755 OLD CARTER HILL ROAD PIKE ROAD, AL 36064

Mailing Address: 858 SOUTH COURT STREET MONTGOMERY, AL 36103

County: MONTGOMERY Tobacco sales: NO

Tobacco Vending Machines:

Type Ownership: CORPORATION

Book, Page, or Document info: BOOK 0121, PAGE 0543-0546

Date Incorporated: 01/20/1981 State incorporated: AL

County Incorporated: MONTGOMERY

Date of Authority: 01/20/1981

Alabama State Sales Tax ID: EXMR009319737

Federal Tax ID: 63-0756933

Name:	Title:	Date and Place of Birth:	Residence Address:
JERI SHARPE GROCE 66448608 - AL	PRESIDENT	05/01/1981 GOLDSBORO, TN	9548 TWICKENHAM COURT PIKE ROAD, AL 36064
KATHERINE STOUGH GUNTER 3505868 - AL	VICE PRESIDENT	12/25/1956 MONTGOMERY, AL	8648 HEARTHSTONE DRIVE MONTGOMERY, AL 36117
LUCY MARTIN JACKSON 9135823 - AL	PAST PRESIDENT	07/05/1955 GEORGIA	2418 GUNSTER ROAD MONTGOMERY, AL 36111

Has applicant complied with financial responsibility ABC RR 20-X-5-14? YES

Does ABC have any actions pending against the current licensee? NO

Has anyone, including manager or applicant, had a Federal/State permit or license suspended or revoked? NO

Has a liquor, wine, malt or brewed license for these premises ever been denied, suspended, or revoked? NO

Are the applicant(s) named above, the only person(s), in any manner interested in the business sought to be licensed? YES

Are any of the applicants, whether individual, member of a partnership or association, or officers and directors of a corporation itself, in any manner monetarily interested, either directly or indirectly, in the profits of any other class of business regulated under authority of this act? NO

Does applicant own or control, directly or indirectly, hold lien against any real or personal property which is rented, leased or used in the conduct of business by the holder of any vinous, malt or brewed beverage, or distilled liquors permit or license issued under authority of this act? NO

Is applicant receiving, either directly or indirectly, any loan, credit, money, or the equivalent thereof from or through a subsidiary or affiliate or other licensee, or from any firm, association or corporation operating under or regulated by the authority of this act? NO

Contact Person: GINGER HAHN

Home Phone: 334-206-2124

Business Phone: 334-206-2100

Cell Phone: 334-201-1122

Fax:

E-mail: ghahn@familysunshine.org

PREVIOUS LICENSE INFORMATION:

Previous License Number(s)

Trade Name: RANCH ROUND UP 2017

License 1: 010847751

Applicant: THE MONTGOMERY AREA FAMILY VIOLENCE PROGRAM INC

License 2:



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION



Confirmation Number: 20180130091305778

If applicant is leasing the property, is a copy of the lease agreement attached? **YES**
Name of Property owner/lessor and phone number: **DR. WOODY BARTLETT 334-312-0342**
What is lessors primary business? **CATTLE RANCHER**
Is lessor involved in any way with the alcoholic beverage business? **NO**
Is there any further interest, or connection with, the licensee's business by the lessor? **NO**

Does the premise have a fully equipped kitchen? **YES**
Is the business used to habitually and principally provide food to the public? **NO**
Does the establishment have restroom facilities? **YES**
Is the premise equipped with services and facilities for on premises consumption of alcoholic beverages? **YES**

Will the business be operated primarily as a package store? **NO**
Building Dimensions Square Footage: **800** Display Square Footage:
Building seating capacity: **300** Does Licensed premises include a patio area? **YES**
License Structure: **ONE STORY** License covers: **ENTIRE STRUCTURE**
Location is within: **COUNTY** Police protection: **COUNTY**

Has any person(s) with any interest, including manager, whether as sole applicant, officer, member, or partner been charged (whether convicted or not) of any law violation(s)?

Name:	Violation & Date:	Arresting Agency:	Disposition:



STATE OF ALABAMA ALCOHOLIC BEVERAGE CONTROL BOARD

ALCOHOL LICENSE APPLICATION

Confirmation Number: 20180130091305778



Initial each

☒ *aut*

In reference to law violations, I attest to the truthfulness of the responses given within the application.

☒ *aut*

In reference to the Lease/property ownership, I attest to the truthfulness of the responses given within the application.

☒ *aut*

In reference to ACT No. 80-529, I understand that if my application is denied or discontinued, I will not be refunded the filing fee required by this application.

☒ *aut*

In reference to Special Retail or Special Events retail license, I agree to comply with all applicable laws and regulations concerning this class of license, and to observe the special terms and conditions as indicated within the application.

☒ *X*

In reference to the Club Application information, I attest to the truthfulness of the responses given within the application.

☒ *X*

In reference to the transfer of license/location, I attest to the truthfulness of the information listed on the attached transfer agreement.

