

MINUTES OF REGULAR MEETING

MONTGOMERY COUNTY COMMISSION

AUGUST 21, 2017

INFORMATION SESSION

Chairman Dean called the meeting to order at 8:10 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 \$2,000 appropriation from donation revenue to the Museum of Fine Arts for the Art in Concert event. After discussion, the Commission agreed to place on the next agenda a Budget Change Request for this event.

Commissioner Sankey requested an \$8,000 appropriation from donation revenue to Americare Financial Group, Inc., for the Positive Environment Engaging Recovery Support (P.E.E.R.S.) Program to assist in purchasing a passenger van. Commissioner Harris stated that he needed more information. Commissioner Sankey stated that Director Frederick Williams with P.E.E.R.S. would brief the Commission later in the meeting.

Commissioner Sankey requested a \$500 miscellaneous appropriation from his account to TS Morris Youth Intervention Organization, for the youth soccer field.

Vice Chairman Walker requested a \$1,500 miscellaneous appropriation from her account to EAT South, for the Downtown Farm Development Project and related educational workshops.

Vice Chairman Walker requested a \$10,000 appropriation from donation revenue to EAT South, for the Downtown Farm Development Project and related educational workshops. Chairman Dean recommended that this appropriation be made after the new budget year. Vice Chairman Walker agreed.

Commissioner Harris requested a \$2,000 miscellaneous appropriation from his account to the City of Montgomery, to be used by BONDS to Green Acres Neighborhood, with funding to promote the Community Enhancement and Beautification Programs/Projects.

Commissioner Harris requested a \$1,000 education miscellaneous appropriation from his account to the BOE, Peter Crump Elementary School, for Principal's Discretionary Fund.

Commissioner Harris requested a \$1,000 education miscellaneous appropriation from his account to the BOE, Dannelly Elementary School, for Principal's Discretionary Fund.

The Commission agreed to add these items to the miscellaneous appropriations.

COMMENTS FROM ADMINISTRATOR MIMS

Administrator Mims reminded the Commission that the Montgomery County Extension Office Luncheon and Annual Report to the County Commission would be held at their office immediately following the Commission meeting.

PRESENTATION BY GIS & CADASTRAL MAPPING MANAGER TODD GRANT

GIS & Cadastral Mapping Manager Todd Grant briefed the Commission regarding the renewal of Pictometry Connect Custom Access License Agreement for the GIS & Cadastral Mapping Department. After discussion, the Commission agreed to place this item on the next agenda.

Mr. Grant briefed the Commission regarding the renewal of the Environmental Systems Research Institute, Inc., (ESRI) Software Maintenance Agreement for the GIS & Cadastral Mapping Department. After discussion, the Commission agreed to place this item on the next agenda.

PRESENTATION BY VICE PRESIDENT OF DEVELOPMENT BECKY SAUNDERS AND EXECUTIVE VICE PRESIDENT OF BUSINESS DEVELOPMENT REEIVICE GIRTMAN WITH LIBERTY LEARNING FOUNDATION

Vice President of Development Becky Saunders and Executive Vice President of Business Development Reeivice Girtman with Liberty Learning Foundation briefed the Commission regarding The Super Citizen Programs and requested funding in the amount of \$25,000 for the 2017-2018 Academic Year. The Commission agreed to discuss this item after the new budget year.

PRESENTATION BY DIRECTOR OF RISK MANAGEMENT SCOTT KRAMER

Director of Risk Management Scott Kramer briefed the Commission regarding renewal of the Memorandum of Agreement with the City of Montgomery concerning the Director of Risk Management position. After discussion, the Commission agreed to place this item on the next agenda.

Mr. Kramer briefed the Commission regarding Insurance Renewals and Request for Proposal for Excess Workers Compensation. After discussion, the Commission agreed to place these items on the next agenda.

Chairman Dean expressed his appreciation to Mr. Kramer for all of the work he does and for saving the County money.

PRESENTATION BY DIRECTOR OF OPERATIONS FRED BROCK AND DIRECTOR OF DEVELOPMENT KIMBERLY BAKER WITH VALIANT CROSS ACADEMY

Director of Operations Fred Brock and Director of Development Kimberly Baker with Valiant Cross Academy thanked the Commission for their past support and updated them regarding the academy. Ms. Baker requested funding in the amount of \$6,750 for blazers for the students and \$36,213.06 for computer equipment for the school, for a total appropriation of \$42,963.06. The Commission agreed to discuss this item after the new budget year.

PRESENTATION BY CEO BRUCE CRAWFORD, SENIOR VICE PRESIDENT/PUBLIC FUNDS MANAGER DONNA G. COOPER AND SENIOR VICE PRESIDENT OF COMMERCIAL PAYMENT SOLUTIONS WESLEY WORSHAM WITH BBVA COMPASS BANK

CEO Bruce Crawford, Senior Vice President/Public Funds Manager Donna G. Cooper and Senior Vice President of Commercial Payment Solutions Wesley Worsham with BBVA Compass Bank briefed the Commission regarding a BBVA Compass Commercial Card Agreement and related Addendum to Commercial Card Agreement, Incentive Payment Agreement with Compass Bank. After discussion, the Commission agreed to place this item on the next agenda.

PRESENTATION BY EXECUTIVE DIRECTOR PAUL BROWN WITH COMMUNITY CORRECTIONS

Executive Director Paul Brown with Community Corrections introduced ASU College Intern Hunter Allen, who is working part-time with Community Corrections and also plays baseball for ASU.

Mr. Brown requested authorization to hire a Community Corrections Officer at Step 4, Pay Grade A06 (\$40,126). After discussion, the Commission agreed to place this item on the next agenda.

PRESENTATION BY SHERIFF DERRICK CUNNINGHAM

Sheriff Derrick Cunningham briefed the Commission regarding a Grant Application to the Department of Justice for the Edward Byrne Memorial Justice Assistance Grant for Fiscal Year 2017. After discussion, the Commission agreed to waive rules and add this item to the agenda.

Deputy Administrator Cauthen presented Amendment Number 1 to the Contract with A'Viands, LLC to permit third parties to purchase hot and cold meals and products for inmates. Sheriff Cunningham stated that the Commission would receive 10% commission on all sales. After discussion, the Commission agreed to waive rules and add this item to the agenda.

Sheriff Cunningham requested to pursue the National Rifle Association Grant, the 2017 Homeland Security Competitive Grant, and the Edward Byrne Memorial JAG Equipment Grant. The Commission agreed with this request.

The Commission authorized Administrator Mims to place on the agenda all future Grants from the Sheriff's Office that do not require a match.

PRESENTATION BY CHIEF INFORMATION AND TECHNOLOGY OFFICER LOU IALACCI

Chief Information and Technology Officer Lou Ialacci stated that he did not have anything to report to the Commission at this time.

PRESENTATION BY COUNTY ENGINEER GEORGE SPEAKE

County Engineer George Speake briefed the Commission regarding a revised Agreement for Agreement for Resurfacing Pike Road from Wallahatchie Road to US 80, Project No. STPAA-5115(252), MCP 51-77-16, CPMS Ref. #100057526 and related Resolution. After discussion, the Commission agreed to waive rules and add this item to the agenda.

Mr. Speake briefed the Commission regarding Amendment Number 1 to Contract with Gulf Atlantic Culvert Co., Inc., regarding a one (1) year extension and 2% pricing increase for metal pipe. After discussion, the Commission agreed to place this item on the next agenda.

PRESENTATION BY CHIEF DEPUTY DISTRICT ATTORNEY LLORIA JAMES

Chief Deputy District Attorney Lloria James briefed the Commission regarding a letter from District Attorney Daryl D. Bailey requesting funding in the amount of \$100,000 for the Helping Montgomery Families Initiatives (HMFII) Funding for FY2017-2018. After discussion, the Commission agreed to place this item on the next agenda.

PRESENTATION BY COMMUNITY DEVELOPMENT MANAGER LESLIE YORK WITH CENTRAL ALABAMA REGIONAL PLANNING AND DEVELOPMENT COMMISSION

Community Development Manager Leslie York with Central Alabama Regional Planning and Development Commission briefed the Commission regarding a Resolution concerning the Submission of the 2017 Community Development Block Grant (CDBG) Housing Rehabilitation Application for the Eastwood Villa Neighborhood. After discussion, the Commission agreed to waive rules and add this item to the agenda.

ACTING JUVENILE COURT ADMINISTRATOR BEVERLY WISE

Acting Juvenile Court Administrator Beverly Wise briefed the Commission regarding a Memorandum of Agreement with the Administrative Office of Courts for Reimbursement of Salary paid to a Court Referee for the 15th Judicial Circuit for the period beginning October 1, 2017 and ending September 30, 2018. After discussion, the Commission agreed to place this item on the next agenda.

PRESENTATION BY DIRECTOR FREDERICK WILLIAMS WITH POSITIVE ENVIRONMENT ENGAGING RECOVERY SUPPORT P.E.E.R.S. INC.

Director Frederick Williams with Positive Environment Engaging Recovery Support P.E.E.R.S., Inc., briefed the Commission regarding the program and requested funding in the amount of \$8,000 to assist in the purchase of a passenger van. After discussion, the Commission agreed to place a Budget Change Request for this organization on the next agenda.

COMMENTS FROM ADMINISTRATOR MIMS AND DEPUTY ADMINISTRATOR CAUTHEN

Deputy Administrator Cauthen briefed the Commission regarding Amendment Number 3 to the Contract with Sea Coast Disposal, Inc., regarding a one (1) year extension and 4.9% pricing increase for Clean Saturday refuse collection services. After discussion, the Commission agreed to place this item on the next agenda.

Administrator Mims briefed the Commission regarding an Agreement with the State of Alabama Department of Examiners of Public Accounts regarding reimbursement of costs associated with the annual audit of federal financial assistance received by Montgomery County. After discussion, the Commission agreed to place this item on the next agenda.

Administrator Mims requested payment of the 2017-2018 Membership Dues to the Association of County Commissions of Alabama (ACCA). After discussion, the Commission agreed to place this item on the next agenda.

Deputy Administrator Cauthen briefed the Commission regarding a bid award for preventive maintenance for the HVAC system. After discussion, the Commission agreed to place this item on the next agenda.

Administrator Mims presented an Invoice in the amount of \$32,000 from the Montgomery Education Foundation regarding support for the Brain Forest Summer Learning Program. He explained that the Brain Forest Summer Learning Program is sponsored by the Montgomery Education Foundation. Administrator Mims stated that this program had an \$80,000 shortfall when the State Department of Education realigned the Montgomery County Board of Education's Summer Funding. He noted that a 60/40 allocation between the City and County would result in the County appropriating \$32,000 for this Program. The Commission agreed to discuss this item after the new budget year.

Administrator Mims presented a letter Schedule of Upcoming Bids/Contract Renewals for August – October 2017.

Administrator Mims presented the Service of Process Fee (Sheriff Process Fee) Collection Report for August 2017.

Administrator Mims presented the Revenue Reports for July 2017 from Tax and Audit Department.

Administrator Mims presented the Population Report for July 2017 for the Mac Sim Butler Detention Facility.

Administrator Mims presented the Census and Fiscal Report for July 2017 for Community Corrections.

DISCUSSION BY THE COMMISSION

Chairman Dean stated that the County received tickets for the 2017 Guardian Credit Union FCS Kickoff at Cramton Bowl. County Attorney Tyrone C. Means reminded the Commission of the ticket distribution policy.

RECESS TO FORMAL SESSION

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 Commissioner Isaiah Sankey.

The Pledge of Allegiance was led by Commissioner Doug Singleton.

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 August 7, 2017. 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 Harris made a motion to approve the Accounts Payable and Payroll Checks, as presented by Administrator Mims. The motion was seconded by Vice Chairman Walker and unanimously approved by the Commission. (Copies of Accounts Payable Checks and Payroll Checks Authorization, Consent Agenda Pages 1 through 5, are attached to these Minutes.)

PUBLIC HEARING

PUBLIC HEARING REGARDING APPLICATION TO THE DEPARTMENT OF JUSTICE, FOR THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT FOR FISCAL YEAR 2017, SHERIFF'S OFFICE

Chairman Dean opened the Public Hearing and asked if anyone in the audience wanted to speak regarding the 2017 Application to the Department of Justice, for the Edward Byrne Memorial Justice Assistance Grant. No one spoke on the topic. Chairman Dean then declared the Public Hearing closed.

NEW BUSINESS

COUNTY COMMISSION – ADOPTED RESOLUTION AUTHORIZING THE ENGAGEMENT OF UNDERWRITERS, ARCHITECTURAL FIRM AND BOND COUNSEL RELATIVE TO THE MONTGOMERY COUNTY PUBLIC BUILDING AUTHORITY'S DEPARTMENT OF HUMAN RESOURCES BUILDING PROJECT

Commissioner Singleton made a motion to adopt the Resolution Authorizing the Engagement of Underwriters, Architectural Firm and Bond Counsel Relative to the Montgomery County Public Building Authority's Department of Human Resources Building Project. The motion was seconded by Commissioner Harris and unanimously approved by the Commission. (Copies of Memorandum and Resolution, Agenda Pages 1-1 through 1-4, are attached to these Minutes.)

ENGINEERING DEPARTMENT – ADOPTED RESOLUTION FOR RESURFACING OLD SELMA ROAD (3.9 MILES), PROJECT NO. MCP 51-81-17

Commissioner Singleton made a motion to adopt the Resolution for Resurfacing Old Selma Road (3.9 Miles), Project No. MCP 51-81-17. The motion was seconded by Commissioner Harris and unanimously approved by the Commission. (Copies of Memorandum, Resolution and Maps, Agenda Pages 2-1 through 2-4, are attached to these Minutes.)

