

## **MINUTES OF REGULAR MEETING**

### **MONTGOMERY COUNTY COMMISSION**

**APRIL 22, 2019**

#### **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 Sankey. All five Commissioners were present.

#### **COMMENTS FROM SCHEDULED ATTENDEES, STAFF AND COMMISSIONERS**

##### **COMMENTS FROM ADMINISTRATOR MIMS**

Administrator Mims briefed the Commission on scheduled attendees.

Administrator Mims noted that the family of former Commissioner Dimitri Polizos was unable to attend today's meeting. Commissioner Singleton asked that the resolution honoring Mr. Polizos be put it on the next agenda.

Administrator Mims briefed the Commission regarding items on the agenda.

##### **DISCUSSION BY THE COMMISSION**

Chairman Dean requested to add additional items to the miscellaneous appropriations from the agencies account that was on the agenda.

Chairman Dean requested to add additional items to the miscellaneous appropriations from the education account that was on the agenda.

Commissioner Singleton briefed the Commission regarding funding to Ramer Water Company, Inc., and Snowdoun Water System, Inc., for water line improvements. Commissioner Harris pointed out that these companies are from the private sector, but he does not have a problem with appropriating funds for this purpose. Commissioner Singleton stated that many citizens in these areas are below the poverty level. Chairman Dean added that this will also help lower insurance rates for these citizens. Commissioner Singleton requested to remove the \$40,000 appropriation to Ramer Water Company, Inc., from his designated revenue account that was on the agenda. After discussion Chairman Dean requested to add \$40,000 for each entity be added to the miscellaneous appropriations from the designated revenue infrastructure account that was on the agenda. His fellow Commissioners concurred, subject to County Attorney Tyrone Mean's review and approval.

Chairman Dean requested to add additional items to the miscellaneous appropriations from the designated revenue account that was on the agenda.

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

#### COMMENTS FROM ADMINISTRATOR MIMS

Administrator Mims reminded the Commission that the 2018 Statement of Economic Interests is due April 30, 2019.

#### PRESENTATION BY SHERIFF DERRICK CUNNINGHAM

Chairman Dean commended the Sheriff and his staff for the Easter Egg Hunt and the MCSO Easter Bunny's visit to area hospitals. He added that these things are representative of Montgomery County. Sheriff Cunningham thanked Chairman Dean.

Regina Walker briefed the Commission on the Grant Application to AETNA Foundation for the Cultivating Healthy Communities (CHC) Grant Program that requires no match. After discussion, the Commission agreed to place this item on the next agenda.

Sheriff Derrick Cunningham briefed the Commission on the Grant Application to the U.S. Department of Justice regarding the State Criminal Alien Assistance Program (SCAAP) that requires no match. After discussion, the Commission agreed to place this item on the next agenda.

Administrator Mims briefed the Commission regarding a Budget Change Request for Paving Driveway at County Maintenance Shop. After discussion, the Commission agreed to place this item on the next agenda.

Sheriff Derrick Cunningham briefed the Commission regarding progress on building out 22 sheriffs' cars with cages, lights and bars, stating that the work should be completed in May. He said that the MCSO will start building out cars for other counties, and the money generated from that work would come back to the Commission.

Sheriff Derrick Cunningham discussed the County Public Safety Pay Plan adjustments. He stated that Personnel Director Carmen Douglas would like to do a desk audit on the positions under consideration to determine the appropriate pay. Sheriff Cunningham asked that the Commission move forward with the pay adjustments for lateral transfers. Commissioner Harris stated that he looked at Mobile and Montgomery and will look at Madison County to make sure Montgomery County is in line with other counties. Personnel Director Carmen Douglas stated that the lateral pay mirrors what the City of Montgomery has done for more than ten years and will allow the Sheriff to hire a deputy at a higher rate because he does not need training and will get credit for his experience. After discussion, the Commission agreed to place the lateral transfer rules on the next agenda.

#### PRESENTATION BY CHIEF INFORMATION AND TECHNOLOGY OFFICER LOU IALACCI

Chief Information and Technology Officer Lou Ialacci briefed the Commission regarding a bid award for the Private Data Network Probate/Revenue West and stated that would complete the upgrade for the three satellite offices. After discussion, the Commission agreed to place this item on the next agenda.

Mr. Ialacci informed the Commission that the City and County entered an international Readiness Challenge Competition and finished in the top five, which will provide the City and the County the opportunity to work with a group of smart city/county experts to expand existing projects already and to embark on new opportunities through workshops and tools that will be made available. He said that it will also provide an opportunity to host a smart city conference, which will bring people to Montgomery and generate revenue. He also said that being in the top five is positive publicity as a leader in state-of-the art technical services.

#### PRESENTATION BY COUNTY ENGINEER GEORGE SPEAKE

County Engineer George Speake discussed a letter agreement from Alfred F. Smith to confirm that the Commission consents to representation of the Downtown Environmental Alliance regarding the Capitol City Plume Proposed Superfund Site by Bainbridge, Mims, & Smith, L.L.P. After discussion, the Commission agreed to place this item on the next agenda.

Mr. Speake also advised the Commission that Dozier Road was closed to traffic at 5:30 p.m. on April 20, 2019, due to flooding. County road maintenance crews were currently making necessary repairs, and it should be reopened to traffic by noon on April 22, 2019.

#### PRESENTATION BY BEN PATTERSON WITH FINE GEDDIE & ASSOCIATES

Mr. Ben Patterson presented an update on a technical correction to legislation previously approved by the Legislature and an amendment to a resolution previously approved by the Commission.

#### PRESENTATION BY PROJECT MANAGER GLEN DAVIS WITH JACOBS/ATEN GLOBAL ENVIRONMENTAL SOLUTIONS (FORMERLY CH2M HILL ENGINEERS)

Project Manager Glen Davis updated the Commission on the Downtown Environmental Plume and an Increase in Share Agreement for the Downtown Environment Assessment Project. After discussion, the Commission agreed to place this item on the next agenda.

#### PRESENTATION BY DIRECTOR OF ELECTIONS DARRYL PARKER

Director of Elections Darryl Parker presented a budget change request for the special election for House District 74. He informed the Commission that the primary election is June 11 and the general election is August 27. If a run-off is necessary, it will be on August 27, and the general election will be on November 2. Vice Chairman Walker stated that she had some people

interested in working the polls and wanted to know who they should contact. Mr. Parker stated that anyone interested in working the polls can call Marjorie Smith at the Election Center. The Commission asked for an itemization of the \$73,000 transfer from fund balance on the budget change request. After discussion, the Commission agreed to place this item on the next agenda.

#### PRESENTATION BY EXECUTIVE DIRECTOR CHARISSE STOKES WITH TECHMGM

Executive Director Charisse Stokes with TechMGM briefed the Commission regarding the Best Robotics Competition. She stated that Alabama State University is hosting the competition and that six schools have registered, and she is expecting twenty schools to participate in the two-day competition. She requested funding of \$2,000 from each of the Commissioners for a total of \$10,000. All five Commissioners agreed to add an appropriation of \$2,000 from each of their designated revenue accounts that were on the agenda.

#### PRESENTATION BY EXECUTIVE DIRECTOR TONY A. GARRETT WITH CENTRAL ALABAMA CRIMESTOPPERS, INC.

Executive Director Tony A. Garrett with Central Alabama CrimeStoppers, Inc., requested funding in the amount of \$7,500 for the P3 Campus Reporting System Software for tip distribution through social media. He explained that the system is for Montgomery and Pike Road Schools and is a pilot program for Montgomery County. He stated that if the program is not beneficial, it will not be continued. Mr. Garrett stated that CrimeStoppers does not get state or federal funding. Vice Chairman Walker stated that the Commission supports Mr. Garrett and CrimeStoppers, but she believes that surrounding counties that benefit from CrimeStoppers should provide financial support. After discussion, all five Commissioners agreed to add appropriations in the amount of \$1,500 to the miscellaneous appropriations from their individual designated revenue accounts that were on the agenda.

#### PRESENTATION BY DISTRICT EXECUTIVE JUSTICE VARSHO WITH BOY SCOUTS OF AMERICA, TUKABATCHEE COUNCIL

District Executive Justice Varsho with Boy Scouts of America, Tukabatchee Council briefed the Commission regarding the 2019 Adventure Leadership Camp and requested funding. After discussion, the Commission agreed to add an appropriation in the amount of \$5,000 to the miscellaneous appropriations from the joint designated revenue account that was on the agenda.

#### COMMENTS FROM ADMINISTRATOR MIMS AND DEPUTY ADMINISTRATOR CAUTHEN

Administrator Mims briefed the Commission regarding a Board Member Appointment to the Montgomery Area Mental Health Authority. After discussion, the Commission agreed to reappoint Arica Smith and to place this item on the next agenda.

Administrator Mims briefed the Commission regarding Board Member Appointments to the Montgomery City/County Public Library Board. After discussion, the Commission agreed to reappoint Patina Moss and Joseph Trimble and to place this item on the next agenda.

Administrator Mims briefed the Commission regarding a Board Member Appointment to the Montgomery County Community Punishment & Corrections Authority. The Commission took no action.

Administrator Mims briefed the Commission regarding Nomination of Persons for Consideration as Board Members of the County Board of Equalization. After discussion, the Commission agreed to present three names at the next meeting.

Administrator Mims briefed the Commission regarding Authorization of First Amendment to Lease Agreement with The Town of Pike Road for the benefit of the Montgomery City/County Library Board. Town of Pike Road reimburses half of the lease, as well as half of the operating costs of the library. After discussion, the Commission agreed to place this item on the next agenda.