☒ *aut*

In accordance with Alabama Rules & Regulations 20-X-5-.01(4), any social security number disclosed under this regulation shall be used for the purpose of investigation or verification by the ABC Board and shall not be a matter of public record.

☒ *aut*

The undersigned agree, if a license is issued as herein applied for, to comply at all times with and to fully observe all the provisions of the Alabama Alcoholic Beverage Control Act, as appears in Code of Alabama, Title 28, and all laws of the State of Alabama relative to the handling of alcoholic beverages. The undersigned, if issued a license as herein requested, further agrees to obey all rules and regulations promulgated by the board relative to all alcoholic beverages received in this State. The undersigned, if issued a license as herein requested, also agrees to allow and hereby invites duly authorized agents of the Alabama Alcoholic Beverage Control Board and any duly commissioned law enforcement officer of the State, County or Municipality in which the license premises are located to enter and search without a warrant the licensed premises or any building owned or occupied by him or her in connection with said licensed premises. The undersigned hereby understands that he or she violate any provisions of the aforementioned laws his or her license shall be subject to revocation and no license can be again issued to said licensee for a period of one year. The undersigned further understands and agrees that no changes in the manner of operation and no deletion or discontinuance of any services or facilities as described in this application will be allowed without written approval of the proper governing body and the Alabama Alcoholic Beverage Control Board.

☒ *aut*

I hereby swear and affirm that I have read the application and all statements therein and facts set forth are true and correct, and that the applicant is the only person interested in the business for which the license is required.

Applicant Name (print): *Ginger Hahn*

Signature of Applicant: *Ginger Hahn*

Notary Name (print): *James J. Menefee*

Notary Signature: *James J. Menefee*

Commission expires: *8/1/2020*

Application Taken:

App. Inv. Completed:

Forwarded to District Office:

Submitted to Local Government:

Received from Local Government:

Received in District Office:

Reviewed by Supervisor:

Forwarded to Central Office:



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION

Confirmation Number: 20180130091305778



Private Clubs / Special Retail / or Special Events licenses ONLY

Private Club

Does the club charge and collect dues from elected members?

Number of paid up members:

Are meetings regularly held?

How often?

Is business conducted through officers regularly elected?

Are members admitted by written application, investigation, and ballot?

Has Agent verified membership applications for each member listed?

Has at least 10% of members listed been confirmed and highlighted?

Agent's Initials:

For what purpose is the club organized?

Does the property used, as well as the advantages, belong to all the members?

Do the operations of the club benefit any individual member(s), officer(s), director(s), agent(s), or employee(s) of the club rather than to benefit of the entire membership?

Special Retail

Is it for 30 days or less?

More than 30 days?

Franchisee or Concessionaire of above?

Other valid responsible organization:

Explanation:

Special Events / Special Retail (7 days or less)

Starting Date: 04/12/2018 Ending Date: 04/12/2018

Special terms and conditions for special event/special retail:

NO ALCOHOLIC BEVERAGES WILL BE ALLOWED TO LEAVE THE LICENSED PREMISE. THIS LICENSE IS NON-RENEWABLE.

Other Explanations

What is the applicant(s) primary source of funding?: Non-profit agency

Receipt Confirmation Page

Receipt Confirmation Number: **20180130091305778**
 Application Payment Confirmation Number: 99999

Payment Summary	
Payment Item	Fee
Application Fee for License 240	\$0.00
Total Amount to be Charged	\$0.00

License Payment Confirmation Number: 99999

Payment Summary			
Payment Item	County Fee	State Fee	Total Fee
240 - NON-PROFIT TAX EXEMPT	\$0.00	\$0.00	\$0.00
			\$0.00
Total Amount to be Charged	\$0.00	\$0.00	\$0.00

Application Type

Application Type: APPLICATION

Applicant Information

License Type 1: 240 - NON-PROFIT TAX EXEMPT
 License Type 2:
 License County: MONTGOMERY
 Business Type: CORPORATION
 Trade Name: RANCH ROUND UP 2018
 Applicant Name: THE MONTGOMERY AREA FAMILY VIOLENCE PROGRAM INC
 Location Address: 755 OLD CARTER HILL ROAD
 PIKE ROAD, AL 36064
 Mailing Address: 858 SOUTH COURT STREET
 MONTGOMERY, AL 36103
 Contact Person: GINGER HAHN
 Contact Home Phone: 334-206-2124
 Contact Business Phone: 334-206-2100
 Contact Fax:
 Contact Cell Phone: 334-201-1122
 Contact Email Address:
 Contact Web Address:

RESOLUTION

WHEREAS, Willie Pearl Wilson Cannon was born on April 6, 1918; and

WHEREAS, Mrs. Cannon was the loving wife of the late Waive Cannon Jr.; and

WHEREAS, Mrs. Cannon is the loving mother of four children: Waive Jr., Ann, Orlando, and Brenda, who preceded her in death; and