ENGINEERING DEPARTMENT – ADOPTED RESOLUTION FOR RESURFACING CLOVERFIELD/FEDERAL ROAD (3.0 MILES), PROJECT NO. MCP 51-82-17

Commissioner Harris made a motion to adopt the Resolution for Resurfacing Cloverfield/Federal Road (3.0 Miles), Project No. MCP 51-82-17. The motion was seconded by Vice Chairman Walker and unanimously approved by the Commission. (Copies of Memorandum, Resolution and Maps, Agenda Pages 3-1 through 3-4, are attached to these Minutes.)

ENGINEERING DEPARTMENT – ADOPTED RESOLUTION FOR RESURFACING
LOWER WETUMPKA/ANDERSON ROAD (5.3 MILES), PROJECT NO.MCP 51-83-17

Commissioner Sankey made a motion to adopt the Resolution for Resurfacing Lower Wetumpka/Anderson Road (5.3 Miles), Project No. MCP 51-83-17. The motion was seconded by Commissioner Singleton and unanimously approved by the Commission. (Copies of Memorandum, Resolution and Maps, Agenda Pages 4-1 through 4-4, are attached to these Minutes.)

ENGINEERING DEPARTMENT – APPROVED AMENDMENT NUMBER 1 TO
CONTRACT WITH FORTERRA PIPE & PRECAST REGARDING A ONE (1) YEAR
EXTENSION FOR CONCRETE PIPE

Commissioner Singleton made a motion to approve Amendment Number 1 to Contract with Forterra Pipe & Precast regarding a One (1) Year Extension for Concrete Pipe. The motion was seconded by Vice Chairman Walker and unanimously approved by the Commission. (Copies of Memorandum and Contract, Agenda Pages 5-1 and 5-2, are attached to these Minutes.)

SHERIFF’S OFFICE – APPROVED AMENDMENT NUMBER 1 TO CONTRACT WITH
GULF STATES DISTRIBUTORS REGARDING A ONE (1) YEAR EXTENSION AND 5%
PRICING INCREASE FOR FOOTWEAR

Commissioner Harris made a motion to approve Amendment Number 1 to Contract with Gulf States Distributors regarding a One (1) Year Extension and 5% Pricing Increase for Footwear. The motion was seconded by Commissioner Singleton and unanimously approved by the Commission. (Copies of Memorandum and Contract, Agenda Pages 6-1 and 6-2, are attached to these Minutes.)

SHERIFF’S OFFICE – APPROVED AMENDMENT NUMBER 1 TO CONTRACT WITH
STIVERS FORD LINCOLN REGARDING A ONE (1) YEAR EXTENSION AND 5%
PRICING INCREASE FOR OIL CHANGE AND TIRE ROTATION SERVICES

Commissioner Harris made a motion to approve Amendment Number 1 to Contract with Stivers Ford Lincoln regarding a One (1) Year Extension and 5% Pricing Increase for Oil Change and Tire Rotation Services. The motion was seconded by Vice Chairman Walker and unanimously approved by the Commission. (Copies of Memorandum and Contract, Agenda Pages 7-1 and 7-2, are attached to these Minutes.)

SHERIFF’S OFFICE – APPROVED STAKEHOLDER SHARING LICENSE AGREEMENT
WITH THE ALABAMA DEPARTMENT OF TRANSPORTATION REGARDING VIEWING
OF LIVE VIDEO IMAGES, SUBJECT TO RECOMMENDATIONS BY COUNTY
ATTORNEY

Vice Chairman Walker made a motion to approve Stakeholder Sharing License Agreement with the Alabama Department of Transportation regarding Viewing of Live Video Images, subject to recommendations by County Attorney. The motion was seconded by Commissioner Harris and

unanimously approved by the Commission. (Copies of Memorandum, Attorney Gallion's Opinion and Agreement, Agenda Pages 8-1 through 8-14, are attached to these Minutes.)

COUNTY COMMISSION – APPROVED MISCELLANEOUS APPROPRIATIONS REPROGRAMMING REQUESTS

Administrator Mims requested approval of the miscellaneous appropriations included in his memorandum dated August 21, 2017. During the County Commission Meeting this date, Chairman Dean requested that the following miscellaneous appropriation reprogramming requests be added and his fellow commissioners concurred:

From fund code 001-59320-498 (Agency, Miscellaneous Appropriations) to:

- C-2017-88: TS Morris Youth Intervention Organization, for Youth Soccer Field - \$500; (Sankey)
- C-2017-89: EAT South, for Downtown Farm Development Project and Related Educational Workshops - \$1,500; (Walker)
- NC-2017-108: City of Montgomery, to be used by BONDS to Green Acres Neighborhood, with Funding to Promote the Community Enhancement and Beautification Programs/Projects - \$2,000; (Harris)

From fund code 001-59320-494 (Commissioner's Education Miscellaneous Appropriations) to:

- BOE-2017-42: BOE, Peter Crump Elementary School, for Principal's Discretionary Fund - \$1,000; (Harris)
- BOE-2017-43: BOE, Dannelly Elementary School, for Principal's Discretionary Fund - \$1,000; (Harris)

Vice Chairman Walker 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 Memorandum, Agenda Page 9-1, is attached to these Minutes.)

COUNTY COMMISSION APPROPRIATIONS – APPROVED BUDGET CHANGE REQUEST NUMBER 61 TO MONTGOMERY DRAGON BOAT RACE AND FESTIVAL, INC., FOR THE 2017 MONTGOMERY DRAGON BOAT FESTIVAL IN THE AMOUNT OF \$7,500

Commissioner Harris made a motion to approve Budget Change Request Number 61 to Montgomery Dragon Boat Race and Festival, Inc., for the 2017 Montgomery Dragon Boat Festival in the Amount of \$7,500. The motion was seconded by Vice Chairman Walker and unanimously approved by the Commission. (Copy of Budget Change Request, Agenda Page 10-1, is attached to these Minutes.)

COUNTY COMMISSION APPROPRIATIONS – APPROVED BUDGET CHANGE REQUEST NUMBER 62 TO MONTGOMERY CITY/COUNTY PUBLIC LIBRARY FOR THE RAMER BRANCH LIBRARY AIR CONDITIONER REPLACEMENT IN THE AMOUNT OF \$5,979

Commissioner Singleton made a motion to approve Budget Change Request Number 62 to Montgomery City/County Public Library for the Ramer Branch Library Air Conditioner Replacement in the Amount of \$5,979. The motion was seconded by Vice Chairman Walker and unanimously approved by the Commission. (Copies of Budget Change Request and Expense Summary, Agenda Pages 11-1 and 11-2, are attached to these Minutes.)

COUNTY COMMISSION APPROPRIATIONS – APPROVED FUNDING TO THE MONTGOMERY CITY/COUNTY PUBLIC LIBRARY REGARDING THE JULIETTE HAMPTON MORGAN LIBRARY RENOVATION PROJECT IN THE AMOUNT OF \$400,000

Commissioner Singleton made a motion to approve Funding to the Montgomery City/County Public Library regarding the Juliette Hampton Morgan Library Renovation Project in the Amount of \$400,000. The motion was seconded by Commissioner Sankey and unanimously approved by the Commission. (Copy of Memorandum, Agenda Page 12-1, is attached to these Minutes.)

BOARD OF REGISTRARS – APPROVED BUDGET CHANGE REQUEST NUMBER 4

Vice Chairman Walker made a motion to approve Budget Change Request Number 4, Board of Registrars. The motion was seconded by Commissioner Singleton and unanimously approved by the Commission. (Copy of Budget Change Request, Agenda Page 13-1, is attached to these Minutes.)

DISTRICT ATTORNEY’S OFFICE – APPROVED BUDGET CHANGE REQUEST NUMBERS 5 AND 6

Commissioner Harris made a motion to approve Budget Change Request Numbers 5 and 6, District Attorney’s Office. The motion was seconded by Commissioner Singleton and unanimously approved by the Commission. (Copies of Budget Change Requests, Agenda Pages 14-1 and 14-2, are attached to these Minutes.)

ENGINEERING DEPARTMENT – APPROVED BUDGET CHANGE REQUEST NUMBERS 11 AND 12

Commissioner Singleton made a motion to approve Budget Change Request Numbers 11 and 12, Engineering Department. The motion was seconded by Commissioner Harris and unanimously approved by the Commission. (Copies of Budget Change Requests, Agenda Pages 15-1 and 15-2, are attached to these Minutes.)

**PROBATE JUDGE’S OFFICE – APPROVED BUDGET CHANGE REQUEST
NUMBER 5**

Commissioner Harris made a motion to approve Budget Change Request Number 5, Probate Judge’s Office. The motion was seconded by Commissioner Singleton and unanimously approved by the Commission. (Copy of Budget Change Request, Agenda Page 16-1, is attached to these Minutes.)

DETENTION FACILITY – APPROVED POSITION FILL REQUESTS (2)

1. Corrections Officer Trainee, Position Number 500419202
2. Corrections Officer Trainee, Position Number 500419227

Commissioner Singleton made a motion to approve the Position Fill Requests. The motion was seconded by Vice Chairman Walker and unanimously approved by the Commission. (Copies of Position Fill Requests, Agenda Pages 17-1 and 17-2, are attached to these Minutes.)

VARIOUS DEPARTMENTS – APPROVED TRAVEL/TRAINING REQUESTS (5)

DEPARTMENTS

TRAVEL/TRAINING REQUESTS

- | | |
|---------------------------|-------------------|
| 1. Detention Facility | Request Number 14 |
| 2. Youth Facility | Request Number 22 |
| 3. Engineering Department | Request Number 10 |
| 4. Appraisal Department | Request Number 30 |
| 5. Community Corrections | Request Number 20 |

Commissioner Singleton made a motion to approve Travel/Training Requests. The motion was seconded by Commissioner Harris and unanimously approved by the Commission. (Copies of Travel/Training Requests, Agenda Pages 18-1 through 18-5, 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:

**SHERIFF’S OFFICE – APPROVED GRANT APPLICATION TO THE DEPARTMENT OF
JUSTICE FOR THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT FOR
FISCAL YEAR 2017**

Commissioner Harris made a motion to approve the Grant Application to the Department of Justice for the Edward Byrne Memorial Justice Assistance Grant for Fiscal Year 2017. The motion was seconded by Commissioner Singleton and unanimously approved by the Commission. (Copies of Memorandum and Public Hearing Notice, Agenda Pages 19-1 and 19-2, are attached to these Minutes.)

COUNTY COMMISSION – ADOPTED RESOLUTION CONCERNING THE SUBMISSION OF THE 2017 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) HOUSING REHABILITATION APPLICATION FOR THE EASTWOOD VILLA NEIGHBORHOOD

Vice Chairman Walker made a motion to adopt the Resolution concerning the Submission of the 2017 Community Development Block Grant (CDBG) Housing Rehabilitation Application for the Eastwood Villa Neighborhood. The motion was seconded by Commissioner Singleton and unanimously approved by the Commission. (Copies of Memorandum and Resolution, Agenda Pages 20-1 and 20-2, are attached to these Minutes.)

SHERIFF’S OFFICE – APPROVED AMENDMENT NUMBER 1 TO CONTRACT WITH A’VIANDS, LLC TO PERMIT THIRD PARTIES TO PURCHASE HOT AND COLD MEALS AND PRODUCTS FOR INMATES

Vice Chairman Walker made a motion to approve Amendment Number 1 to Contract with A’Viands, LLC to permit third parties to purchase hot and cold meals and products for inmates. The motion was seconded by Commissioner Singleton and unanimously approved by the Commission. (Copies of Memorandum and Contract, Agenda Pages 21-1 and 21-2, are attached to these Minutes.)

COUNTY ENGINEER – APPROVED REVISED AGREEMENT FOR RESURFACING PIKE ROAD FROM WALLAHATCHIE ROAD TO US 80, PROJECT NO. STPAA-5115(252), MCP 51-77-16, CPMS REF. #100057526 AND RELATED RESOLUTION

Commissioner Harris made a motion to approve the Revised Agreement for Resurfacing Pike Road from Wallahatchie Road to US 80, Project No. STPAA-5115(252), MCP 51-77-16, CPMS Ref. #100057526 and related Resolution. The motion was seconded by Commissioner Singleton and unanimously approved by the Commission. (Copies of Memorandum, Agreement and Resolution, Agenda Pages 22-1 through 22-8, are attached to these Minutes.)

COMMENTS BY COMMISSIONERS AND ATTENDEES

Patterson Court Residence Chaplin Dr. Walking Jon Da’Voe-Malone said hello and asked the Commission if they would be interested in purchasing a full page ad in their Community News Letter at a cost of \$400.00 per month. He elaborated on the nature of the newsletter and said it was very informative and was a very effective way to get information out into the Community. Chairman Dean told Mr. Malone to submit a copy of the newsletter to either the Administrator or Deputy Administrator for review.

Montgomery City-County Public Library Director Jaunita Owes said good morning and thanked the Commission for all their support.

Retired Montgomery County Employee Mary Giles greeted the Commission and said she would like to thank George Speake and the Engineering Department for fixing a drainage problem in her neighborhood.

Bishop Roosevelt Crawford of Connecting the Body of Christ Fellowship Church said good morning and thanked Commissioner Harris for attending the town hall meeting that was held at the Bellingrath Community Center. He also thanked Commissioner Singleton for coming out and speaking with the kids. Bishop Crawford thanked the Commission for all the work they do.

Commissioner Singleton said good morning to everyone and said he had spent time with Finance Director Sherrill Thomas in a recent meeting. He said he appreciated all the fine work she does. Commissioner Singleton said he would like to thank Keven Boone, the new Assistant County Engineer, for doing such a great job in his position. He also commended County Engineer George Speake for the great work the Engineering Department does.

Commissioner Sankey said good morning and thanked everyone for the great job they are doing.