Deputy Administrator Cauthen briefed the Commission regarding Authorization of Parking Deck Space Lease with Capell & Howard, P.C., and Related Release regarding 100 South Perry Street Parking Deck. After discussion, the Commission agreed to place this item on the next agenda.

Deputy Administrator Cauthen briefed the Commission regarding Authorization of Amendment Number 3 to Contract with Liberty Disposal, Inc., regarding a One (1) Year Extension, beginning July 1, 2019 and ending on June 30, 2020 and a 4.10% Price Increase for Dumpster Rental & Trash Collection, Contract Number 51901-18B-014. After discussion, the Commission agreed to place this item on the next agenda.

Administrator Mims briefed the Commission regarding Authorization of Budget Change Request for Travel and Training Budget for the Commission Office. He explained that the budget has been exhausted and that there are two more scheduled conferences, NACo and ACCA. Vice Chairman Walker stated both are held annually and that she asked that her travel to both be included in the 2019 budget. She asked if there was unanticipated travel that caused the shortage. Chairman Dean said that the 2020 budget should include travel to both NACo conferences for all five Commissioners. After discussion, the Commission agreed to place this item on the next agenda.

Deputy Administrator Cauthen briefed the Commission regarding Authorization of Allocation of a Maintenance Mechanic Position and Related Position Fill Request. After discussion, the Commission agreed to place this item on the next agenda.

Administrator Mims briefed the Commission regarding the USDA Technical Assistance Workshop for ReConnect Program. Vice Chairman Walker suggested that Chief Information and Technology Officer Lou Ialacci attend and report back to the Commission. Mr. Ialacci agreed.

Administrator Mims briefed the Commission regarding “TestIT” Mobile App. He explained that NACo has partnered with the Local Initiatives Support Corporation and the Rural Community Assistance Partnership to develop a mobile app designed to identify areas with low or no connectivity to help ensure adequate funding for broadband infrastructure. He stated that he asked Chief Appraiser Clay Henley to request that his personnel utilize the app when out in the

field and report their findings to the Commission. Vice Chairman Walker expressed her support and asked that the Commission be made aware of any issues.

Administrator Mims briefed the Commission regarding in-kind services from the State of Alabama and City of Montgomery to River Bend Pictures concerning the production of “Son of the South.” Chairman Dean stated that the State was not giving \$200,000 in cash, as previously reported. Chairman Dean stated that the Commission will not provide any funding.

Deputy Administrator Cauthen informed the Commission that Public Information Director Hannah Hawk was sick and unable to attend the meeting. She presented a calendar of events and a sign-up sheet.

Vice Chairman Walker told Chairman Dean that there is a travel/training request from the Revenue Department that is incorrect and requested that it be held until the next meeting. Chairman Dean agreed.

Chairman Dean recessed the Information Session to the Formal Session.

### **FORMAL SESSION**

Chairman Dean welcomed everyone to the Formal Session.

The meeting was opened with prayer led by Bishop Jimmy Lee Sawyer, Pastor of Mathew Church of God.

The Pledge of Allegiance was led by Commissioner Dan Harris.

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

### **COMMENTS BY ATTENDEES**

Ms. Angela Smiley, a resident of the Park Manor Neighborhood, said good morning to the Commissioners and stated that she came to share her concerns about increasing crime in her neighborhood and throughout the City. Ms. Smiley said that she wanted to reach out to the Commissioners for ideas to help combat criminal activities in the communities. Commissioner Sankey stated that he was familiar with the work that Ms. Smiley and her husband do in the community and asked her if she had particular concerns. Ms. Smiley stated that some new residents have moved into the neighborhood and there is increased activity on that street.

Commissioner Singleton encouraged Ms. Smiley to continue to be proactive and to get as many neighbors involved as possible to help deter crime in her neighborhood.

Bishop Sawyer suggested that Ms. Smiley contact the Montgomery Chief of Police and tell him her concerns. He stated the Police Department has neighborhood programs they are implementing throughout the City to help combat crime.

## **APPROVAL OF MINUTES**

Commissioner Harris made a motion to approve the Minutes of the Regular Meeting of April 8, 2019. The motion was seconded by Commissioner Singleton and unanimously approved by the Commission.

## **CONSENT AGENDA**

Administrator Mims presented the Accounts Payable Checks and Payroll Checks Authorization for approval. Commissioner Singleton made a motion to approve the Accounts Payable and Payroll Checks, as presented by Administrator Mims. The motion was seconded by 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.)

## **NEW BUSINESS**

### COUNTY COMMISSION – APPROVED TO CARRY OVER TO THE NEXT MEETING THE ADOPTION OF RESOLUTION HONORING THE MEMORY AND SERVICE OF THE LATE FORMER COMMISSIONER DIMITRI POLIZOS

Commissioner Harris made a motion to approve to carry over to the next meeting the Adoption of Resolution Honoring the Memory and Service of the Late Former Commissioner Dimitri Polizos. The motion was seconded by Commissioner Singleton and unanimously approved by the Commission. (Copy of Resolution, Agenda Page 1-1, is attached to these Minutes.)

### COUNTY COMMISSION – ADOPTED RESOLUTION PROVIDING FOR MONTGOMERY COUNTY’S PARTICIPATION IN THE 2019 “BACK-TO-SCHOOL” SALES TAX HOLIDAY

Vice Chairman Walker made a motion to adopt the Resolution Providing for Montgomery County’s Participation in the 2019 “Back-to-School” Sales Tax Holiday. The motion was seconded by Commissioner Singleton and unanimously approved by the Commission. (Copies of Memorandum, Resolution and State of Alabama Sales Tax Holiday Notification, Agenda Pages 2-1 through 2-3, are attached to these Minutes.)

### ENGINEERING DEPARTMENT – ADOPTED RESOLUTION FOR RESURFACING PAULK ROAD (2.0 MILES), PROJECT NO. MCP 51-01-19

Commissioner Singleton made a motion to adopt the Resolution for Resurfacing Paulk Road (2.0 Miles), Project No. MCP 51-01-19. The motion was seconded by Commissioner Harris 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  
DOZIER ROAD (1.7 MILES), PROJECT NO. MCP 51-02-19

Vice Chairman Walker made a motion to adopt the Resolution for Resurfacing Dozier Road (1.7 Miles), Project No. MCP 51-02-19. The motion was seconded by Commissioner Sankey and unanimously approved by the Commission. (Copies of Memorandum, Resolution and Maps, Agenda Pages 4-1 through 4-4, are attached to these Minutes.)

PILGRIM PROVIDENCE WATER AUTHORITY – APPROVED BOARD MEMBER  
APPOINTMENT

Commissioner Harris made a motion to approve appointment of James J. Menefee as a board member of the Pilgrim Providence Water and Fire Protection Authority for a term ending March 1, 2025. The motion was seconded by Commissioner Singleton and unanimously approved by the Commission. (Copies of Memorandum, Letter, and Board Members' Appointment Page, Agenda Pages 5-1 through 5-3, are attached to these Minutes.)

ENGINEERING DEPARTMENT – APPROVED AGREEMENT WITH THE ALABAMA  
DEPARTMENT OF TRANSPORTATION REGARDING RESURFACING ALABAMA  
RIVER PARKWAY FROM JACKSON FERRY ROAD TO MONTGOMERY CITY LIMITS,  
PROJECT# STPMN-5118(252); MCP 51-02-18; CPMS REF. # 100067623 AND RELATED  
RESOLUTION,

Commissioner Sankey made a motion to approve the Agreement with the Alabama Department of Transportation regarding Resurfacing Alabama River Parkway from Jackson Ferry Road to Montgomery City Limits, Project# STPMN-5118(252); MCP 51-02-18; CPMS Ref. # 100067623 and Related Resolution. The motion was seconded by Commissioner Harris and unanimously approved by the Commission. (Copies of Memorandum, Resolution, Agreement and Contract, Agenda Pages 6-1 through 6-20, are attached to these Minutes.)

COUNTY COMMISSION – APPROVED THE CONTRACT WITH THE CHAMBER OF  
COMMERCE REGARDING PRELIMINARY ECONOMIC AND FEASIBILITY ANALYSIS  
FOR PROJECT CATALYST

Commissioner Harris made a motion to approve the Contract with the Chamber of Commerce regarding Preliminary Economic and Feasibility Analysis for Project Catalyst. Commissioner Singleton seconded the motion. Chairman Dean, Vice Chairman Walker, Commissioner Harris and Commissioner Singleton voted in favor of the motion. Commissioner Sankey abstained from the vote, and the motion carried. (Copies of Letter, Agreement and Invoice, Agenda Pages 7-1 through 7-3, are attached to these Minutes.)

RISK MANAGEMENT – APPROVED THE RENEWAL OF CORRECTIONAL EXCESS MEDICAL INSURANCE SECURED THROUGH CATASTROPHIC MEDICAL EXCESS, INC., WITH SIRIUS AMERICA INSURANCE COMPANY

Commissioner Singleton made a motion to approve the Renewal of Correctional Excess Medical Insurance secured through Catastrophic Medical Excess, Inc., with Sirius America Insurance Company. The motion was seconded by Vice Chairman Walker and unanimously approved by the Commission. (Copies of Memorandum and Attachments, Agenda Pages 8-1 through 8-9, are attached to these Minutes.)

COUNTY COMMISSION – APPROVED TO RECOGNIZE AND DENY A NOTICE OF CLAIM REGARDING MONTGOMERY COUNTY DETENTION FACILITY INMATE DERWIN DEANDRE SMITH

Vice Chairman Walker made a motion to approve to Recognize and Deny a Notice of Claim regarding Montgomery County Detention Facility Inmate Derwin Deandre Smith. The motion was seconded by Commissioner Harris and unanimously approved by the Commission. (Copies of Attorney Gallion's Opinion, Notice of Claim and Memorandum, Agenda Pages 9-1 through 9-3, are attached to these Minutes.)