WHEREAS, Mrs. Cannon is the devoted grandmother of four boys: Batiest, Frederick, Orlando, and Kori; and also the devoted great-grandmother of five: Tyler, Nyya, Iaan, Zoey, and Koriah; and

WHEREAS, Mrs. Cannon retired from teaching in the Montgomery Public Schools System in 1984 after 36 years of faithful service and having also served as Principal of Zion Hill Elementary School in Ramer; and

WHEREAS, Mrs. Cannon is a faithful member of United Evangelical Lutheran Church; and

WHEREAS, Mrs. Cannon is known for her kind heart, warm spirit, love for her family, and willingness to help anyone in need; and

WHEREAS, Mrs. Cannon enjoys reading her Bible, daily word, and time spent with her family; and

WHEREAS, Mrs. Cannon will celebrate her 100th birthday on April 6, 2018, where her family and friends will help her celebrate this momentous occasion.

NOW, THEREFORE, BE IT RESOLVED, that the Montgomery County Commission does hereby recognize and congratulate Willie Pearl Wilson Cannon on her 100th birthday and wishes her a joyous celebration on this special day and continued good health.

I hereby certify that the above Resolution was adopted by the Montgomery County Commission on this, the 2nd day of April, 2018.

ELTON N. DEAN, SR.
CHAIRMAN, MONTGOMERY COUNTY COMMISSION

APR - 2 2018

S2 Mms 4/2/18
 Administrator Date

MONTGOMERY
AREA CHAMBER OF COMMERCE **AGENDA**

APR - 2 2018

March 21, 2018

Members of the Montgomery County Commission
101 S. Lawrence Street
Montgomery, AL 36104

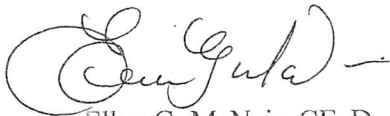
Re: Opinion on Applicability of Executive Session

Dear Montgomery County Commission Members:

We are requesting for Chamber representatives to appear before the Montgomery County Commission on Monday April 2, 2018 in executive session. Please be advised that we have reviewed the commerce and real estate matter which the Montgomery County Commission proposes to discuss in executive session. It is our opinion that an executive session is authorized for this discussion under Section 7(a)(7) of Act No. 2005-40, and an open meeting will have a detrimental effect upon the competitive position of the Montgomery County Commission.

Pursuant to Section 7(a)(7) of Act No. 2005-40, a copy of this letter should be attached to the minutes of the County Commission meeting wherein the body considers a motion to convene an executive session to discuss this matter.

Sincerely,



Ellen G. McNair, CEcD
Senior Vice President
Corporate Development

ATTACHMENT E:

A Checklist for Conducting Lawful EXECUTIVE SESSIONS

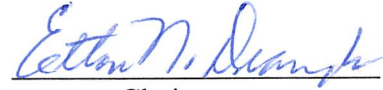
	For Reference, See	
☐ 1. Convene An Open Meeting	Page 21	Section IV (A) 1
☐ 2. Enter a motion stating the reason for the Executive Session. <i>Executive Sessions may only be called for one of the following reasons:</i> - General Reputation and Character, Job Performance, or Salaries / Compensation - Formal Complaints or Charges Against an Individual or Legal Entity - Discussion with the Government Body's Attorney - Security Plans and Measures - Criminal Investigation and the Identity of an Undercover Agent or Informer - Negotiations to Buy / Sell / Lease Real Property - Preliminary Negotiations in Trade Competition - Negotiations Between The Body and a Group of Public Employees - Discuss and Vote Upon a Public or Contested Case Hearing	Page 21 Page 21 Page 23 Page 23 Page 24 Page 25 Page 25 Page 26 Page 27 Page 27	Section IV (A) 2 Section IV (B) 1 Section IV (B) 2 Section IV (B) 3 Section IV (B) 4 Section IV (B) 5 Section IV (B) 6 Section IV (B) 7 Section IV (B) 8 Section IV (B) 9
☐ 3. Receive a Written or Oral Declaration (if necessary). - Written Declarations are required for these Executive Sessions: - Discussion with the body's attorney concerning options for, and ramification of, litigation, mediation, or arbitration. - Discussions that would disclose the identity of an undercover informant or that focus on criminal investigations of non-public officials. - Discussions concerning the negotiations between the body and a group of public employees. - It is required that a designated person certify that the Executive Session is warranted for these specific reasons before the body votes to go into Executive Session.	Page 20	Section IV (A) 4
☐ 4. Vote to go into Executive Session - The vote must be open/public; and - Each member must openly give his/her individual vote.	Page 20	Section IV (A) 4
☐ 5. Enter a Statement Concerning Reconvention	Page 21	Section IV (A) 5

ADJOURNMENT

There being no further business to come before the Commission at this time, the meeting stood adjourned until Monday, April 16, 2018, at 8:00 in the morning.

Handwritten signature of Donald Z. Minner in blue ink.

Administrator

Handwritten signature of Ecton N. Dismukes in blue ink.

Chairman