Vice Chairman Walker said good morning to everyone and said she agreed with Commissioner Singleton's remarks about Keven Boone. She said Keven is doing a great job and she appreciates it. Vice Chairman Walker also reminded everyone the eclipse was happening today. She said she hoped everyone in Montgomery would be able to get a good view and hoped everyone had their glasses. Vice Chairman Walker suggested everyone come out of their offices and experience the eclipse because we won't get a chance to experience it again in this lifetime.

Chairman Dean said good morning to everyone again and said the Commission will review the FY18 budget after the formal session. He thanked the department heads and administrators for preparing the budget and for all that they do.

Commissioner Harris said good morning and said he enjoyed the visitors that attended the Information Session. He said that those groups can help solve the problems we are having in Montgomery. Commissioner Harris said he believes the two main problems are education and crime. He said these organizations give him hope for the future. Commissioner Harris said he believes each group can have a positive effect on Montgomery going forward. He said there is no limit to what we can do with the right people in place. Commissioner Harris said we have the right Sheriff and the right District Attorney and they are doing a great job of locking up the criminals. He also said he has confidence that the Montgomery Public Schools will be better because of the takeover by the State, but they must be held accountable. Commissioner Harris thanked everyone again for coming out.

RECESS TO INFORMATION SESSION

Chairman Dean recessed the Formal Session to the Information Session.

INFORMATION SESSION

COMMENTS FROM SCHEDULED ATTENDEES, STAFF AND COMMISSIONERS

PRESENTATION BY FINANCE DIRECTOR SHERRILL THOMAS

Finance Director Sherrill Thomas made a presentation regarding the 2017-2018 Emergency Management Communications District Board Budget. She stated that this will be presented during the September 5, 2017 County Commission meeting.

Administrator Mims noted that on September 5, 2017, the Budgets will be presented to the public and on September 25, 2017, the Commission will vote on the budgets. He noted that the Commission would convene an Emergency Management Communications District Board meeting to vote on their budget.

Ms. Thomas noted that two Resolutions regarding Montgomery County retirees will need to be approved by October 31, 2017.

Administrator Mims presented a Memorandum of Understanding with One Place Family Justice Center regarding use of the building. He stated that the MOU is needed in order for One Place Family Justice Center to draw down grant funding.

COMMENTS FROM DEPUTY ADMINISTRATOR CAUTHEN

Deputy Administrator Cauthen discussed the priority list and costs for Construction, Renovation, Repair and Maintenance Projects for County-owned property. The Commission discussed the architects for each project. Chairman Dean recommended that the Administration proceed with implementation of these projects.

Vice Chairman Walker asked her fellow Commissioners to encourage the Circuit and District Judges to start assigning community service individuals to a county litter crew. She stated that Sheriff Cunningham has agreed to oversee the crew. She noted that Presiding Judge Hardwick said that the County should have liability insurance to cover injuries. Vice Chairman Walker recommended that Administrator Mims ask Sheriff Cunningham and County Attorney Gallion to attend the next Judge's meeting.

Deputy Administrator Cauthen informed the Commission that the third floor of Annex II has been cleaned, repainted and is ready for the Helping Montgomery Families Initiative program to be moved to that location.

ADJOURNMENT

Vice Chairman Walker made a motion to adjourn the meeting of the Montgomery County Commission on August 21, 2017, at 11:05 a.m. The motion was seconded by Commissioner Harris and unanimously approved by the Commission.

AGENDA

AUG 21 2017

8-21-17 Meeting

MONTGOMERY COUNTY COMMISSION

THE FOLLOWING ACCOUNTS PAYABLE WERE AUDITED AND
ORDERED PAID

CHECKS ARE DATED 8-4-17

Check Number	To	Check Number
270381		270431
Total Checks Paid		\$164,057.92

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

AGENDA

AUG 21 2017
8-21-17 Meeting

MONTGOMERY COUNTY COMMISSION

THE FOLLOWING ACCOUNTS PAYABLE WERE AUDITED AND
ORDERED PAID

CHECKS ARE DATED 8-4-17

Check Number	To	Check Number
270432		270511
Total Checks Paid		\$289,322.14

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

AGENDA

AUG 21 2017

8-21-17 Meeting

MONTGOMERY COUNTY COMMISSION

THE FOLLOWING ACCOUNTS PAYABLE WERE AUDITED AND
ORDERED PAID

CHECKS ARE DATED 8-11-17

Check Number	To	Check Number
270512		270571
Total Checks Paid		\$883,022.41

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

AGENDA

AUG 21 2017
8-21-17 Meeting

MONTGOMERY COUNTY COMMISSION

THE FOLLOWING ACCOUNTS PAYABLE WERE AUDITED AND
ORDERED PAID

CHECKS ARE DATED 8-11-17

Check Number	To	Check Number
270572		270679
Total Checks Paid		\$1,300,550.38

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

AUG 21 2017THE FOLLOWING TRANSACTIONS WERE AUDITED AND
ORDERED PAIDCHECKS ARE DATED
8/18/17

Payroll Check Number	128522	To	Payroll Check Number	128591	\$	59,760.17
Direct Deposits					\$	868,855.94
Payroll Check Number	128592	To	Payroll Check Number	128611	\$	256,573.19
Direct Deposits					\$	400,092.60
Federal Deposits					\$	340,773.52
Total Payroll Paid					\$	1,926,055.42

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

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

AUG 21 2017

August 15, 2017

MEMORANDUM

TO: Montgomery County Commission

FROM: Donald L. Mims *DLM*
County Administrator

SUBJECT: Resolution regarding Professional Services concerning the Department of Human Resources Building Project

On August 7, 2017, the County Commission discussed the selection of firms to conduct professional services concerning the Montgomery County Department of Human Resources building project. Attached is a Resolution authorizing the Engagement of Underwriters, Architectural Firm and Bond Counsel relative to the Montgomery County Public Building Authority's Department of Human Resources Building Project.

I am requesting adoption of this Resolution.

/tn

Attachment

- A COUNTY OLDER THAN THE STATE -

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

1-1

I, the undersigned County Administrator of Montgomery County, Alabama, hereby certify that the attached pages numbered consecutively from 1 to 3, inclusive, constitute a true, correct, and complete copy of a resolution and order adopted by the Montgomery County Commission at a regular meeting of said County Commission held on August 21st, 2017, as the same appears in the records of said County Commission, and that said resolution and order has not been rescinded, repealed, or amended in any respect and is still in full force and effect.

WITNESS my signature, as County Administrator of Montgomery County, Alabama, under its seal, this 21st day of August, 2017.

[S E A L]

County Administrator of
Montgomery County, Alabama

BE IT RESOLVED AND ORDERED by the Montgomery County Commission as follows:

Section 1. Findings. The Montgomery County Commission (the "Commission"), which is the governing body of Montgomery County, Alabama (the "County"), has found and ascertained and does hereby declare as follows:

(a) The Commission has previously adopted a resolution on June 5, 2017 (the "Parameters Resolution") whereby the Commission approved the construction and financing of a new DHR building (the "DHR Project") for use by the citizens of Montgomery County and the Montgomery County Department of Human Resources (the "MCDHR"); and

(b) Pursuant the Parameters Resolution, the Commission reasonably expects to cause a public building authority or such other public entity acting on the Commission's behalf to issue warrants or bonds, in an amount not in excess of \$32,000,000 (the "Warrants") to provide funds for the above referenced DHR Project; and

(c) In order to prepare for the issuance and sale of the Warrants, it is necessary and desirable for the Commission to engage underwriters, an architectural firm, and bond counsel to assist with the preparation of documents and related matters necessary for the sale and issuance of the Warrants.

Section 2. Engagement of Underwriters. The Frazer Lanier Company, Incorporated and Liberty Bank and Trust Company (each an "Underwriter" and collectively, the "Underwriters") are hereby engaged as co-underwriters of the Warrants, and together are hereby authorized and directed to proceed with the preparation of documents for the sale and issuance of the Warrants within the parameters set forth in the Parameters Resolution. The Underwriters are directed to split the underwriters' discount on the Warrants in the following manner: (i) 70% to The Frazer Lanier Company, Incorporated, and (ii) 30% to Liberty Bank and Trust Company.

Section 3. Engagement of Architectural Firm. PH&J Architects, Inc. is hereby engaged to serve as the architect for the DHR Project.

Section 4. Engagement of Bond Counsel. Gilpin Givhan, PC is hereby engaged as bond counsel with respect to the Warrants.

Section 5. Effective Date. This resolution shall be effective immediately.

Commissioner _____ thereupon moved that said resolution be adopted, which motion was seconded by _____, and, upon the said motion being put to vote, the following vote was recorded:

YEAS:

NAYS:

The Chairman thereupon declared that said resolution had been duly adopted.

* * * *

Chairman of the
Montgomery County Commission

County Administrator of the
Montgomery County Commission

ELTON N DEAN, SR.
Chairman
Rhonda M. Walker
Vice Chairman

Daniel Harris, Jr.
Isaiah Sankey
Doug Singleton



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

ENGINEERING DEPARTMENT

AGENDA

July 20, 2017

AUG 21 2017

MEMORANDUM

TO: Donald L. Mims
County Administrator

FROM: George C. Speake
County Engineer

George C. Speake
7/25/17

SUBJECT: Approval of Resolution for Project No. MCP 51-81-17
Resurfacing Old Selma Road (3.9 miles)

Please place on the agenda of the next regular meeting of the Montgomery County Commission the approval of the Resolution for Project No. MCP 51-81-17 as referenced above.

If approved, please have two copies with original signatures executed and returned to this office for further processing. If you have any questions, please contact Kevin Boone at 832-1342.

GCS/kb
Attachments
C: File

RESOLUTION

COUNTY OF MONTGOMERY

Project No. MCP 51-81-17

STATE OF ALABAMA

WHEREAS, the County Commission of Montgomery County, Alabama, is desirous of constructing or improving, by force account, by contractor or both, a section of road included in the Montgomery County Road System and described as follows:

Widen, Resurface, and Traffic Stripe Old Selma Road (CR-54) from the Lowndes County line east 3.9 miles to the Montgomery City Limits.

Link Node and Location maps are attached.

WHEREAS, the County agrees to all of the provisions of the County-wide agreement executed between the State and the County covering preliminary engineering by State forces and equipment on this project, and

WHEREAS, the County agrees to all of the provisions of any agreement which has been executed or will be executed covering the construction of the project.

Done at the regular session of the County Commission of Montgomery County, this ____ day of _____, 2017.