COUNTY COMMISSION – APPROVED MISCELLANEOUS APPROPRIATIONS TO AGENCIES

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

Vice Chairman Walker made a motion to approve the Miscellaneous Appropriations to Agencies Reprogramming Requests. The motion was seconded by Commissioner Harris and unanimously approved by the Commission. (Copy of Updated Spreadsheet, Agenda Page 10-1, is attached to these Minutes.)

COUNTY COMMISSION – APPROVED MISCELLANEOUS APPROPRIATIONS TO EDUCATION

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

Commissioner Sankey made a motion to approve the Miscellaneous Appropriations to Education Reprogramming Requests. The motion was seconded by Commissioner Harris and unanimously approved by the Commission. (Copy of Updated Spreadsheet, Agenda Page 11-1, is attached to these Minutes.)

#### COUNTY COMMISSION – APPROVED MISCELLANEOUS APPROPRIATIONS FROM DESIGNATED REVENUE

Administrator Mims requested approval of the miscellaneous appropriations from designated revenue included in the Agenda. During the County Commission Meeting this date, Chairman Dean requested the addition of miscellaneous appropriation reprogramming requests, and his fellow commissioners concurred.

Commissioner Sankey made a motion to approve the Miscellaneous Appropriations from Designated Revenue. The motion was seconded by Commissioner Singleton and unanimously approved by the Commission. (Copy of Updated Spreadsheet, Agenda Page 12-1, is attached to these Minutes.)

#### DETENTION FACILITY - APPROVED BUDGET CHANGE REQUEST NUMBER 1

Commissioner Harris made a motion to approve Budget Change Request Number 1, Detention Facility. 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.)

#### ENGINEERING DEPARTMENT– APPROVED BUDGET CHANGE REQUEST NUMBERS 6 AND 7

Commissioner Harris made a motion to approve Budget Change Request Numbers 6 and 7, Engineering Department. 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.)

#### RECREATION BOARD - APPROVED BUDGET CHANGE REQUEST NUMBER 2

Commissioner Harris made a motion to approve Budget Change Request Number 2, Recreation Board. The motion was seconded by Commissioner Singleton and unanimously approved by the Commission. (Copy of Budget Change Request, Agenda Page 15-1, is attached to these Minutes.)

#### REVENUE COMMISSIONER’S OFFICE - APPROVED BUDGET CHANGE REQUEST NUMBER 1

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

## PERSONNEL DEPARTMENT – APPROVED POSITION FILL REQUEST (1)

1. Senior Analyst, Position Number 700188012

Vice Chairman Walker made a motion to approve the Position Fill Request. The motion was seconded by Commissioner Harris and unanimously approved by the Commission. (Copy of Position Fill Request, Agenda Page 17-1, is attached to these Minutes.)

## VARIOUS DEPARTMENTS – APPROVED TRAVEL/TRAINING REQUESTS (8)

### DEPARTMENTS

### TRAVEL/TRAINING REQUESTS

- |                           |                                   |
|---------------------------|-----------------------------------|
| 1. Sheriff's Office       | Request Numbers 28, 29, 30 and 31 |
| 2. Engineering Department | Request Numbers 13, 14 and 15     |
| 3. Personnel Department   | Request Number 12                 |

Vice Chairman Walker made a motion to approve the Travel/Training Requests with the removal of Travel Request #4, Revenue Commission Office. The motion was seconded by Commissioner Harris and unanimously approved by the Commission. (Copies of the Travel/Training Requests and Email, Agenda Pages 18-1 through 18-10, are attached to these Minutes.)

## **COMMENTS BY COUNTY ENGINEER AND COMMISSIONERS**

County Engineer George Speake reminded everyone that Dozier Road is closed and should be open Monday afternoon.

Commissioner Singleton asked Frank Brown, Chairman of the Community Corrections Authority Board, to introduce his guest.

Mr. Brown introduced Mr. Phillip Bryant as the Interim Executive Director of Community Corrections. He stated that Mr. Bryant was the retired Executive Director of the State Department of Pardon and Parole.

Commissioner Singleton shared some touching information about City Councilman Glen Pruitt's 19 year-old daughter. He said while traveling to Birmingham to see his daughter play in the SEC Golf Championship, Councilman Pruitt was traveling to Birmingham to visit his daughter at UAB hospital where she is undergoing treatment for leukemia. Commissioner Singleton stated that made him think of what is important in life. He said he just wanted to encourage everyone to think of what is important in life when we began to stress over small things. Commissioner Singleton also asked everyone to keep Courtney Pruitt in their prayers.

Commissioner Sankey said good morning to everyone. He thanked Commissioner Singleton for sharing his thoughts and wished everyone a good day.

Vice Chairman Walker said that she represented the Montgomery County Commission at the New York Auto Show where Hyundai unveiled the new Sonata. She stated that the Sonata is

produced at the Hyundai manufacturing plant here in Montgomery. Vice Chairman Walker said the New York Auto Show puts Montgomery, Alabama on the international auto manufacturing Stage. She stated that the City, County and business community of Montgomery were well represented.

Chairman Dean said good morning and said he would like to test everyone's faith. He asked each parent to raise a hand. He reminded us that Sunday was Easter Sunday and that God gave his only Son to save us. Chairman Dean asked if anyone thought that they would be able to do the same. He also asked everyone to look at the person beside them and tell them that they loved them. Chairman Dean said we need to make sure we care about the people that we serve and work with daily.

Commissioner Harris said that on Good Friday our Lord was taken away and that his dear friend and well know jazz artist, Kevin Sinclair who was a native of Brooklyn, New York, and a graduate of Alabama State University, passed away on Friday. Commissioner Harris said that the Mayor of Montgomery asked Mr. Sinclair to represent the City and County on a trip to Korea. He said Mr. Sinclair was one of the main sponsors and supporter of the Nat King Cole celebration. Commissioner Harris asked that everyone keep Mr. Sinclair's family in their prayers, and he also asked that the County prepare a Resolution in his honor.

## **ADJOURNMENT**

Commissioner Harris made a motion to adjourn the meeting of the Montgomery County Commission on April 22, 2019, at 10:01 a.m. The motion was seconded by Commissioner Sankey and unanimously approved by the Commission.

4-22-19 Meeting

## MONTGOMERY COUNTY COMMISSION

THE FOLLOWING ACCOUNTS PAYABLE WERE AUDITED AND  
ORDERED PAID

CHECKS ARE DATED 4-5-19

| Check Number      | To | Check Number |
|-------------------|----|--------------|
| 285506            |    | 285561       |
|                   |    |              |
| Total Checks Paid |    | \$188,666.33 |

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

EFT's included in amount

4-22-19 Meeting

## MONTGOMERY COUNTY COMMISSION

THE FOLLOWING ACCOUNTS PAYABLE WERE AUDITED AND  
ORDERED PAID

CHECKS ARE DATED 4-5-19

| Check Number      | To | Check Number |
|-------------------|----|--------------|
| 285562            |    | 285655       |
|                   |    |              |
| Total Checks Paid |    | \$487,671.29 |

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

EFT's included in amount

4-22-19 Meeting

## MONTGOMERY COUNTY COMMISSION

THE FOLLOWING ACCOUNTS PAYABLE WERE AUDITED AND  
ORDERED PAID

CHECKS ARE DATED 4-12-19

| Check Number      | To | Check Number |
|-------------------|----|--------------|
| 285656            |    | 285711       |
|                   |    |              |
| Total Checks Paid |    | \$797,749.33 |

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

EFT's included in amount

4-22-19 Meeting

## MONTGOMERY COUNTY COMMISSION

THE FOLLOWING ACCOUNTS PAYABLE WERE AUDITED AND  
ORDERED PAID

CHECKS ARE DATED 4-12-19

| Check Number      | To | Check Number |
|-------------------|----|--------------|
| 285712            |    | 285811       |
|                   |    |              |
| Total Checks Paid |    | \$849,652.04 |

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

EFT's included in amount

## MONTGOMERY COUNTY COMMISSION

THE FOLLOWING TRANSACTIONS WERE AUDITED AND  
ORDERED PAID

CHECKS ARE DATED  
4/12/19

|                      |        |    |                      |        |    |              |
|----------------------|--------|----|----------------------|--------|----|--------------|
| Payroll Check Number | 132001 | To | Payroll Check Number | 132064 | \$ | 45,108.84    |
|                      |        |    |                      |        |    |              |
| Direct Deposits      |        |    |                      |        | \$ | 856,486.19   |
|                      |        |    |                      |        |    |              |
| Payroll Check Number | 132065 | To | Payroll Check Number | 132082 | \$ | 55,703.96    |
|                      |        |    |                      |        |    |              |
| Direct Deposits      |        |    |                      |        | \$ | 594,389.17   |
|                      |        |    |                      |        |    |              |
| Federal Deposits     |        |    |                      |        | \$ | 290,285.67   |
|                      |        |    |                      |        |    |              |
| Total Payroll Paid   |        |    |                      |        | \$ | 1,841,973.83 |

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

## Resolution

**WHEREAS**, Mr. Dimitrios Gus Polizos was born on August 14, 1950, in Montgomery, Alabama, to Kiki Hiras Polizos and the late Gus V. Polizos; and