Montgomery County Commission
Governing Body

Elton N. Dean, Sr., Chairman

Ronda M. Walker, Vice Chairman

Isaiah Sankey, Member

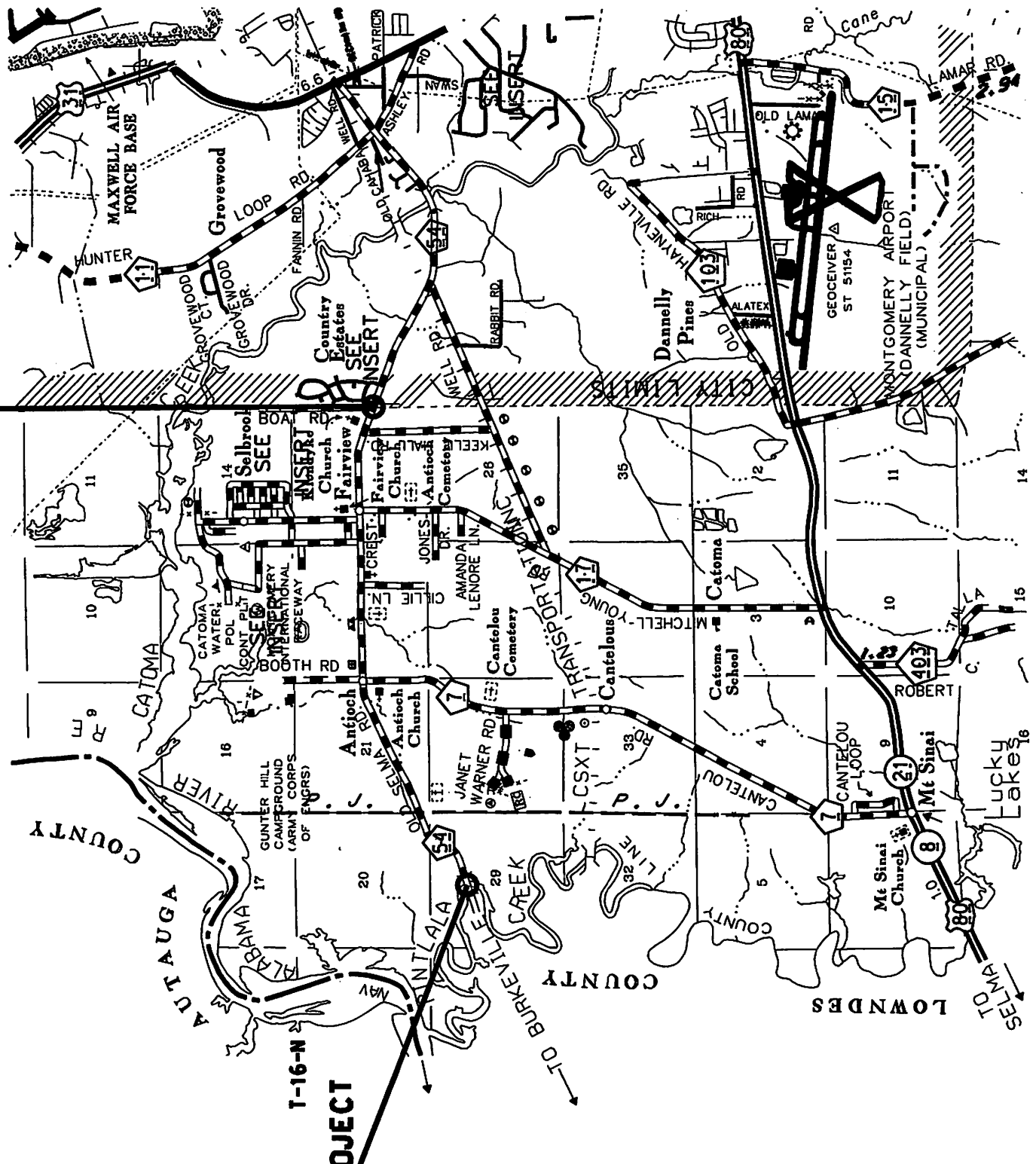
Daniel Harris, Member

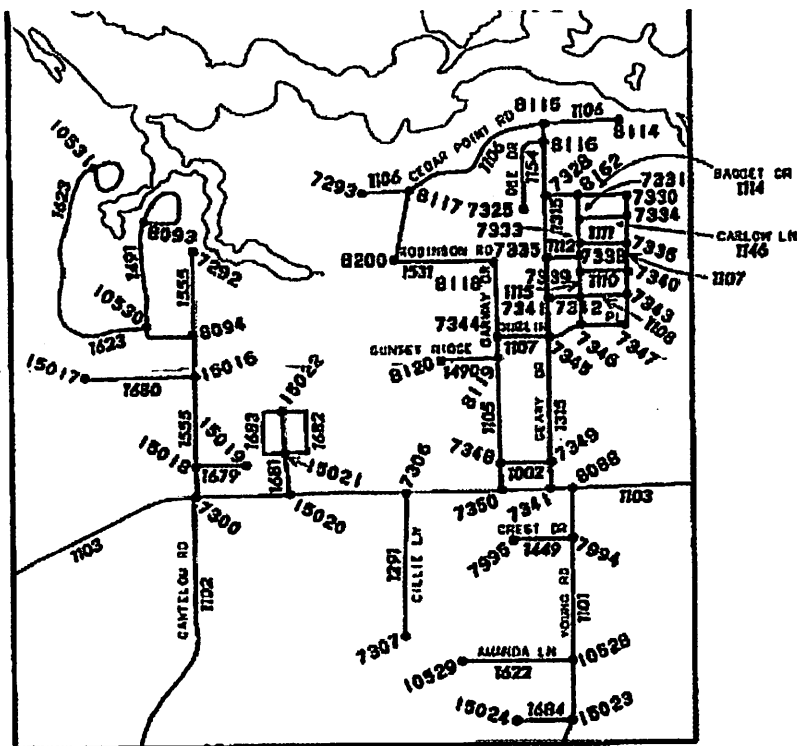
Doug Singleton, Member

WIDEN, RESURFACE, AND TRAFFIC STRIPE
 OLD SELMA ROAD FROM THE LOWNDES
 COUNTY LINE EAST 3.9 MILES TO THE
 MONTGOMERY CITY LIMITS

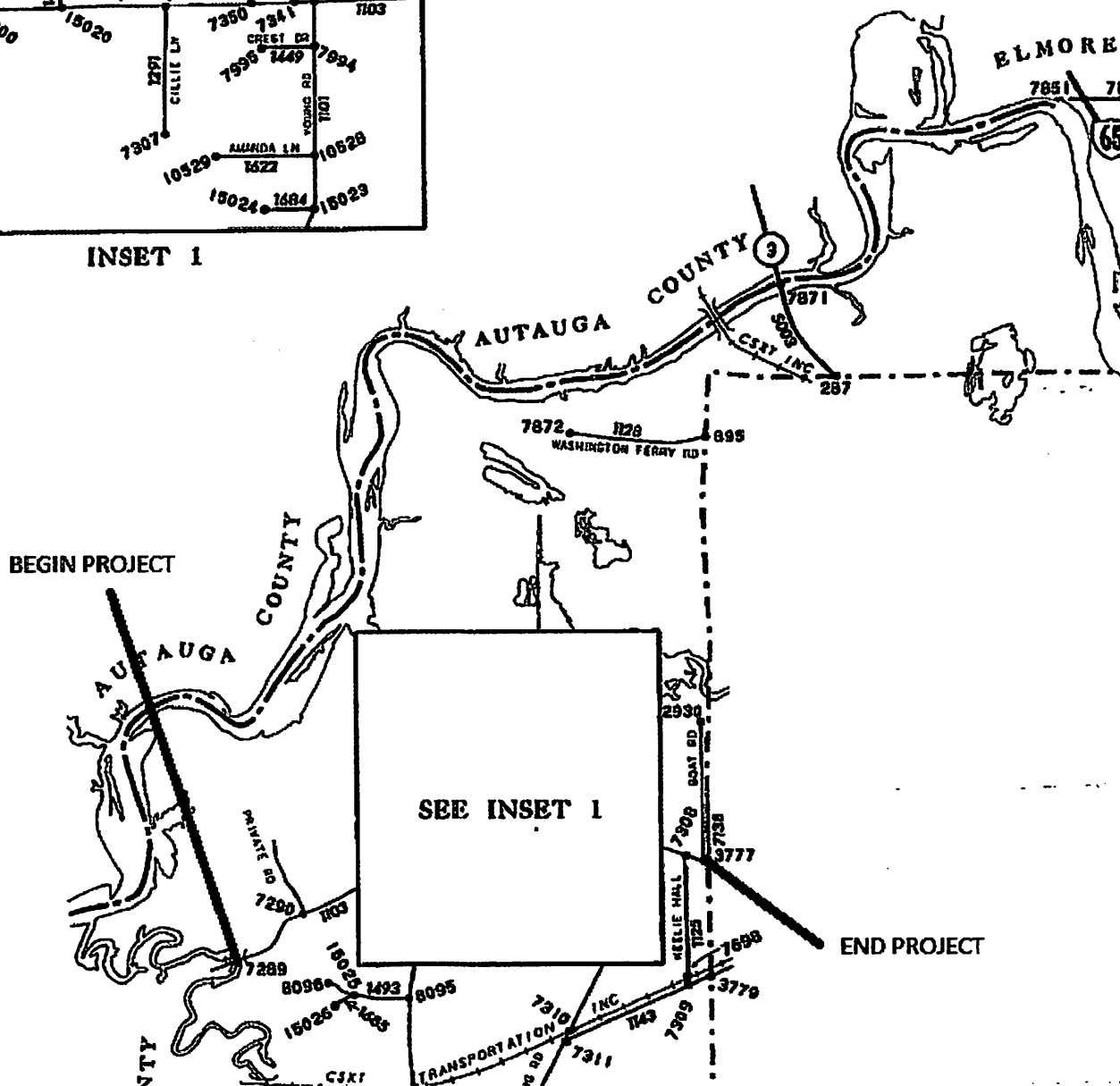
END PROJECT

BEGIN PROJECT





INSET 1



ELTON N DEAN, SR.
Chairman
Rhonda M. Walker
Vice Chairman

Daniel Harris, Jr.
Isaiah Sankey
Doug Singleton



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

ENGINEERING DEPARTMENT

AGENDA

July 20, 2017

AUG 21 2017

MEMORANDUM

TO: Donald L. Mims
County Administrator

FROM: George C. Speake
County Engineer

George C. Speake
7/25/17

SUBJECT: Approval of Resolution for Project No. MCP 51-82-17
Resurfacing Cloverfield/Federal Road (3.0 miles)

Please place on the agenda of the next regular meeting of the Montgomery County Commission the approval of the Resolution for Project No. MCP 51-82-17 as referenced above.

If approved, please have two copies with original signatures executed and returned to this office for further processing. If you have any questions, please contact Kevin Boone at 832-1342.

GCS/kb
Attachments
C: File

RESOLUTION

COUNTY OF MONTGOMERY

Project No. MCP 51-82-17

STATE OF ALABAMA

WHEREAS, the County Commission of Montgomery County, Alabama, is desirous of constructing or improving, by force account, by contractor or both, a section of road included in the Montgomery County Road System and described as follows:

Resurface and Traffic Stripe Cloverfield/Federal Road (CR-24) from the Lowndes County line east 3.0 miles to US Highway 31.

Link Node and Location maps are attached.

WHEREAS, the County agrees to all of the provisions of the County-wide agreement executed between the State and the County covering preliminary engineering by State forces and equipment on this project, and

WHEREAS, the County agrees to all of the provisions of any agreement which has been executed or will be executed covering the construction of the project.

Done at the regular session of the County Commission of Montgomery County, this ____ day of _____, 2017.

Montgomery County Commission
Governing Body

Elton N. Dean, Sr., Chairman

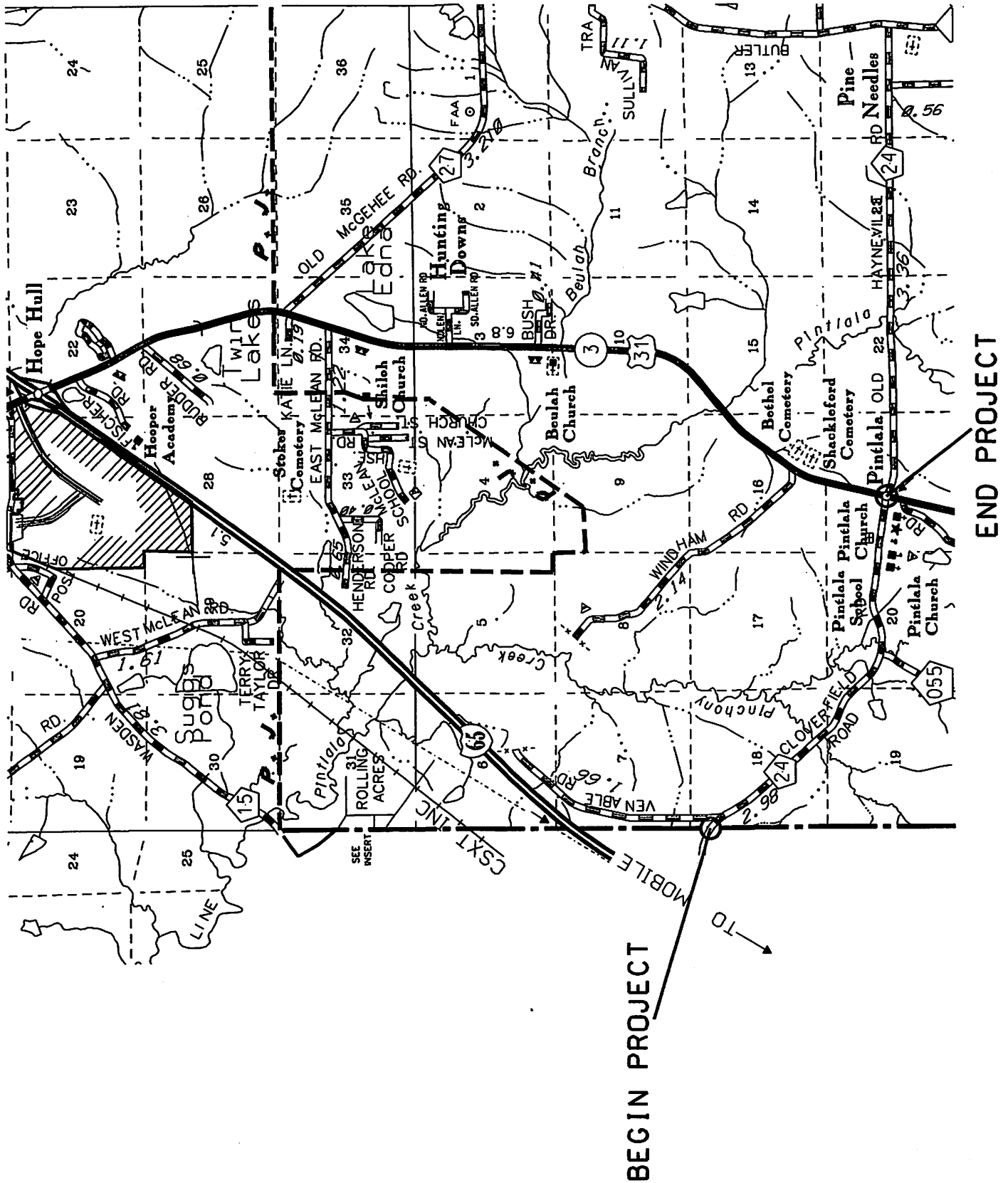
Ronda M. Walker, Vice Chairman

Isaiah Sankey, Member

Daniel Harris, Member

Doug Singleton, Member

RESURFACE AND TRAFFIC STRIPE CLOVERFIELD/FEDERAL ROAD
FROM THE LOWNDES COUNTY LINE EAST 3.0 MILES TO
US HIGHWAY 31





ELTON N DEAN, SR.
Chairman
Rhonda M. Walker
Vice Chairman

Daniel Harris, Jr.
Isaiah Sankey

Doug Singleton



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

ENGINEERING DEPARTMENT

AGENDA

July 20, 2017

AUG 21 2017

MEMORANDUM

TO: Donald L. Mims
County Administrator

FROM: George C. Speake
County Engineer

George C. Speake
7/25/17

SUBJECT: Approval of Resolution for Project No. MCP 51-83-17
Resurfacing Lower Wetumpka/Anderson Road (5.3 miles)

Please place on the agenda of the next regular meeting of the Montgomery County Commission the approval of the Resolution for Project No. MCP 51-83-17 as referenced above.

If approved, please have two copies with original signatures executed and returned to this office for further processing. If you have any questions, please contact Kevin Boone at 832-1342.

GCS/kb
Attachments
C: File

RESOLUTION

COUNTY OF MONTGOMERY

Project No. MCP 51-83-17

STATE OF ALABAMA

WHEREAS, the County Commission of Montgomery County, Alabama, is desirous of constructing or improving, by force account, by contractor or both, a section of road included in the Montgomery County Road System and described as follows:

Widen, Resurface, and Traffic Stripe Lower Wetumpka/Anderson Road from Alabama River Parkway east 5.3 miles to US Highway 231.

Link Node and Location maps are attached.