**WHEREAS**, he graduated from Troy State University with a degree in business; and

**WHEREAS**, he was a devoted husband to his beloved wife, Dorothy Ann Gibbons Caver Polizos, a loving father to his three children, Kiki Kipreos (Nikolaos), Pete Polizos (Ashli) and Dean Polizos and a beloved grandfather to his five grandchildren, Eleni Kipreos, Stefanos Kipreos, James Polizos, Andrew Polizos and Adelyn Polizos; and

**WHEREAS**, he was a lifelong member of the Greek Orthodox Church of the Annunciation; and

**WHEREAS**, Rep. Polizos' interest in owning a small business combined with his passion for the food service industry led him to follow in his father's footsteps in the restaurant business. He owned several food establishments over a span of 44 years, including The Pub in Montgomery Mall, Capitol Grill, and finally Mr. Gus' on Atlanta Highway which he opened in 2003; and

**WHEREAS**, he had a servant's heart and followed his calling to help others by serving as District 3 Montgomery County Commissioner from 2004-2013; and

**WHEREAS**, during his years as Commissioner, Mr. Polizos worked tirelessly to improve the lives of Montgomery County citizens. While Commissioner, he was an advocate for refurbishing the former Montgomery Advertiser building, now Courthouse Annex III and home to the County Commission office; and

**WHEREAS**, he went on to serve the state as State Representative for House District 74 from 2013 until his death; and

**WHEREAS**, in the House he served as vice-chair of the Small Business and Commerce Committee. Rep. Polizos was known as a conservative who was watchful of tax dollars and a man of honor who cared deeply for his family and constituents; and

**WHEREAS**, he was a lifelong member of the Order of AHEPA (American Hellenic Educational Progressive Association) where he served in the past as President and District Governor. AHEPA is a philanthropic organization supporting many national projects including the AHEPA National Housing Corporation, one of the largest providers of affordable housing for the elderly with 95 apartment communities in 21 states. Rep. Polizos served on the board for the AHEPA Penelope Apartments in Hoover, Alabama, and as President of the AHEPA Chapter 23 Senior Apartments in Montgomery. As part of his duties, he served on the Board of Directors for the AHEPA National Housing Corporation; and

**WHEREAS**, Mr. Polizos transitioned from his earthly home into eternal joy and peace on March 27, 2019, at the age of 68.

**NOW, THEREFORE, BE IT RESOLVED**, that the Montgomery County Commission does hereby honor the memory of Commissioner and Representative Dimitrios Polizos, acknowledge his many contributions to Montgomery County and its citizens, and express our condolences to his family.

We hereby certify that the above Resolution was adopted by the Montgomery County Commission on this, the 22<sup>nd</sup> day of April, 2019.

\_\_\_\_\_  
CHAIRMAN ELTON N. DEAN, SR.

\_\_\_\_\_  
VICE CHAIRMAN RONDA M. WALKER

\_\_\_\_\_  
COMMISSIONER DANIEL HARRIS, JR.

\_\_\_\_\_  
COMMISSIONER ISAIAH SANKEY

\_\_\_\_\_  
COMMISSIONER DOUG SINGLETON

1-1

ELTON N. DEAN, SR.  
CHAIRMAN

RONDA M. WALKER  
VICE CHAIRMAN

DANIEL HARRIS, JR.  
ISAIAH SANKEY  
DOUG SINGLETON



## MONTGOMERY COUNTY COMMISSION

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

Terri A. Henderson, CRE  
Revenue Manager

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

Telephone (334) 832-1697

FAX (334) 832-1223

Website [www.mc-ala.org](http://www.mc-ala.org)

# AGENDA

APR 22 2019

### MEMORANDUM

**DATE:** April 2, 2019

**TO:** Sherrill Thomas, Finance Director *ST*

**FROM:** Terri Henderson, Revenue Manager *Terri Henderson 04/02/19*

**RE:** 2019 "Back-to-School" Sales Tax Holiday, July 19-21, 2019

Please see notice attached from the State of Alabama Department of Revenue ("ADOR") dated March 7, 2019 specific to the 2019 "Back-to-School" Sales Tax Holiday authorized pursuant to Act No. 2017-120. The dates for the 2019 "Back-to-School" Sales Tax Holiday will be third full weekend of July 2019 beginning at 12:01 a.m. on Friday, July 19, 2019 and ending at twelve midnight on Sunday, July 21, 2019. If we are going to participate again this year, I would respectfully request that this topic be discussed during the next Informal Session of the Montgomery County Commission Meeting on April 8, 2019. Please note the draft resolution attached has been prepared in anticipation that this item will be included on the formal agenda for the Montgomery County Commission Meeting on April 22, 2019.

Please note that written notification of our participation and a certified copy of our resolution will be due back to the ADOR before the June 19, 2019 deadline. Thank you in advance for your assistance with this matter.

tah/attachments

**RESOLUTION PROVIDING FOR MONTGOMERY COUNTY'S  
PARTICIPATION IN THE "SALES TAX HOLIDAY"  
IN JULY 2019, AS AUTHORIZED  
BY ACT NO. 2017-120**

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

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

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

**WHEREAS**, the exemption of certain county sales and use taxes for the third full weekend of July 2019 herein adopted by the county commission is an amendment to the county's sales and use tax levy warranting notice to the Alabama Department of Revenue as provided in Code of Alabama 1975, § 11-51-210(e);

**WHEREFORE BE IT RESOLVED BY THE MONTGOMERY COUNTY COMMISSION** that it does hereby provide for an exemption of the 2½ percent county sales and use tax on purchases of items covered by Act No. 2017-120 beginning at 12:01 a.m. on Friday, July 19, 2019 and ending at twelve midnight on Sunday, July 21, 2019.

**BE IT FURTHER RESOLVED** that a copy of this resolution be spread upon the minutes of the April 22, 2019 meeting of the Montgomery County Commission, and be immediately forwarded to the Alabama Department of Revenue in compliance with Code of Alabama 1975, § 11-51-210(e).

**IN WITNESS WHEREOF**, the Montgomery County Commission has caused this Resolution to be executed in its name and on its behalf by its Chairman on this the 22nd day of April, 2019.

I hereby certify that the above  
Resolution was adopted by the  
Montgomery County Commission  
on this, the 22nd day of April, 2019.

---

Elton N. Dean, Sr.  
Chairman



# State of Alabama Department of Revenue

(www.revenue.alabama.gov)

50 North Ripley Street  
Montgomery, Alabama 36132

Received

MAR 7 2019

March 7, 2019

By: [Signature]  
Tax & Audit Dept.

## 2019 "Back-to-School" Sales Tax Holiday July 19-21, 2019

**Deadline to notify ADOR: June 19, 2019**

The 2019 "Back-to-School" Sales Tax Holiday begins at 12:01 a.m. on Friday, July 19, 2019, and ends at twelve midnight on Sunday, July 21, 2019. As required by Rule 810-6-3-.65, a participating county or municipality shall submit a certified copy of their adopted resolution or ordinance providing for the Sales Tax Holiday, and any subsequent amendments thereof, to the Alabama Department of Revenue before June 19, 2019. The Department will compile this information into a list of all counties and municipalities participating in the "Back-to-School" Sales Tax Holiday and issue a current publication of the list on its website at: <https://revenue.alabama.gov/sales-use/sales-tax-holidays/>. Notification of participation in the sales tax holiday may not be included in the published list if received after June 19, 2019.

**Retail businesses and the public need to know whether or not your locality will participate in the 2019 "Back-to-School" Sales Tax Holiday. Please put it on your calendar to discuss and vote on this matter soon and notify the ADOR of the decision.**

### **IMPORTANT**

### **RESPONSE REQUIRED**

### **IMPORTANT**

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

**Not Participating?** Send an email, fax or letter (with signature line) stating: "MONTGOMERY COUNTY will not be participating in the 2019 Back-to-School Sales tax holiday." It is important that you inform us of that fact, otherwise, retailers and the public wonder if you are participating and forgot to notify the Department of Revenue.

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

Notification can be faxed, mailed or emailed:

FAX: 334-242-8916

MAIL: ALABAMA DEPARTMENT OF REVENUE

EMAIL: [laura.reese@revenue.alabama.gov](mailto:laura.reese@revenue.alabama.gov)

ATTN: Laura Reese

Sales & Use Tax Division

Post Office Box 327900

Montgomery, Alabama 36132-7900

QUESTIONS: 334-242-1443

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

April 3, 2019

# AGENDA

APR 22 2019

### MEMORANDUM

TO: Donald L. Mims, County Administrator  
FROM: George C. Speake, County Engineer   
SUBJECT: Approval of Resolution for Project No. MCP 51-01-19  
Resurfacing Paulk Road (2.0 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 51-01-19 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/dac

Attachments

cc: File

## RESOLUTION

COUNTY OF MONTGOMERY

Project No. MCP 51-01-19

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, Level, Resurface, and Traffic Stripe Paulk Road (CR-70) from Hillabee Road (CR-70) east 2.0 miles to Mt. Zion Road (CR-39).

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 \_\_\_\_\_, 2019.

Montgomery County Commission  
Governing Body

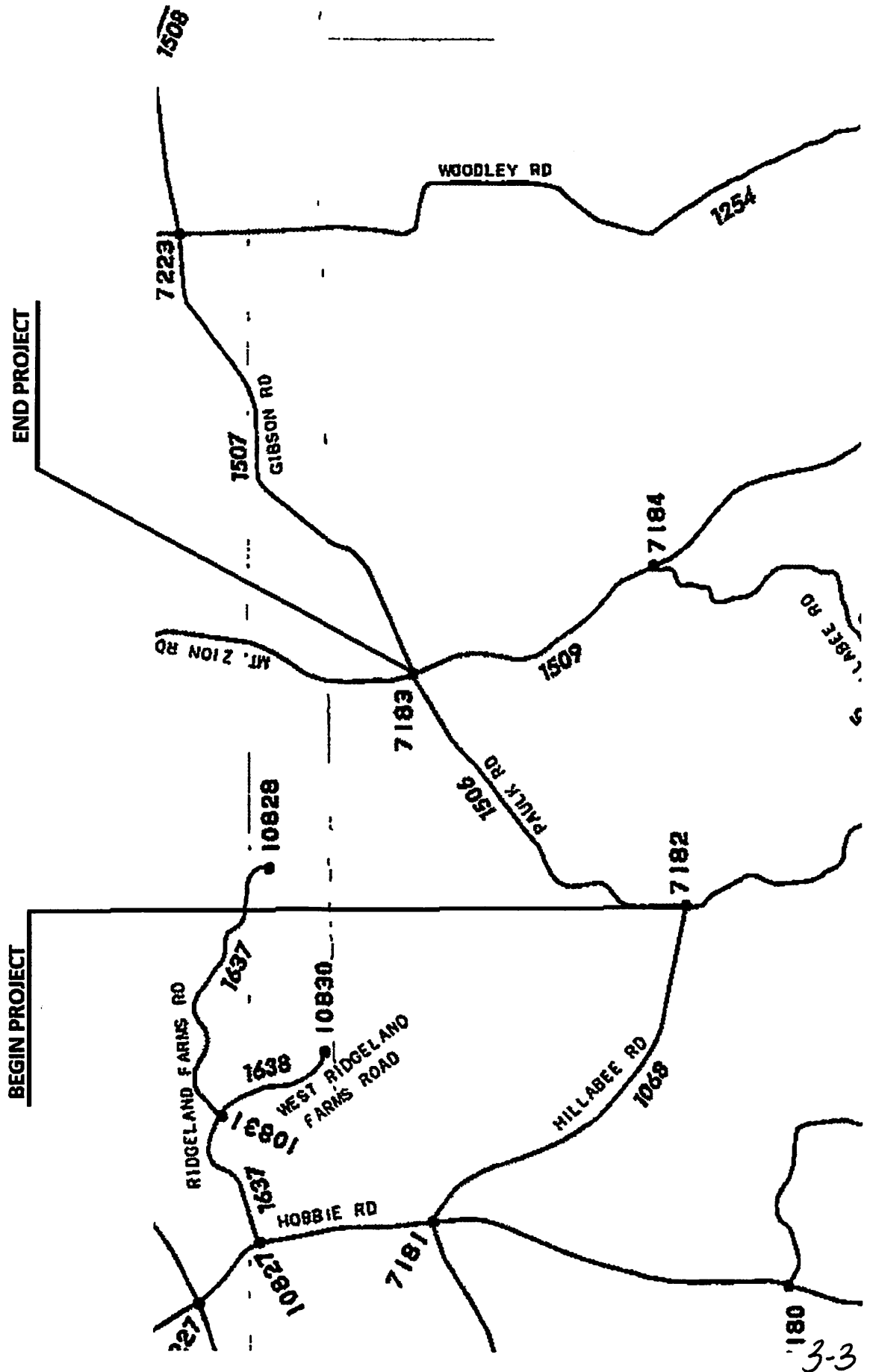
\_\_\_\_\_  
Elton N. Dean, Sr., Chairman

\_\_\_\_\_  
Ronda M. Walker, Vice Chairman

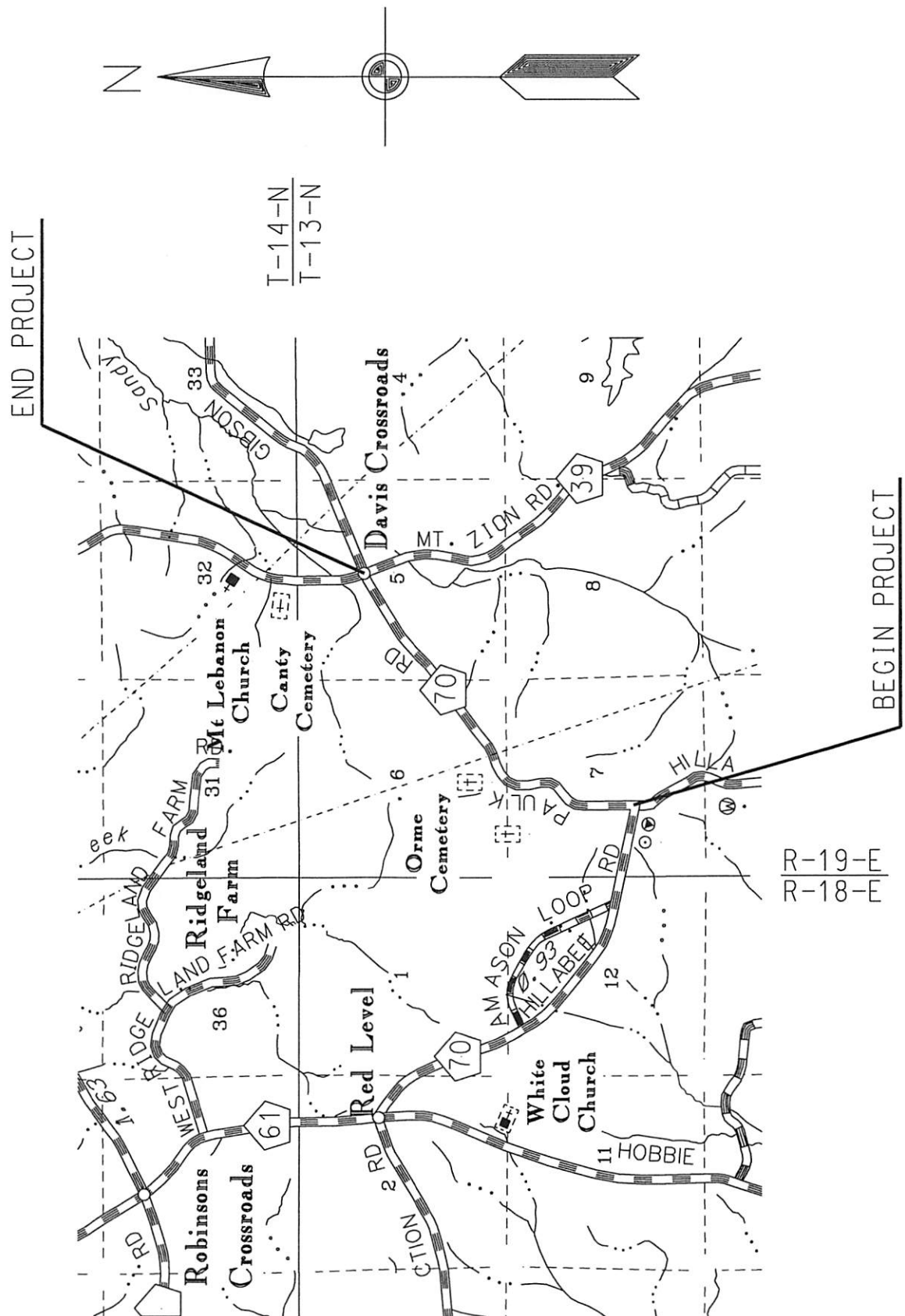
\_\_\_\_\_  
Isaiah Sankey, Member

\_\_\_\_\_  
Daniel Harris, Jr., Member

\_\_\_\_\_  
Doug Singleton, Member



LEVEL, RESURFACE, AND TRAFFIC STRIPE PAULK ROAD FROM  
HILLABEE ROAD EAST 2.0 MILES TO MT. ZION ROAD.



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

April 3, 2019

# AGENDA

APR 22 2019

### MEMORANDUM

TO: Donald L. Mims, County Administrator

FROM: George C. Speake, County Engineer

SUBJECT: Approval of Resolution for Project No. MCP 51-02-19  
Resurfacing Dozier Road (1.7 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 51-02-19 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/dac

Attachments

cc: Files

## RESOLUTION

COUNTY OF MONTGOMERY

Project No. MCP 51-02-19

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, Level, Plane, Resurface, and Traffic Stripe Dozier Road from Wares Ferry Road (CR-64) north 1.7 miles to the toll bridge.

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 \_\_\_\_\_, 2019.