WHEREAS, the County agrees to all of the provisions of the County-wide agreement executed between the State and the County covering preliminary engineering by State forces and equipment on this project, and

WHEREAS, the County agrees to all of the provisions of any agreement which has been executed or will be executed covering the construction of the project.

Done at the regular session of the County Commission of Montgomery County, this ____ day of _____, 2017.

Montgomery County Commission
Governing Body

Elton N. Dean, Sr., Chairman

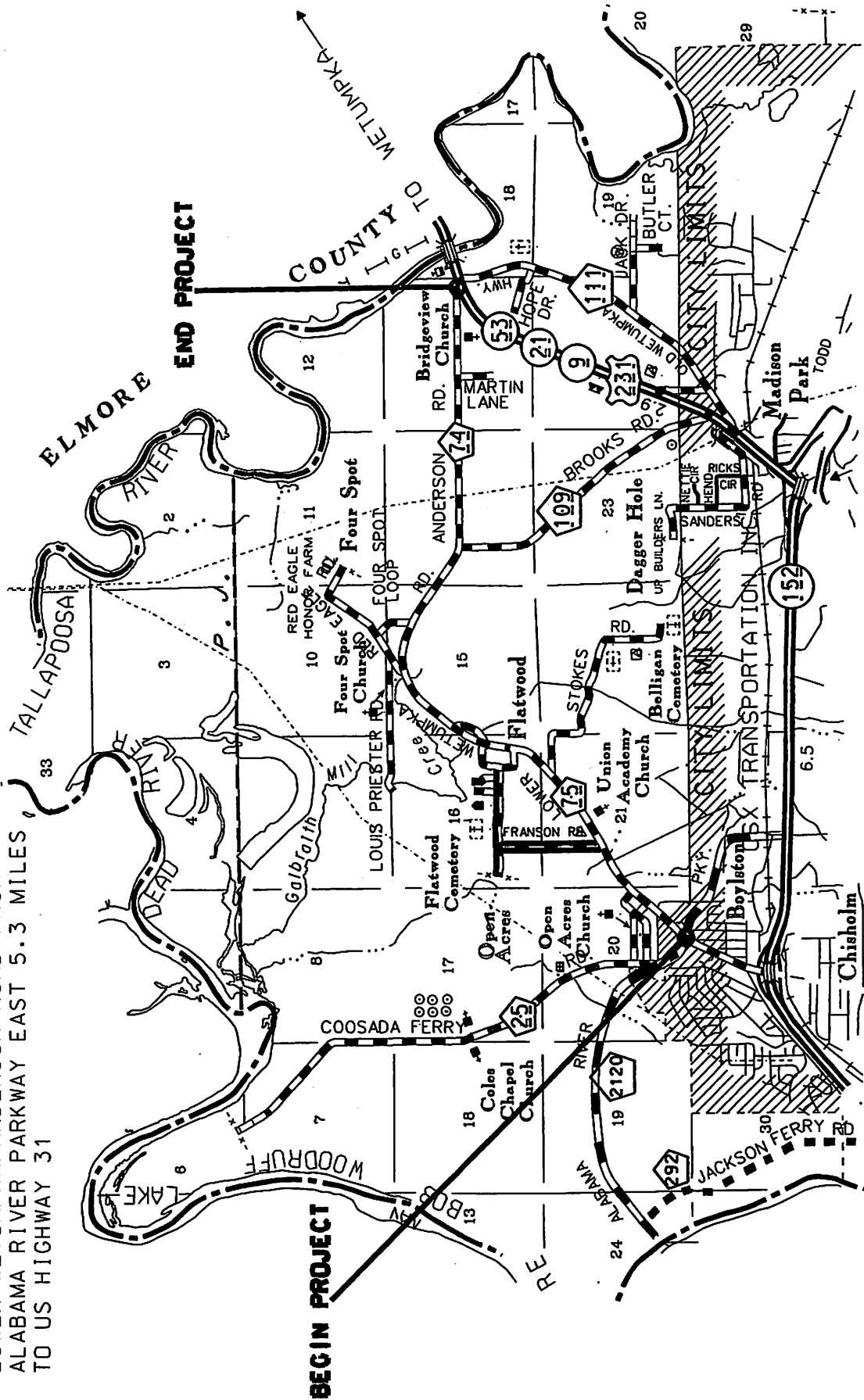
Ronda M. Walker, Vice Chairman

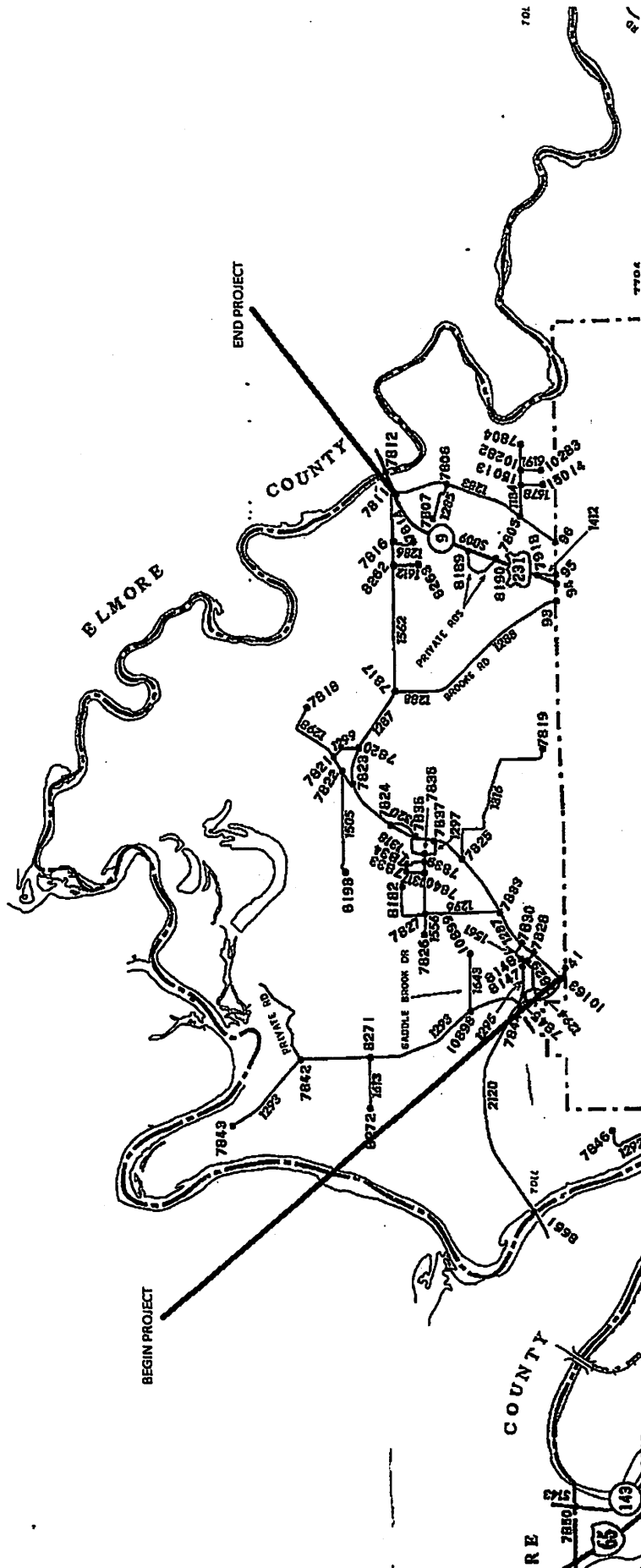
Isaiah Sankey, Member

Daniel Harris, Member

Doug Singleton, Member

WIDEN, RESURFACE, AND TRAFFIC STRIPE
 LOWER WETUMPKA/ANDERSON ROAD FROM
 ALABAMA RIVER PARKWAY EAST 5.3 MILES
 TO US HIGHWAY 31





AGENDA

AUG 21 2017

MEMORANDUM

TO: Donald L. Mims, County Administrator

FROM: Tammy Turner, Buyer II *TT*

DATE: July 28, 2017

RE: Contract No. 53000-16B-030
Concrete Pipe

I request that the attached Amendment No. 1 to Forterra Pipe & Precast contract for concrete pipe be considered for approval on a future agenda.

Amendment No. 1 will allow the contract to be extended for one (1) year, beginning October 1, 2017 and ending on September 30, 2018.

Forterra Pipe & Precast chooses not to increase prices during this contract period. All other provisions of the contract shall remain the same.

This contract extension has been coordinated with George Speake, County Engineer.

Attachment

**Montgomery County Commission
Purchasing Department
P. O. Box 1667
Montgomery, AL 36102**

**Amendment
To
Contract # 53000-16B-030**

Amendment No. 1

Contract with Forterra Pipe & Precast for concrete pipe is hereby extended for one (1) year, beginning October 1, 2017 and ending September 30, 2018.

There will be no price increase during this contract period

All other provisions of the contract remain the same.

WITNESS:

FORTERRA PIPE & PRECAST

BY: _____

TITLE: _____

WITNESS:

MONTGOMERY COUNTY COMMISSION

BY: _____

TITLE: _____

AUG 21 2017

MEMORANDUM

TO: Donald L. Mims, County Administrator

FROM: Tammy Turner, Buyer II *TT*

DATE: July 26, 2017

RE: Contract No. 52110-16B-038
Footwear

I request that the attached Amendment No. 1 to Gulf States Distributors contract for footwear be considered for approval on a future agenda.

Amendment No. 1 will allow the contract to be extended for one (1) year, beginning October 17, 2017 and ending on October 16, 2018.

Gulf States Distributors would like to increase pricing by 5% in accordance with the terms of the contract. All other provisions of the contract shall remain the same.

This contract extension has been coordinated with Derrick Cunningham, Sheriff.

Attachment

**Montgomery County Commission
Purchasing Department
P. O. Box 1667
Montgomery, AL 36102**

Amendment
To
Contract # 52110-16B-038

Amendment No. 1

Contract with Gulf States Distributors for footwear, is hereby extended for one (1) year, beginning October 17, 2017 and ending October 16, 2018.

Prices will increase by 5%, in accordance with the contract.

All other provisions of the contract remain the same.

WITNESS:

GULF STATES DISTRIBUTORS

BY: _____

TITLE: _____

WITNESS:

MONTGOMERY COUNTY COMMISSION

BY: _____

TITLE: _____

AGENDA

AUG 21 2017

MEMORANDUM

TO: Donald L. Mims, County Administrator

FROM: Tammy Turner, Buyer II TT

DATE: July 25, 2017

RE: Contract No. 52110-16B-033
Oil Change and Tire Rotation Service

I request that the attached Amendment No. 1 to Stivers Ford Lincoln contract for oil change and tire rotation services be considered for approval on a future agenda.

Amendment No. 1 will allow the contract to be extended for one (1) year, beginning October 1, 2017 and ending on September 30, 2018.

Stivers Ford Lincoln would like to increase pricing by 5% in accordance with the terms of the contract. All other provisions of the contract shall remain the same.

This contract extension has been coordinated with Derrick Cunningham, Sheriff.

Attachment

**Montgomery County Commission
Purchasing Department
P. O. Box 1667
Montgomery, AL 36102**

**Amendment
To
Contract # 52110-16B-033**

Amendment No. 1

Contract with Stivers Ford Lincoln for oil change and tire rotation service, is hereby extended for one (1) year, beginning October 1, 2017 and ending September 30, 2018.

Prices will increase by 5%, in accordance with the contract.

All other provisions of the contract remain the same.

WITNESS:

STIVERS FORD LINCOLN

BY: _____

TITLE: _____

WITNESS:

MONTGOMERY COUNTY COMMISSION

BY: _____

TITLE: _____



DERRICK CUNNINGHAM
SHERIFF OF MONTGOMERY COUNTY

AGENDA

AUG 21 2017

KEVIN J. MURPHY
CHIEF DEPUTY

COLONEL WANDA J. ROBINSON
DIRECTOR OF DETENTION

July 28, 2017

MEMORANDUM

TO : Mr. Donnie Mims
County Administrator

FROM : Sheriff Derrick Cunningham 
Montgomery County Sheriff's Office

SUBJECT : Stakeholder Sharing Agreement – Alabama Department of Transportation
Viewing of Live Video Images

2017 JUL 32 AM 10:34
MONTGOMERY COUNTY
SHERIFF'S OFFICE

Please place on the next agenda the attached agreement between our agency and the Alabama Department of Transportation allowing the viewing of live video images. I have reviewed this agreement as well as our attorney, Tommy Gallion, and I see no reason that the Montgomery County Commission can't sign off on this agreement.

If you have any questions, please do not hesitate to contact me or my assistant.

DC/crv

encls.

cc: Ms. Florence Cauthen
Deputy County Administrator

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

OFFICE 334.832.4980
FAX 334.832.7113

WWW.MONTGOMERYSHERIFF.COM

8-1
DETENTION FACILITY
225 SOUTH MCDONOUGH STREET
MONTGOMERY, ALABAMA 36104

OFFICE 334.832.1386
FAX 334.265.0990



Haskell Slaughter & Gallion, LLC

8 Commerce Street

Suite 1200

Montgomery, Alabama 36104

t. 334.265.8573 | f. 334.264.7945

MEMORANDUM

July 27, 2017

TTG

TO: Donnie Mims

FROM: Thomas T. Gallion, III

RE: Stakeholder Sharing Agreement -Alabama Department of Transportation

I have reviewed the License Agreement between the Alabama Department of Transportation and Montgomery County Sheriff's Office.

It is my opinion that the agreement is acceptable as is except that the MCC should approve and it should be executed by Chairman Dean instead of the Montgomery County Sheriff's Office.

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.

LICENSE AGREEMENT BETWEEN

THE ALABAMA DEPARTMENT OF TRANSPORTATION

AND

Montgomery County Sherriff's Office

Viewing of Live Video Images

And Traffic Information to Emergency Responders

LICENSE AGREEMENT

INTRODUCTION

This Agreement is made and entered into by and between the **Alabama Department of Transportation**, hereinafter referred to as “**ALDOT**,” and **The Montgomery County Sherriff’s Office**, hereinafter referred to as “**LICENSEE**,” in cooperation with the U. S. Department of Transportation, Federal Highway Administration, hereinafter referred to as “**FHWA**”; and

WHEREAS, the parties agree that it is in the interest of the Public for **LICENSEE** to have access to specified live video images of traffic conditions for efficient response and safe, quick clearance of traffic incidents.

NOW, THEREFORE, The parties hereby agree as follows:

I. FURNISHING OF LIVE VIDEO IMAGES

The live video images to be made available to the **LICENSEE** will be supplied from the System as now constructed and maintained by **ALDOT** on an ongoing basis to **LICENSEE** at no charge. **ALDOT** does not guarantee the continuity of this access, and **ALDOT** does not warrant the quality or accuracy of any video image or information provided. Any reliance on such images or information is at the risk of the **LICENSEE**. Access to live video feeds is for the **LICENSEE**’s viewing only and any live or still video images may not be shared with third parties without the express written consent of **ALDOT**.

All expenses incurred in making connections to the **ALDOT** System will be at the sole cost and expense of the **LICENSEE**, if applicable. The **LICENSEE** shall connect to the System only at such points and in such manner as is permitted by **ALDOT**. **ALDOT** shall have sole and absolute control over images, information and/or content of the System, and **LICENSEE** shall

have no control over the content, information or images provided by ALDOT.

The LICENSEE shall obtain live video signals from cameras placed at various locations which are designated for public viewing by ALDOT. All expenses for any equipment, hardware or software required for LICENSEE to receive ALDOT live video images shall be purchased by and paid for by the LICENSEE. The LICENSEE is allowed to access ALDOT's first responder website for the viewing of live video feeds as described in Appendix A, which is incorporated herein as if fully set forth. The LICENSEE shall be provided a single user name and password to access the website.

II. TERM

The term of this license shall be one year commencing upon execution of this Agreement. This license may be terminated at any time by either party by giving the other party thirty (30) Days written notice. This license shall automatically renew for a period of one year following the initial term, and from year to year thereafter, unless written notice to the contrary is given by either party to the other at least thirty (30) days prior to expiration of the original term or any renewal thereof.

In the event of an emergency in which ALDOT determines in its sole judgment and discretion that live video images are to be interrupted to protect or promote the public health, safety, welfare or mission, or for other cause, ALDOT may immediately terminate the live video images without notice.

In the event that the State of Alabama or the Federal Government enacts rules, regulations or legislation prohibiting ALDOT from offering live video images of the System to third parties, this license will terminate automatically without any further obligation on the part of ALDOT to the LICENSEE.

If LICENSEE uses live video images in any manner contrary to this Agreement, ALDOT may terminate live video images and terminate this license immediately.

In the event the Agreement is terminated by either party LICENSEE shall remove any equipment, hardware or software used to connect to ALDOT's system at its own expense. If LICENSEE fails to remove its equipment within thirty (30) days of termination of the agreement ALDOT may remove and dispose of the equipment, hardware or software.

III. USE OF MATERIAL

LICENSEE is not granted a license or any copyright, trademark, patent, or other intellectual property right in any material, products, any live video images, processes, or technologies described or used herein. All rights are expressly reserved to and retained by ALDOT. The LICENSEE shall not grant, permit or allow use of ALDOT live video images to any third party.

The required logo and/or word mark will be provided or embedded by ALDOT and may be updated or changed by ALDOT from time to time.

IV. RESPONSIBILITIES OF LICENSEE

The LICENSEE agrees that it will be the only user authorized to access the System pursuant to this License and that it shall not transfer, assign, convey, transmit, publish or disclose the LICENSEE's account identification or password to any other person or entity. The LICENSEE shall not use ALDOT's name, logo or word mark for any purpose without ALDOT's written consent.

The LICENSEE agrees that it will maintain the security and integrity of the live video images and camera feeds by limiting use of the System to trained and authorized individuals, and by insuring the System is used only for the specific purpose stated in this Agreement.

The LICENSEE agrees to provide ALDOT with a technical contact person and with a list of all LICENSEE's equipment (whether owned, rented or otherwise) connected to the System, including the basic operational capabilities of the equipment.

V. OWNERSHIP OF SYSTEMS

The System is and shall remain the sole and exclusive property of ALDOT. The LICENSEE has no interest, right, title or ownership in the System. ALDOT shall have the right to select and exclude any information or material it so desires.

VI. NON- ASSIGNABILITY

This license will inure to the benefit of and be binding upon the respective heirs, legal representatives, and successors of the parties hereto, but is not assignable or transferable by the LICENSEE without the written consent of ALDOT. The

LICENSEE's rights and interests hereunder may not be sold, transferred, conveyed, assigned or pledged without the prior written approval of ALDOT.

VII. LIMITATION OF LIABILITY

The live video images are distributed on an "as-is, as-available" basis without warranty, either expressed or implied. All warranties being expressly disclaimed, neither ALDOT nor any of its service providers, information providers, officials, representatives, employees or agents, in both their official and individual capacities, shall be liable for incidental, consequential, indirect or special damages suffered by the LICENSEE or any other party as a result of the operation or malfunction of the System or live video images, regardless of whether or not such parties have been advised of the possibility of such damages.

VIII. INDEMNIFICATION

Mark the applicable Stakeholder to this agreement indemnifying ALDOT with an X.

____ Non-City or County Government: LICENSEE will indemnify and hold harmless ALDOT and its officials, employees, agents or representatives, in both their official and individual capacities, against any and all damages, losses judgments, assessments, claims, causes of action, costs and expenses to persons or property arising out of or resulting from receipt or use of live video transmissions, installation or use of equipment or use of any ALDOT, LICENSEE or third party facility and, the use or transmission of ALDOT intellectual property by LICENSEE, its principals, officers, employees, agents, successors and/or assigns.

____ City Government: Subject to the limitations on damages applicable to municipal corporations under Ala. Code § 11-47-190 (1975), the City shall indemnify, and hold harmless the State of Alabama, the Alabama Department of Transportation, its officers, officials, agents, servants, and employees from and against claims, damages, losses, and expenses, including but not limited to attorneys' fees arising out of, connected with, resulting from or related to receipt or use of video transmissions, installation or use of equipment or use of any ALDOT, LICENSEE or third party facility and, the use or transmission of ALDOT intellectual property by the City, or its principals, officers, employees, agents, successors and/or assigns.

____ County Government: Subject to the limitations of Ala. Code § 11-93-2 (1975), the COUNTY shall be responsible at all times for all of the receipt or use of live video transmissions, installation or the use of equipment or use of any ALDOT, LICENSEE or third party facility and, the use or transmission of ALDOT intellectual property and the COUNTY shall indemnify and hold harmless the State of Alabama, The Alabama Department of Transportation, its officers, officials, agents, servants, and employees.

For all claims not subject to Ala. Code § 11-93-2 (1975), the COUNTY shall indemnify and hold harmless the State of Alabama, the Alabama Department of Transportation, its officers, officials, agents, servants, and employees from and against any and all damages, claims, loss, liabilities, attorney's fees or expense whatsoever or any amount paid in compromise thereof arising out of, connected with, or related to the receipt or use of live video transmissions, installation or the use of equipment or use of any ALDOT, LICENSEE or third party facility and, the use or transmission of ALDOT intellectual property by the COUNTY, its principals, officers, employees, agents, successors and/or assigns.

IX. INTERRUPTION OF VIDEO IMAGES

ALDOT will not be responsible or liable for any interruption of video images for any period of time for any reason whatsoever.

X. GOVERNING LAW

The validity, construction, interpretation and enforceability of this license are governed by the laws of the State of Alabama. If any of the provisions of this license are held invalid for any reason by a court or agency of competent jurisdiction, the remainder of the terms will remain in full force and effect.

XI. NON-EXCLUSIVE

This License Agreement is not an exclusive License Agreement, and ALDOT reserves the right to grant similar License Agreements to any other person, firm, partnership or corporation that it may deem proper.

XII. NOTICES

All notices and communications concerning this license will be in writing and addressed as shown below, or at such other address as may be designated in writing to the other party:

If to ALDOT: Alabama Department of Transportation
 Southeast Region
 Montgomery, AL 36110

If to the LICENSEE:

XIII. MAINTENANCE

The maintenance of all video cameras, fiber optic cable, monitoring equipment, communications hub facilities, and all associated equipment, hardware and software will be maintained by ALDOT, except for LICENSEE's network connections and LICENSEE's equipment.

The LICENSEE shall be exclusively responsible for the service, maintenance, and upkeep of its installed equipment, hardware or software. LICENSEE assumes any and all liability for the cost of any repair and/or other damages to ALDOT's System caused in any manner by the installation, servicing or maintenance of the LICENSEE's equipment or by the equipment once installed. LICENSEE staff or its representative(s) at the RTMC facility or hub building(s) shall be under the general direction of the RTMC Manager or his/her designee for routine conduct, privileges and protocols within ALDOT facilities.

The LICENSEE agrees to move or alter, at its own expense, any of its equipment, hardware or software, as ALDOT deems necessary to accommodate future alterations, improvements or other changes to the System or ALDOT facilities.

XIV. TERMINATION WITHOUT CAUSE

Unless otherwise terminated as herein provided, this Agreement shall remain in full force and effect. Termination without cause will occur no less than thirty (30) days after either party

gives the other party written notice of termination. The notice will be mailed by certified or registered mail as per Section XII Notices.

XV. MODIFICATION TO AGREEMENT

This Agreement may be modified, with thirty (30) days' notice, from time to time at the sole discretion of ALDOT, in order to maintain compliance with existing or new requirements; or for other reasons not herein described. LICENSEE hereby agrees to the above modifications without execution of an amendment to this Agreement. Failure of LICENSEE to accept any modification shall constitute an automatic termination of this Agreement.

XVI. APPENDIX TO AGREEMENT

Appendix A is attached and hereby incorporated into this Agreement.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement by those officers and officials duly authorized to execute same, and the Agreement is deemed to be dated and effective on the date hereinafter stated as the date of its approval by the Governor of Alabama.

ATTEST:

Signed by: _____ Signed by: _____

Name:

Name:

RECOMMENDED FOR APPROVAL:

Steven C. Graben, PE
Region Engineer

Stacey Glass, PE
State Maintenance Engineer

George H. Conner, PE
Deputy Director for Operations

John R. Cooper
Transportation Director

This Agreement has been legally reviewed and approved as to content and form:

William F. Patty, Chief Counsel
Alabama Department of Transportation

The within and foregoing Agreement is hereby and approved and signed by the
Governor on this _____ day of _____, 20_____.

Robert Bentley
GOVERNOR, STATE OF ALABAMA

Appendix A

GUIDELINES FOR USE OF ALDOT VIDEO IMAGES AND STREAMING VIDEO

By execution of this License Agreement, the undersigned LICENSEE certifies, to the best of his or her knowledge and belief, that:

- (1) LICENSEE shall not transmit the live video image provided by ALDOT or any still image obtained from the video image on LICENSEE'S or their agents' website, social media sites or any other electronic media.
- (2) LICENSEE may provide a web link on its internet homepage to www.algotraffic.com, ALDOT's traffic information webpage.
- (3) LICENSEE shall not distribute a live or still video image to any person, organization, or company.
- (4) LICENSEE shall not record or store ALDOT's live video images for any use.

These Guidelines may be modified at any time without notice at the sole discretion of ALDOT to comply with existing or new requirements of the State of Alabama or Federal Government; or for other reasons not herein described.

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

AUG 21 2017

August 21, 2017

MEMORANDUM

TO: Montgomery County Commission
FROM: Donald L. Mims, County Administrator *DLM*
SUBJECT: Miscellaneous Appropriations Reprogramming Requests

I am requesting authority to reprogram the following from fund code 001-59320-498 (Agency, Miscellaneous Appropriations) and to sign the contracts:

C-2017-87: Alabama National Fair, for the Creative Living Center - \$500; (Singleton)

DLM/tll

- A COUNTY OLDER THAN THE STATE -

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

**MONTGOMERY COUNTY COMMISSION
BUDGET CHANGE REQUEST**

Request Number: 61

AGENDA

AUG 21 2017

DEPARTMENT:

County Commission Appropriations

REQUESTED BY: Donald L. Mims

8/07/17

Elected Official/Dept. Head

Date

FINANCE REVIEW:

REVIEWED BY: Sherrill Thomas

8/07/17

Finance Director

Date

COMMISSION APPROVAL PROCESSING:

Briefing Memo

Agenda

☐
☒

COUNTY COMMISSION APPROVAL:

Administrator

Date

ACCOUNT NAME	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE (DECREASE)	REVISED BUDGET
Dragonboat Race & Festival	001-51955.447	0	7,500	7,500
Donation Revenue	001-40000.47701	(447,064)	(7,500)	(454,564)
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
TOTAL		(\$ 447,064)	\$ 0	(\$ 447,064)

JUSTIFICATION: To budget an appropriation to the Montgomery Dragonboat Race & Festival for the 2017 event.

MONTGOMERY COUNTY COMMISSION

BUDGET CHANGE REQUEST

Request Number: 62**AGENDA****AUG 21 2017**

DEPARTMENT:

County Commission Appropriations

REQUESTED BY: Donald L. Mims

8/07/17

Elected Official/Dept. Head

Date

FINANCE REVIEW:

REVIEWED BY: Sherrill Thomas

8/07/17

Finance Director

Date

COMMISSION APPROVAL PROCESSING:

Briefing Memo

Agenda

☐
☒

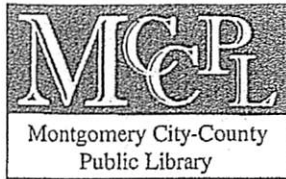
COUNTY COMMISSION APPROVAL:

Administrator

Date

ACCOUNT NAME	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE (DECREASE)	REVISED BUDGET
Ramer Library	001-57100.322	0	5,979	5,979
Misc In house Appropriations	001-59310.498	61,500	(5,979)	55,521
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
TOTAL		\$ 61,500	\$ 0	\$ 61,500

JUSTIFICATION: To budget an appropriation to the City of Montgomery to replace the Ramer Library air conditioner.