Montgomery County Commission  
Governing Body

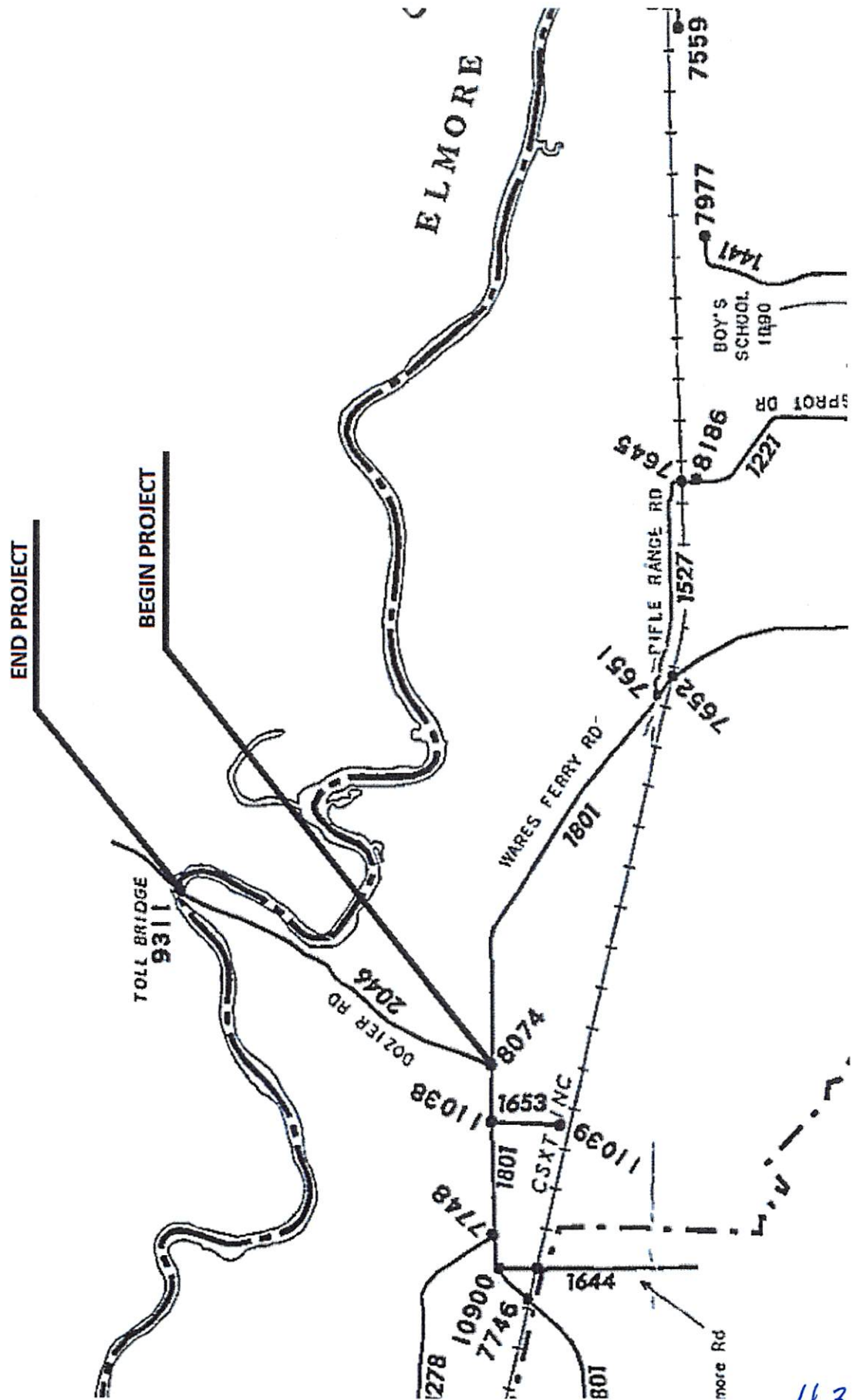
\_\_\_\_\_  
Elton N. Dean, Sr., Chairman

\_\_\_\_\_  
Ronda M. Walker, Vice Chairman

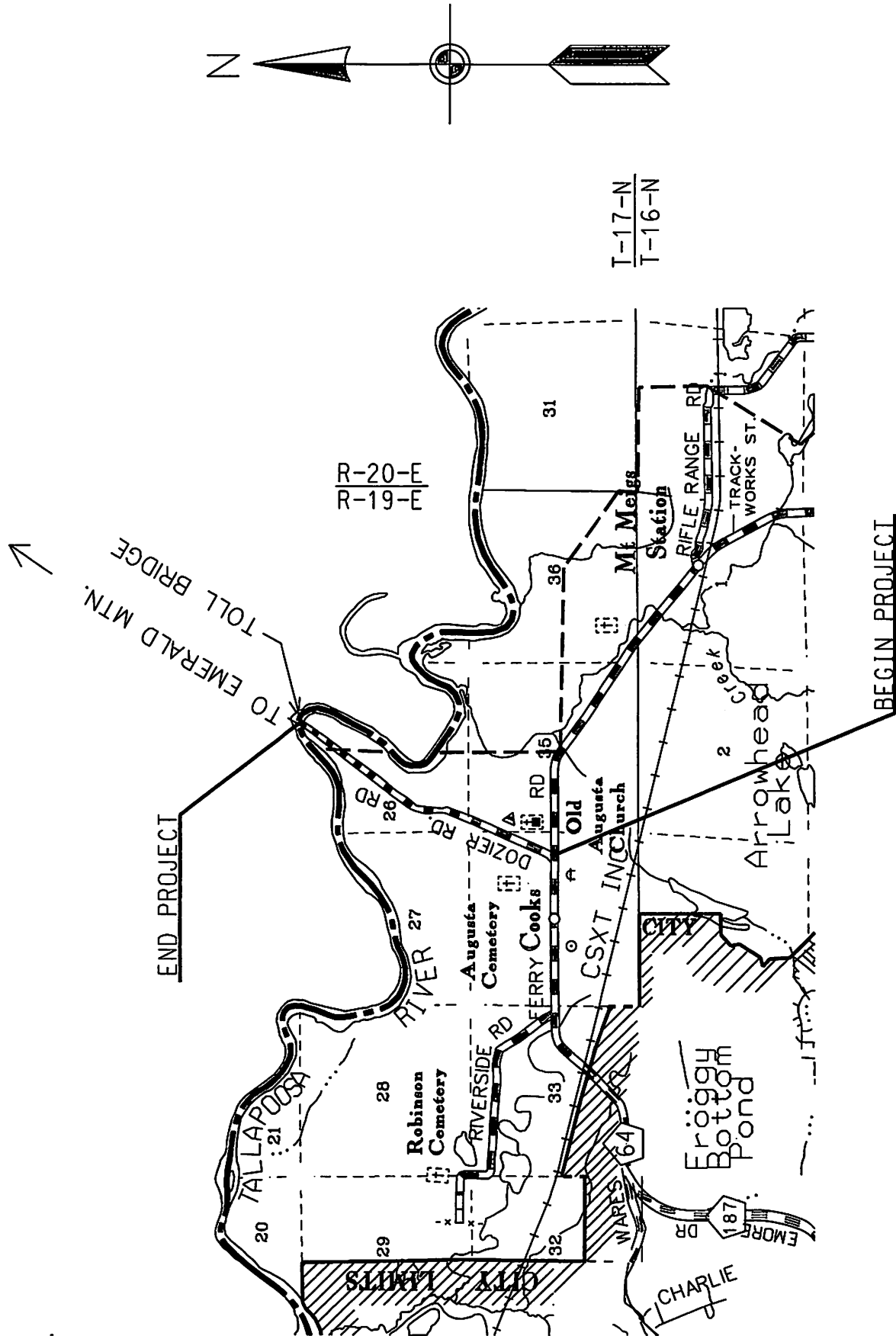
\_\_\_\_\_  
Isaiah Sankey, Member

\_\_\_\_\_  
Daniel Harris, Jr., Member

\_\_\_\_\_  
Doug Singleton, Member



PLANE, RESURFACE AND TRAFFIC STRIPE DOZIER ROAD FROM WARES FERRY ROAD NORTH 1.7 MILES TO THE COUNTY LINE.



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

# AGENDA

APR 22 2019

April 18, 2019

## MEMORANDUM

TO: Montgomery County Commission

FROM: Donald L. Mims *DLM*  
County Administrator

SUBJECT: Board Member Appointment to Pilgrim Providence Water and Fire Protection Authority

The Montgomery County Commission, at its meeting on April 8, 2019, agreed to place on the next agenda the appointment of James J. Menefee as a board member of the Pilgrim Providence Water and Fire Protection Authority for a term ending March 1, 2025.

I am requesting approval of this reappointment.

/tn

Attachment

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A COUNTY OLDER THAN THE STATE

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Montgomery County Commission • 101 S. Lawrence Street • P.O. Box 1667 • Montgomery, AL 36102 • [www.mc-ala.org](http://www.mc-ala.org)  
Phone 334.832.1210 • Fax 334.832.2533 • TDD 334.265.3568

***Pilgrim Providence Water Authority  
P. O. Box 143  
Ramer, Al 36069  
334-312-3529***

**March 1, 2019**

**Mr. Doug Singleton  
County Commissioner  
Montgomery County Commission  
P. O. Box 1667  
Montgomery, Al 36102**

**Dear Commissioner Singleton,**

**The Pilgrim Providence Water Authority's board member, David Livingston, is due to have his term renewed this month. He has decided to sell his home and will not be residing in the area any longer. Therefore, he has requested that his term on the Board of Directors not be renewed.**

**James J. Menefee (J.J.), a member of the Water Authority has agreed to serve in David Livingston's place. The Water Authority would like to request approval of Mr. Menefee's appointment to the Board of Directors for a term of 6 years beginning this month.**

**Thank you for addressing this matter with the Commission on our behalf. If you have any questions concerning this matter, please contact me at the number above.**

**Joyce Hubbard**



**Manager/Operator**

Pilgrim-Providence Water  
And Fire Protection Authority

**Members:**

**Term Expires:**

David Livingston  
Vice Chairman  
13715 Old Pike Road  
Mathews, AL 36052

(Place 1)

3/1/2019

Richard H. Phelps  
Chairman  
2828 Greenwood Drive  
Mathews, AL 36052

(Place 2)

3/1/2021

Ellen Keel  
19996 Old Pike Road  
Fitzpatrick, AL 36029  
Home: (334) 584-9267

(Place 3)

3/1/2023

Copy of Appt. letters to:

Scott Pierce, Attorney  
Capell & Howard, P.A.  
P.O. Box 2069  
Montgomery, AL 36197  
(334) 241-8000

Ronald D. Wyatt, Area Director  
United State Department of Agriculture  
205 West Adams Street  
Dothan, Alabama 36303

Pilgrim-Providence Water and Fire Protection Authority  
P.O. Box 143  
Ramer, AL 36069

**Term: 6 years**

ELTON N DEAN, SR.  
Chairman

Ronda 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

April 2, 2019

# AGENDA

APR 22 2019

### MEMORANDUM

TO: Donald L. Mims  
County Administrator

FROM: George C. Speake  
County Engineer

*George C. Speake*  
4/2/2019

SUBJECT: Approval of Agreement for Resurfacing  
Alabama River Parkway from Jackson Ferry Road to Montgomery City Limits  
Project# STPMN-5118(252), MCP 51-02-18, CPMS Ref. # 100067623

Please place on the agenda for the nearest possible Montgomery County Commission meeting approval of attached agreement between the Alabama Department of Transportation (ALDOT) and Montgomery County concerning funding for resurfacing the Alabama River Parkway from Jackson Ferry Road to the Montgomery City Limits (1.754 miles).

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

GCS/gcs

Attachment

cc; File

RESOLUTION NUMBER \_\_\_\_\_

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

That the County enter into an agreement with the State of Alabama, acting by and through the Alabama Department of Transportation relating to a project for:

**Resurfacing and traffic striping of the Alabama River Parkway (CR-2120) from the end of the toll bridge over the Alabama River to the Montgomery city limits, Project# 100067623; MCP 51-02-18.**

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

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 named therein, at a regular meeting of such Commission held on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and that such resolution is on file in the County Clerk's Office.

ATTESTED:

\_\_\_\_\_  
County Clerk

\_\_\_\_\_  
Chairman

\_\_\_\_\_ 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

(AFFIX SEAL)

**CONSTRUCTION  
AGREEMENT  
FOR A  
FEDERAL AID  
PROJECT**

**BETWEEN THE STATE OF ALABAMA  
AND  
MONTGOMERY COUNTY COMMISSION  
Montgomery County**

**Project No. STPMN-5118(252)  
County Project No. MCP 51-02-18  
CPMS Ref# 100067623  
Resurface and traffic striping Alabama Parkway**

**PART ONE (1): INTRODUCTION**

This Agreement is made and entered into by and between the State of Alabama (acting by and through the Alabama Department of Transportation), hereinafter referred to as the STATE; and the Montgomery County Commission, Alabama, (FEIN 63-6001653) hereinafter referred to as the COUNTY.

**WHEREAS**, the STATE and the COUNTY desire to cooperate in the resurfacing and traffic striping of the Alabama River Parkway (CR-2120) from the end of the toll bridge over the Alabama River to the Montgomery city limits, Project# 100067623; MCP 51-02-18; CPMS Ref# 100067623.

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

**PART TWO (2): FUNDING PROVISIONS**

- A. Project Funding:** The STATE will not be liable for Federal Aid Funds in any amount. The project will be limited to \$444,388.22 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.
- B.** The estimated cost and participation by the various parties is as follows:

| FUNDING SOURCE                           | ESTIMATED COSTS |
|------------------------------------------|-----------------|
| FA STP Funds (Montgomery Area Dedicated) | \$ 444,388.22   |
| County Funds                             | \$ 111,097.06   |
|                                          | -----           |
| TOTAL (Incl CE&I)                        | \$ 555,485.28   |

It is further understood that this is a cost reimbursement program and no federal funds will be provided to the COUNTY prior to accomplishment of the work for which it is requested. Furthermore, no federal funds will be reimbursed for work performed prior to project authorization.

Any cost incurred by the COUNTY relating to this project which is determined to be ineligible for reimbursement by the Federal Highway Administration (FHWA), or in excess of the limiting amounts previously stated, will not be an eligible cost to the project and will be borne and paid by the COUNTY.

- C. **Time Limit:** This project will commence upon written authorization to proceed from the STATE directed to the COUNTY.

The approved allocation of funds for projects containing Industrial Access funds shall lapse if a contract has not been awarded for construction of the project within (12) months of the date of the funding approval by the Industrial Access Road and Bridge Corporation Board, and the approved allocation shall be returned to the IARB for re-allocation. A time extension may be approved by the IARB upon formal request by the applicant.

The approved allocation of funds for projects containing Federal Transportation Alternatives Set-Aside funds may lapse if a project has not been authorized by FHWA within (24) months of the date of the funding approval by the Governor, and the approved allocation shall be returned to the STATE for re-allocation. A time extension may be approved by the STATE upon formal request by the applicant. Failure to meet other project milestones, as set forth in the TAP Guidelines, may result in an approved allocation being returned to the STATE.

### **PART THREE (3): PROJECT SERVICES**

- A. The COUNTY will furnish all Right-of-Way for the project. Associated Right-of-Way acquisition costs will not be an eligible cost to the Project. The Right-of-Way acquisition phase is hereby defined as the appraisal fees, appraisal review fees and the cost of acquisition incurred.

All work accomplished under the provisions of this Agreement will be accomplished on property owned by or which will be acquired by the COUNTY in accordance with applicable Federal and state laws, regulations, and procedures. Any exceptions to this requirement must be approved by the STATE in writing prior to incurring costs for which reimbursement is requested by the COUNTY. In cases where property is leased or easements obtained, the terms of the lease or easement will not be less than the expected life of the improvements.

Acquisition of real property by the COUNTY as a part of this project will conform to and be in accordance with the provisions of the Federal Uniform Relocation Assistance & Real Property Acquisition Policies Act (49 CFR 24, Subpart B), all federal environmental laws, and all other applicable state and federal laws.

Any property or property interests acquired shall be in the name of the COUNTY with any condemnation or other legal proceedings being performed by the COUNTY.

The COUNTY shall follow all Federal regulations related to the Management, Leasing, and Disposal of Right-of-Way, uneconomic remnants and excess Right-of-Way as found in CFR 23 § 710 Subpart D. Proceeds for Leases and Disposals shall be credited to the Project or to the Title 23 Collector Account.

No change in use or ownership of real property acquired or improved with funds provided under the terms of this Agreement will be permitted without prior written approval from the STATE or FHWA. The STATE or FHWA will be credited on a prorata share, as provided in Part Two, Section B, any revenues received by the COUNTY from the sale or lease of property.

- B. The COUNTY will adjust and/or relocate all Utilities in conflict with the project improvements. Associated Utility costs will not be an eligible cost to the project.  
The COUNTY will relocate any utilities in conflict with the project improvements in accordance with applicable Federal and State laws, regulations, and procedures.
- C. The COUNTY will make the Survey, perform the Design, complete the Plans and furnish all Preliminary Engineering for the project with COUNTY forces or with a consultant approved by the STATE. Associated Survey, Design, Plan Preparation, and Preliminary Engineering costs will not be an eligible cost to the project.

If any Associated Survey, Design, Plan Preparation, and Preliminary Engineering costs are an eligible cost to the project, the COUNTY will develop and submit to the STATE a project budget for approval. This budget will be in such form and detail as may be required by the STATE. At a minimum, all major work activities will be described, and an estimated cost and source of funds will be indicated for each activity. A signature line will be provided for approval by the Region Engineer and date of such approval. All costs for which the COUNTY seeks reimbursement must be included in a budget approved by the STATE in order to be considered for reimbursement. Budget adjustments may be necessary and may be allowed, subject to the approval of the STATE in writing, in order to successfully carry out the project. However, under no circumstances will the COUNTY be reimbursed for expenditures over and beyond the amount approved by the STATE.

The COUNTY will undertake the project in accordance with this Agreement, plans approved by the STATE and the requirements, and provisions, including the documents relating thereto, developed by the COUNTY and approved by the STATE. The plans, including the documents relating thereto, are of record in the Alabama Department of Transportation and are hereby incorporated in and made a part of this Agreement by reference. It is understood by the COUNTY that failure of the COUNTY to carry out the project in accordance with this Agreement and approved plans, including documents related thereto, may result in the loss of federal funding and the refund of any federal funds previously received on the project.

Projects containing Industrial Access funds or State funds, with no Federal funds involved, shall have completed original plans furnished to the STATE in accordance with the Guidelines for Operations for *Procedures for Processing State and Industrial Access Funded County and City Projects*, and attached hereto as a part of this Agreement prior to the COUNTY letting the contract.

- D. The COUNTY will furnish all construction engineering for the project with COUNTY forces or with a consultant approved by the STATE as part of the cost of the project. Construction Engineering & Inspection cost are not to exceed 15%, without prior approval by the State. Associated Construction Engineering & Inspection costs will be an eligible cost to the project.
- E. The STATE will furnish the necessary inspection and testing of materials when needed as part of the cost of the project. The COUNTY may request the use of an approved third-party materials inspection and testing provider, as approved by the STATE.

#### **PART FOUR (4): CONTRACT PROVISIONS**

- A. The COUNTY shall not proceed with any project work covered under the provisions of this Agreement until the STATE issues written authorization to the COUNTY to proceed.
- B. Associated Construction cost will be an eligible cost to the project.

For projects let to contract by the STATE, 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 pro rata share of the estimated cost as reflected by the bid of the successful bidder plus Engineering & Inspection and Indirect Costs (if applicable). The COUNTY shall pay this

amount to the STATE no later than 30 days after the date bids are opened. Failure to do so may lead to the rejection of the bid.

For projects let to contract by the COUNTY, the COUNTY shall comply with all Federal and State laws, rules, regulations and procedures applicable to the advertisement, receipt of bids, and the award of the contract. The COUNTY will, when authorized by the STATE, solicit bids and make awards for construction and/or services pursuant to this Agreement. The COUNTY shall not solicit bids until the entire bid package (plans, specifications, estimates, etc.) has been reviewed and approved by the STATE. Following receipt of bids, the COUNTY will provide all bids to the STATE with a recommendation for award. The COUNTY shall not award the contract until it has received written approval from the STATE.