2004 Gold Star Award Recipient



*Library Administration
PO Box 1950
245 High Street
Montgomery, AL 36102-1950*

**Public Library Division
Alabama Library Association**

Juliette H. Morgan Memorial Library
E.L. Lowder Branch Library
Governor Square Branch Library
Coliseum Branch Library
Pine Level Branch Library

Ramer Branch Library
Rosa Parks Branch Library
Rufus A. Lewis Branch Library
Pike Road Community Branch Library
Pintlala Branch Library

July 3, 2017

RE: Ramer Branch Library: Air conditioner replacement

Expense Summary

Equipment

• Wittichen Supply Company	\$1,074.32
• R & R Supply Company	\$142.63
• Climate Control Equipment	\$3,706.29
• Spears Sheet Metal Company	\$800.00

Equipment Subtotal: \$5,723.24

Labor

• Brad Terry 6 hours @ \$21.02/hour	\$126.12
• Richard Holmes 6 hours @ \$15.55/hour	\$93.30
• Anthony Thomas 1 hour @ \$20.45/hour	\$20.45
• Jonathan Rhodes 1 hour @ \$15.02/hour	\$15.02

Labor Subtotal: \$254.89

GRAND TOTAL: \$5,978.13

11-2

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
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WWW.MC-ALA.ORG

AGENDA

AUG 21 2017

August 15, 2017

MEMORANDUM

TO: Montgomery County Commission

FROM: Donald L. Mims *DLM*
County Administrator

SUBJECT: Appropriation to Montgomery City/County Library for Renovations

On August 7, 2017, the County Commission discussed the attached letter from Montgomery City/County Public Library Director Jaunita Owes requesting funding in the amount of \$400,000 for the Juliette Hampton Morgan Library Renovation Project. The Commission agreed to place an appropriation on the August 21, 2017 agenda.

Based upon the discussions, I am requesting that the County Commission appropriate \$200,000 for the 2016-2017 Budget Year and \$200,000 for the 2017-2018 Budget Year.

/tn

Attachment

- A COUNTY OLDER THAN THE STATE -

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

**MONTGOMERY COUNTY COMMISSION
BUDGET CHANGE REQUEST**

Request Number: 4

AGENDA

AUG 21 2017

DEPARTMENT: Board of Registrars REQUESTED BY: George Noblin 8-10-17
Elected Official/Dept. Head Date

FINANCE REVIEW: REVIEWED BY: Sherrill Thomas 8/11/17
Finance Director Date

COMMISSION APPROVAL PROCESSING: Briefing Memo ☐
Agenda ☒

COUNTY COMMISSION APPROVAL: _____
Administrator Date

ACCOUNT NAME	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE (DECREASE)	REVISED BUDGET
Extra Help	001-57920-115	10,030	2,878	12,908
Advertising	001-57920-253	3,500	(500)	3,000
Travel-Registration	001-57920-253	1,500	(878)	622
Travel-Mileage	001-57920-260	500	(500)	0
Overtime	001-57920-113	3,721	(1,000)	2,721
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
TOTAL		\$ 19,251	\$ 0	\$ 19,251

JUSTIFICATION: Funds required to hire additional help as needed for the August 15 Primary and September 26 Runoff Election cycles, both of which were unscheduled.

MONTGOMERY COUNTY COMMISSION

BUDGET CHANGE REQUEST

Request Number: 5

AGENDA

AUG 21 2017

DEPARTMENT: DA - Child Support REQUESTED BY: Daryl Bailey 8/14/17
 Elected Official/Dept. Head Date

FINANCE REVIEW: REVIEWED BY: Sherrill Thomas 8/15/17
 Finance Director Date

COMMISSION APPROVAL PROCESSING:

Briefing Memo ☐Agenda ☒

COUNTY COMMISSION APPROVAL:

Administrator

Date

ACCOUNT NAME	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE (DECREASE)	REVISED BUDGET
Administration Expense	775-56120.499	25,000	5,000	30,000
Travel - Registration & Training	775-56120.265	7,500	(5,000)	2,500
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
TOTAL		\$ 32,500	\$ 0	\$ 32,500

JUSTIFICATION: Adjust budget for Administration Expenses

AGENDA

Request Number: 6

Administrator
Date

14.2

**MONTGOMERY COUNTY COMMISSION
BUDGET CHANGE REQUEST**

Request Number: 11

AGENDA

AUG 21 2017

DEPARTMENT: Engineering Office REQUESTED BY: George Speake 8/10/17
Elected Official/Dept. Head Date

FINANCE REVIEW: REVIEWED BY: Sherrill Thomas 8/11/17
Finance Director Date

COMMISSION APPROVAL PROCESSING:

Briefing Memo ☐
Agenda ☒

COUNTY COMMISSION APPROVAL:

Administrator Date

ACCOUNT NAME	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE (DECREASE)	REVISED BUDGET
Office Supplies	111-53600.211	6,400	350	6,750
Fuels & Lubricants	111-53800.212	25,000	(350)	24,650
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
TOTAL		\$ 31,400	\$ 0	\$ 31,400

JUSTIFICATION: To realign the budget to increase office supplies.

AGENDA

AUG 21 2017

COUNTY COMMISSION APPROVAL: _____

Administrator Date

AGENDA

AUG 21 2017

COUNTY COMMISSION APPROVAL: _____

Administrator Date

AUG 21 2017

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 500419202 (Replacement of Mishika Stafford)
 Pay Grade PCT Pay Range \$30,096
 Proposed Effective Date August 28, 2017
 Type of Hire (☒) New (☐) Promotional
 Type of Appointment (☒) Permanent (☐) Temporary

DEPARTMENT APPROVAL:

Derrick Cunningham

Department Head

Date August 8, 2017

PAYROLL/FINANCE REVIEW:

Requested position is vacant and budgeted.

Lisa Herring

Employee Benefit Manager

Date August 10, 2017

Sherrill Thomas

Finance Director

Date 8/11/2017

ADMINISTRATIVE APPROVAL:

 County Administrator

Date _____

POSITION FILL REQUEST- BUDGETED VACANCY

AUG 21 2017

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 500419227 (Replacement of Horton Owens)
 Pay Grade PCT Pay Range \$30,096
 Proposed Effective Date August 28, 2017
 Type of Hire (☒) New (☐) Promotional
 Type of Appointment (☒) Permanent (☐) Temporary

DEPARTMENT APPROVAL:

Derrick Cunningham Date August 11, 2017
 Department Head

PAYROLL/FINANCE REVIEW:

Requested position is vacant and budgeted.

Lisa Herring Date August 14, 2017
 Employee Benefit Manager

Sherrill Thomas Date 8/14/2017
 Finance Director

ADMINISTRATIVE APPROVAL:

 County Administrator Date _____

Montgomery County Commission
Travel / Training Request Approval
Request # 14

AGENDA

AUG 21 2017

Date: August 15, 2017
To: Donald L. Mims, Administrator
From: Wanda J. Robinson, Director
Re: Approval for the following travel:

Destination: Sandy Springs, GA
Departure Date: November 7, 2017 Return Date: November 11, 2017
Conference Leave (Days / Hours): 4 Days
Purpose of Travel: Handle with Care Certification

Traveler (s) Name: 1. Carlos Parks 4. _____
2. Varick Nix 5. _____
3. Bobby Jones 6. _____

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

Total (est.) Cost: \$2,200.00 Advance Registration Required: \$1,275.00
Department Name: Sheriff (MCDF) Fund Name: General

Additional Comments: _____
Expense will be incurred in the 2018 Budget

To: Wanda J. Robinson, Director
From: Donald L. Mims, Administrator

The above request is app. 8/21/17 reimbursement of actual and necessary expenses in the
approximate amount of \$2,200.00 and advance registration of \$1,275.00 is authorized.

<i>To be completed by the Finance Department</i>	
Fund Code:	<u>001-52200.265</u> (ex: 000-00000-000)
Description:	<u>Registration and Training</u>
Current Budget:	<u>\$20,000.00</u>
Approved Requests:	<u>\$17,842.91</u>
Budget Available:	<u>\$2,157.09</u>
Current Requests:	<u>\$0.00</u>
Budget Balance:	<u>\$2,157.09</u>

Donald L. Mims, Administrator



Reviewed by: S. Thomas

Date: 8/15/17

cc: Finance Director / Buyer

18-1

Montgomery County Commission
Travel / Training Request Approval
Request # 22

AGENDA

AUG 21 2017

Date: August 11, 2017
To: Donald L. Mims, Administrator
From: Beverly Riddle Wise
Re: Approval for the following travel:

Destination: Oxford, AL
Departure Date: September 7, 2017 Return Date: September 7, 2017
Conference Leave (Days / Hours): one day
Purpose of Travel: Attend Bradford Health Services-Understanding Adolescent Substance Abuse

Traveler (s) Name: 1. Wade Morgan 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: \$0.00

Department Name: Youth Facility Fund Name: 00152603-265

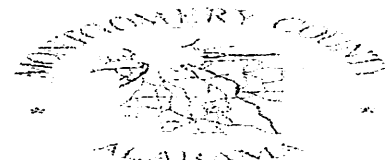
Additional Comments: _____

To: Beverly Riddle Wise
From: Donald L. Mims, Administrator

The above request is 8/21/17 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>001-52603.265</u> (ex: 000-00000-000)
Description:	<u>Registration & Training</u>
Current Budget:	<u>\$10,000.00</u>
Approved Requests:	<u>\$8,778.53</u>
Budget Available:	<u>\$1,221.47</u>
Current Requests:	<u>\$0.00</u>
Budget Balance:	<u>\$1,221.47</u>

Donald L. Mims, Administrator



Reviewed by: S. Thomas

Date: 8/14/17

cc: Finance Director / Buyer

18-2

Montgomery County Commission
Travel / Training Request Approval
Request # 10

AGENDA

AUG 21 2017

Date: 8/16/2017
To: Donald L. Mims, Administrator
From: George Speake, County Engineer
Re: Approval for the following travel:

Destination: Marriott Legends Hotel and Conference Center, Prattville, Alabama
Departure Date: September 27, 2017 Return Date: September 28, 2017
Conference Leave (Days / Hours): 2 Days
Purpose of Travel: GCEI 2017 Disaster Relief 101

Traveler (s) Name: 1. Kevin Boone 4. _____
2. _____ 5. _____
3. _____ 6. _____

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

Total (est.) Cost: \$175.00 Advance Registration Required: \$175.00
Department Name: Engineering Department Fund Name: Gasoline Tax 111-53600.265
Additional Comments: _____

To: George Speake, County Engineer
From: Donald L. Mims, Administrator
The above request is app. 8/21/17 reimbursement of actual and necessary expenses in the
approximate amount of \$175.00 and advance registration of \$175.00 is authorized.

<i>To be completed by the Finance Department</i>	
Fund Code:	<u>111-53600.265</u> (ex: 000-00000-000)
Description:	<u>Registration & Training</u>
Current Budget:	<u>\$10,000.00</u>
Approved Requests:	<u>\$8,768.00</u>
Budget Available:	<u>\$1,232.00</u>
Current Requests:	<u>\$175.00</u>
Budget Balance:	<u>\$1,057.00</u>

Donald L. Mims, Administrator



Reviewed by: S. Thomas

Date: 8/16/17

cc: Finance Director / Buyer

Montgomery County Commission
Travel / Training Request Approval
Request # 30

AGENDA

AUG 21 2017

Date: August 16, 2017
To: Donald L. Mims, Administrator
From: Clay Henley, Chief Appraiser
Re: Approval for the following travel:

Destination: Auburn, AL
Departure Date: September 11, 2017 Return Date: September 15, 2017
Conference Leave (Days / Hours): 5 Days
Purpose of Travel: IAAO 101: Fundamentals of Real Property Appraisal

Traveler (s) Name: 1. Antreece Martin 4. _____
2. _____ 5. _____
3. _____ 6. _____

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

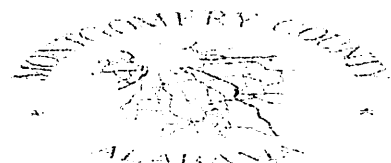
Total (est.) Cost: \$1,534.92 Advance Registration Required: \$550.00
Department Name: Appraisal Fund Name: Reappraisal
Additional Comments: REG: \$550 MEALS: \$375 MILEAGE: \$59.92 HOTEL: \$550.00
TOTAL EST. COST: \$1534.92

To: Clay Henley, Chief Appraiser
From: Donald L. Mims, Administrator

The above request is app. 8/21/17 reimbursement of actual and necessary expenses in the
approximate amount of \$1,534.92 and advance registration of \$550.00 is authorized.

<i>To be completed by the Finance Department</i>	
Fund Code:	<u>120-51985.265</u> (ex: 000-00000-000)
Description:	<u>Registration & Training</u>
Current Budget:	<u>\$30,000.00</u>
Approved Requests:	<u>\$20,059.75</u>
Budget Available:	<u>\$9,940.25</u>
Current Requests:	<u>\$1,534.92</u>
Budget Balance:	<u>\$8,405.33</u>

Donald L. Mims, Administrator



Reviewed by: S. Thomas
Date: 8/16/17
cc: Finance Director / Buyer

Montgomery County Commission
Travel / Training Request Approval
Request # 20

AGENDA

AUG 21 2017

Date: August 7, 2017
To: Donald L. Mims, Administrator
From: Paul Brown, Executive Director
Re: Approval for the following travel:

Destination: 401 Beacon Pkwy, Birmingham Alabama
Departure Date: August 30, 2017 Return Date: August 31, 2017
Conference Leave (Days / Hours): 2 days
Purpose of Travel: To attend ORAS/ARAS Initial Training Class

Traveler (s) Name: 1. Patrice Jackson 4. _____
2. _____ 5. _____
3. _____ 6. _____

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

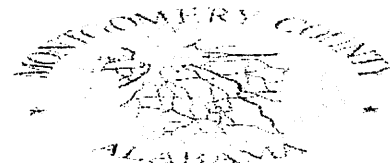
Total (est.) Cost: \$400.00 Advance Registration Required: \$0.00
Department Name: Community Corrections Fund Name: Community Corrections
Additional Comments: hotel and food

To: Paul Brown, Executive Director
From: Donald L. Mims, Administrator

The above request is app. 8/21/17 reimbursement of actual and necessary expenses in the
approximate amount of \$400.00 and advance registration of \$0.00 is authorized.

<i>To be completed by the Finance Department</i>	
Fund Code:	<u>124-52960.265</u> (ex: 000-00000-000)
Description:	<u>Registration & Training</u>
Current Budget:	<u>\$10,500.00</u>
Approved Requests:	<u>\$9,223.88</u>
Budget Available:	<u>\$1,276.12</u>
Current Requests:	<u>\$400.00</u>
Budget Balance:	<u>\$876.12</u>

Donald L. Mims, Administrator



Reviewed by: S. Thomas

Date: 8/11/17

cc: Finance Director / Buyer

185



DERRICK CUNNINGHAM
SHERIFF OF MONTGOMERY COUNTY

AGENDA

AUG 21 2017

KEVIN J. MURPHY
CHIEF DEPUTY

COLONEL WANDA J. ROBINSON
DIRECTOR OF DETENTION

MEMORANDUM

TO : Mr. Donnie Mims
County Administrator

FROM : Sheriff Derrick Cunningham 
Montgomery County Sheriff's Office

DATE : August 3, 2017

SUBJECT: 2017 Edward Byrne Memorial
Justice Assistance Grant

2017 AUG 15 PM 4:15
COMMISSION

This is to advise you that the Sheriff's Office will be applying for the Edward Byrne Memorial Justice Assistance Grant (JAG Local) for fiscal year 2017. As required, we are notifying our local unit of government of our intention of applying for this grant along with the City of Montgomery.

I am requesting that the Commission waive rules and add this item to August 21, 2017 County Commission agenda for approval by the County Commission. The total amount of this grant is \$83,896.00 and will be split with the City of Montgomery receiving 60% (\$50,337.60) of the grant and the County of Montgomery receiving 40% (\$33,558.40) of the grant. This grant requires no matching funds.

If you are in need of any additional information, please do not hesitate to contact me.

DC/rw

19-1

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

Public Hearing Notice

The Montgomery County Commission will hold a public hearing to discuss the Montgomery County Sheriff's Office application to the Department of Justice, Justice Assistance Grant for FY 2017. The Montgomery County Commission will consider the issue at the County Commission meeting scheduled for 9:30 a.m. on Monday, August 21, 2017. The Commission will meet in the County Commission Chambers, on the 1st floor at 101 South Lawrence Street, Montgomery, AL. Those wishing to comment may do so at that time.

CARPDC

CENTRAL ALABAMA REGIONAL PLANNING
AND DEVELOPMENT COMMISSION

AUTAUGA, ELMORE & MONTGOMERY COUNTIES

Jiles Williams, Jr.
Chairman

Greg Clark
Executive Director

AGENDA

AUG 21 2017

MEMO TO: Mr. Donnie Mims, County Administrator

FROM: Leslie York
Community Development Manager

DATE: August 16, 2017

RE: 2017 CDBG Application Consideration for
Housing Rehabilitation in Eastwood Villa Community

Please be advised that on 7/10/2017 I briefed the County Commission on the upcoming 2017 CDBG grant application deadline. At the 8/7/2017 Commission meeting a Public Hearing was held to gain citizen input on projects to be considered for this year. The possibility of resubmitting a CDBG application for housing rehabilitation in the Eastwood Villa Community was again a project for consideration.

As a requirement for CDBG application submission, the County Commission must resolve to submit an application as well as pledge required matching funds for the project. I apologize for the late submission of the required Resolution, but I must request that the Commissioners be asked to waive rules and adopt the attached Resolution. This Resolution must be placed on the 8/21/2017 agenda in order to meet the 8/31/2017 CDBG application submission deadline.

I will be at the Commission meeting on 8/21/2017 to answer any follow-up questions. Thank you for your assistance.

RESOLUTION NO. _____

WHEREAS, the Montgomery County Commission is eligible to submit an FY 2017 application for funding assistance made available under the Housing and Community Development Act of 1974, as amended, through the Community Development Block Grant (CDBG) Program administered by the Alabama Department of Economic and Community Affairs (ADECA); and,

WHEREAS, it has been determined that the greatest community development need that exists in the County which can be best addressed by the CDBG County Competitive Fund is providing housing rehabilitation assistance in a specific neighborhood of the County, namely Eastwood Villa, that has been identified as requiring such assistance and consisting of predominantly low-and-moderate income persons; and

WHEREAS, as a condition of approval of a CDBG project, there must be sufficient matching funds of no less than 10% committed to a project; and

WHEREAS, the Montgomery County Commission intends to provide its match commitment from program participants receiving rehabilitation assistance, and as required by ADECA, in the event homeowner match does not materialize, officially commits stated matching funds to the project.

NOW, THEREFORE, BE IT RESOLVED by the Montgomery County Commission, as follows:

SECTION 1. That the Montgomery County Commission submits an FY 2017 CDBG County Competitive Fund application to ADECA for funding assistance in the amount of \$350,000 for the purpose of implementing a housing rehabilitation program in the Eastwood Villa neighborhood of the County.

SECTION 2. That the Montgomery County Commission hereby agrees to commit \$35,000 of matching funds toward the project and that said funds will not be spent on private property but will instead be used for professional services or necessary clearance testing should sufficient funds not be provided by participating homeowners.

SECTION 3. That Elton N. Dean, Sr., in his capacity as Chairman of the Montgomery County Commission, is hereby authorized and directed to execute all required application documents on behalf of the County, and take such other actions as may be required to implement the project should it be funded.

PASSED, ADOPTED AND APPROVED this 21st day of August, 2017.

ATTEST:

Elton N. Dean, Sr., Chairman

Donald L. Mims, County Administrator



DERRICK CUNNINGHAM
SHERIFF OF MONTGOMERY COUNTY

AGENDA

AUG 21 2017

KEVIN J. MURPHY

CHIEF DEPUTY

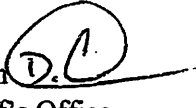
COLONEL WANDA J. ROBINSON

DIRECTOR OF DETENTION

July 27, 2017

MEMORANDUM

TO : Mr. Donnie Mims
County Administrator

FROM : Sheriff Derrick Cunningham 
Montgomery County Sheriff's Office

SUBJECT : Amendment to Inmate Food Service Agreement

Please find attached an Amendment to the Food Service Agreement Between Montgomery County, Alabama and A'Viands, LLC. This service will allow a family member or friend to purchase a hot or cold meal and/or a beverage for an inmate. The said meal will be chosen through a website, provided by Summit Food Services, and does not allow outside food to be delivered to the Detention Facility. The program will be designed to deliver the meal by Jail Staff on Saturday evening after the Jail Kitchen has prepared the meal.

This program is already in effect with other agencies and seems to be working well especially for our Federal Inmates that are housed in our facility. I do not see a reason why this program can't move forward, at this time. If you have no objection, please sign where indicated on page one and let Christie (ext. 7106) know once it's been signed off on and she'll pick up the documents.

If you have any questions, please do not hesitate to contact me or my assistant.

DC/crv

cc: Ms. Florence Cauthen
Deputy County Administrator

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

21-1

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

**Montgomery County Commission
Purchasing Department
P. O. Box 1667
Montgomery, AL 36102**

Amendment
To
Contract # 52200-16B-041

Amendment No. 1

Contract for Inmate Food Services, is hereby amended as follows,

Summit Food Services, LLC (formerly known as A'viands, LLC) shall be permitted to host an e-commerce website to permit third parties to purchase hot and cold meals and products for inmates. Summit Food Services shall prepare and deliver e-commerce purchases up to twice a week to inmates; shall be responsible for all costs related to the e-commerce program and shall be entitled to keep all proceeds from such e-commerce program. The parties agree that they shall negotiate a mutually agreeable commission following the commencement of the e-commerce website.

All other provisions of the contract will remain the same.

WITNESS:

SUMMIT FOOD SERVICE, LLC

BY: _____

TITLE: _____

WITNESS:

MONTGOMERY COUNTY COMMISSION

BY: _____

TITLE: _____

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

AUG 21 2017

August 17, 2017

MEMORANDUM

TO: Donald L. Mims
County Administrator

FROM: George C. Speake
County Engineer

George C. Speake
8/17/2017

SUBJECT: Approval of Revised Agreement for Resurfacing
Pike Road from Wallahatchie Road to US 80
Project No. STPAA-5115(252), MCP 51-77-16, CPMS Ref. #100057526

Due to the critical timeframe associated with subject project, we are requesting that the following be considered as a waived rules item if at all possible.

At the July 24, 2017, County Commission meeting, an Alabama Department of Transportation (ALDOT) funding agreement was approved for resurfacing Pike Road from Wallahatchie Road to U.S. 80 (see attached memorandum from the County Administrator). Afterwards, we immediately sent this agreement to ALDOT for final execution.

However, ALDOT just notified us that their Legal Bureau is now requiring that a new paragraph be added to the funding agreement, specifically, Paragraph R which states the County is not currently engaged in the boycott of a person or entity based in or doing business with a jurisdiction with which this state can enjoy open trade.

In regards to the required change to this contract, ALDOT is requesting that the Commission approve, sign and seal the attached revised agreement between ALDOT and Montgomery County concerning funding for Resurfacing Pike Road (CR-85) from Wallahatchie Road (CR-83) to US 80 (SR-126), Project No. STPAA-5115(252), MCP 51-77-16, CPMS Ref. #100057526.

If approved please have attached revised 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

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

July 24, 2017

MEMORANDUM

TO: George C. Speake
County Engineer

FROM: Donald L. Mims *DLM*
County Administrator

SUBJECT: Approved Agreement for Resurfacing Pike Road from Wallahatchie Road to US 80, Project No. STPAA-5115(252), MCP 51-77-16, CPMS Ref. #100057526 and Related Resolution

The Montgomery County Commission, at its meeting on this date, approved an Agreement for Resurfacing Pike Road from Wallahatchie Road to US 80, Project No. STPAA-5115(252), MCP 51-77-16, CPMS Ref. #100057526 and related Resolution.

Please forward the two partially-executed original Agreements to ALDOT for signature and return a copy to this office. Also, attached is the Resolution.

If I can be of further assistance, please contact me.

/tn

Enclosures

AGREEMENT – MPO (FA STP Funds)

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):

WITNESSETH

WHEREAS, the STATE and COUNTY desire to cooperate in the widening and resurfacing of CR-85 (Pike Road) from CR-83 (Wallahatchie Road) to SR-126 (US-80). Length – 5.851 miles. Project #STPAA-5115(252), MCP 51-77-16, CPMS Ref. #100057526.

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, or with a consultant selected by the COUNTY and approved by the STATE, 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 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 (Region) 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 \$1,280,000.00 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)	\$ 1,280,000.00
County Funds	<u>320,000.00</u>
TOTAL (Incl. E & I)	\$ 1,600,000.00

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 shall be responsible at all times for all of the work performed under this agreement and, as provided in Ala. Code § 11-93-2 (1975), the COUNTY shall indemnify and hold harmless the State of Alabama, The Alabama Department of Transportation, its officers, officials, agents, servants, and employees.

For all claims not subject to Ala. Code § 11-93-2 (1975), the COUNTY shall indemnify and hold harmless the State of Alabama, the Alabama Department of Transportation, its officers, officials, agents, servants, and employees from and against any and all damages, claims, loss, liabilities, attorney's fees or expense whatsoever or any amount paid in compromise thereof arising out of, connected with, or related to the (1) work performed under this Agreement, (2) the provision of any services or expenditure of funds required, authorized, or undertaken by the COUNTY pursuant to the terms of this agreement, or (3) misuse, misappropriation, misapplication, or misexpenditure of any source of funding, compensation or reimbursement by the COUNTY, its officers, officials, agents, servants, and employees.

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. By signing this contract, the contracting parties affirm, for the duration of the 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, a contracting party found to be in violation of this provision shall be deemed in breach of the agreement and shall be responsible for all damages resulting therefrom.

R. In compliance with Act 2016-312, the County certifies that it is not currently engaged in, and will not engage in, the boycott of a person or an entity based in or doing business with a jurisdiction with which this state can enjoy open trade.

S. Exhibit M and N is attached hereto as a part hereof.

T. 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 County Transportation Engineer
D. E. Phillips, Jr., P.E.

Chief Engineer
Don T. Arkle, P.E.

This agreement has been legally reviewed
and approved as to form and content:

William F. Patty, Chief Counsel
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:

The widening and resurfacing of CR-85 (Pike Road) from CR-83 (Wallahatchie Road) to SR-126 (US-80). Length – 5.851 miles. Project #STPAA-5115(252), MCP 51-77-16, CPMS Ref. #100057526;

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.

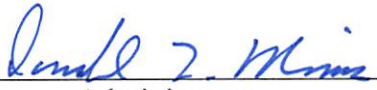
NO GOVERNMENT OBLIGATION TO THIRD PARTY CONTRACTORS

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.

ADJOURNMENT

There being no further business to come before the Commission at this time, the meeting stood adjourned until Tuesday, September 5, 2017, at 8:00 in the morning.



Administrator



Chairman