The purchase of project equipment and/or services financed in whole or in part pursuant to this Agreement will be in accordance with applicable Federal and State laws, rules, regulations, and procedures, including state competitive bidding requirements applicable to counties and municipalities in the State of Alabama when the purchase is made by any such entity.

- C. 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.

The COUNTY will secure all permits and licenses of every nature and description applicable to the project in any manner; conform to and comply with the requirements of any such permit or license; and comply with each and every requirement of any and all agencies, and of any and all lawful authorities having jurisdiction or requirements applicable to the project or to the project activities.

- D. The COUNTY will comply with the Alabama Department of Transportation Standard Specifications for Highway Construction, Latest Edition, on this project and will ensure that work associated on this project meets the standards of the Alabama Department of Transportation, and the project will be built in accordance with the approved plans.
- E. 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.

- F. 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.
- G. Upon completion and acceptance of this project by the State, the COUNTY will assume full ownership and responsibility for the project work and maintain the project in

accordance with applicable State law and comply with the Department's Local Road Maintenance Certification Policy.

#### **PART FIVE (5): ACCOUNTING PROVISIONS**

- A. The COUNTY will, when appropriate, submit reimbursement invoices to the STATE for work performed in carrying out the terms of this Agreement. Requests for reimbursement will be made on forms provided by the STATE and will be submitted through the Region Engineer for payment. The COUNTY may invoice the STATE not more often than once per month for the funds due for work performed under this Agreement. Invoices for payment will be submitted in accordance with state law and will indicate that the payment is due, true, correct, and unpaid, and the invoice will be notarized. Invoices for any work performed under the terms of this Agreement will be submitted within twelve (12) months after the completion and acceptance by the STATE of the work. Any invoices submitted after this twelve-month period will not be eligible for payment.
- B. The COUNTY will not assign any portion of the work to be performed under this Agreement or execute any contract, amendment or change order thereto, or obligate itself in any manner with any third party with respect to its rights and responsibilities under this Agreement, without the prior written approval of the STATE.
- C. The COUNTY will establish and maintain a cost accounting system that must be adequate and acceptable to the STATE as determined by the auditor of the STATE.
- All charges to the Project will be supported by properly executed invoices, contracts, or vouchers, as applicable, evidencing in proper detail the nature and propriety of the charges in accordance with the requirements of the STATE. All checks, invoices, contracts, vouchers, orders or other accounting documents pertaining in whole or in part to the project will be clearly identified, readily accessible and to the maximum extent feasible, kept separate and apart from all other such documents.
- The COUNTY will report to the STATE the progress of the project in such manner as the STATE may require. The COUNTY will also provide the STATE any information requested by the STATE regarding the project. The COUNTY will submit to the STATE financial statements, data, records, contracts and other documents and items of any respect related to the project as may be requested by the STATE.
- The COUNTY will permit the STATE, the Comptroller General of the United States, and the Secretary of the USDOT, or either of them or their respective authorized representatives, to inspect, at any time, vehicles and equipment utilized or used in performance of the project and any and all data and records which in any way relate to the project or to the accomplishment of the project. The COUNTY will also permit the above noted persons to audit the books, records and accounts pertaining to the project at any and all times, and the COUNTY will give its full cooperation to those persons or their authorized representatives, as applicable.
- The COUNTY will comply with all audit requirements set forth in the 2 CFR Part 200 requirements, or the most current version of those requirements under federal law.
- D. The COUNTY will retain all books, records, and other documents relative to this Agreement for a minimum of three (3) years after project termination, expiration of Federal interest, or close out, and the STATE, the Comptroller General of the United States, and the Secretary of the USDOT, or either of them or their respective authorized representatives, will have full access to and the right to examine any of said materials at all reasonable times during said period.
- E. Any user fee or charge to the public for access to any property or services provided through the funds made available under this Agreement, if not prohibited by a Federal, State or local law, must be applied for the maintenance and long-term upkeep of the project authorized by this agreement.

- F. 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.

#### **PART SIX (6): MISCELLANEOUS PROVISIONS**

- A. 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.
- B. It is agreed that the terms and commitments contained in this Agreement shall not constitute a debt of the State of Alabama in violation of Article 11, Section 213 of the Constitution of Alabama, 1901, as amended by Amendment 26. It is further agreed that, if any provision of this Agreement shall contravene any statute or Constitutional provision or amendment, either now in effect or which may be enacted during the term of this Agreement, then the conflicting provision in this agreement shall be deemed null and void.
- C. By signing this Agreement, 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.
- D. No member, officer, or employee of the COUNTY, during their tenure of employment and for one year thereafter, shall have any interest, direct or indirect, in this Agreement or the proceeds, profits, or benefits therefrom.
- E. The terms of this Agreement may be modified by revision of this Agreement duly executed by the parties hereto.
- F. This Agreement may be terminated by either party upon the delivery of a thirty (30) day notice of termination.
- G. Nothing shall be construed under the terms of this Agreement that shall cause any conflict with Section 23-1-63, Code of Alabama, 1975.
- H. **Exhibits A, E, H, M, and N** are hereby attached to and made a part of this Agreement.

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

ATTEST:

Montgomery County, Alabama

By: \_\_\_\_\_  
Clerk (Signature)

By: \_\_\_\_\_  
As Chairman (Signature)

\_\_\_\_\_  
Type Name of Clerk  
(AFFIX SEAL)

\_\_\_\_\_  
Type Name of Chairman

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

By: \_\_\_\_\_  
William F. Patty,  
Chief Counsel

RECOMMENDED FOR APPROVAL:

\_\_\_\_\_  
D.E. (Ed) Phillips, P.E.  
State Local Transportation Engineer

\_\_\_\_\_  
Don T. Arkle, P. E.  
Chief Engineer  
STATE OF ALABAMA, ACTING BY AND THROUGH  
THE ALABAMA DEPARTMENT OF TRANSPORTATION

\_\_\_\_\_  
John R. Cooper, Transportation Director

THE WITHIN AND FOREGOING AGREEMENT IS HEREBY EXECUTED AND  
SIGNED BY THE GOVERNOR ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
KAY IVEY  
GOVERNOR, STATE OF ALABAMA

**STD CONTRACT EXHIBITS**

**REV. 9/19/16**

**EXHIBIT A**

**PARTICIPATION BY DISADVANTAGED BUSINESS ENTERPRISES IN FEDERAL-AID PROGRAM**

**Policy.** It is the policy of the U.S. Department of Transportation that Disadvantaged Business Enterprises (DBE) as defined in 49 CFR Part 26 shall have the opportunity to participate in the performance of contracts financed in whole or in part with Federal funds under this AGREEMENT. Consequently, the DBE requirements of 49 CFR Part 26 apply to this AGREEMENT.

**DBE Obligation.** The recipient of funds under the terms of this AGREEMENT agrees to ensure that Disadvantaged Business Enterprises as defined in 49 CFR Part 26 have the maximum opportunity to participate in the performance of contracts and subcontracts financed in whole or in part with Federal funds provided under this agreement. The recipient shall take all necessary and reasonable steps in accordance with 49 CFR Part 26 to see that Disadvantaged Business Enterprises have the opportunity to compete for and perform contracts and shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of U.S. Department of Transportation assisted contracts.

Failure of the recipient of funds under the terms of this AGREEMENT, or failure of its subcontractor (if a subcontractor is authorized) to carry out the DBE requirements of this AGREEMENT shall constitute a breach of contract, and may result in termination of the contract by the STATE, or such other remedy may be undertaken by the STATE as it deems appropriate.

**EXHIBIT E**

**TERMINATION OR ABANDONMENT**

- a. The STATE has the right to abandon the work or to amend its project at any time, and such action on its part shall in no event be deemed a breach of contract.
- b. The STATE has the right to terminate this AGREEMENT at its sole discretion without cause and make settlement with the COUNTY upon an equitable basis. The value of the work performed by the COUNTY prior to the termination of this AGREEMENT shall be determined. In determining the value of the work performed, the STATE shall consider the following:
  1. The ratio of the amount of work performed by the COUNTY prior to the termination of the AGREEMENT to the total amount of work contemplated by this AGREEMENT less any payments previously made.
  2. The amount of the expense to which the COUNTY is put in performing the work to be terminated in proportion to the amount of expense to which the COUNTY would have been put had he been allowed to complete the total work contemplated by the AGREEMENT, less any payments previously made. In determining the value of the work performed by the COUNTY prior to the termination, no consideration will be given to profit, which the COUNTY might have made on the uncompleted portion of the work. If the termination is brought about as a result of unsatisfactory performance on the part of the COUNTY, the value of the work performed by the COUNTY prior to termination shall be fixed solely on the ratio of the amount of such work to the total amount of work contemplated by this AGREEMENT.

**CONTROVERSY**

In any controversy concerning contract terms, or on a question of fact in connection with the work covered by this project, including compensation for such work, the decision of the Transportation Director regarding the matter in issue or dispute shall be final and conclusive of all parties.

**CONTRACT BINDING ON SUCCESSORS AND ASSIGNS**

- a. This contract shall be binding upon the successors and assigns of the respective parties hereto.
- b. Should the AGREEMENT be terminated due to default by COUNTY, such termination shall be in accordance with applicable Federal Acquisition Regulations.

## EXHIBIT H

Page 1

**EQUAL RIGHTS PROVISIONS**

During the performance of this contract, the COUNTY for itself, its assignees and successors in interest agrees as follows:

a. **Compliance with Regulations**

The COUNTY will comply with the Regulations of the Department of Transportation relative to nondiscrimination in federally-assigned programs of the Department of Transportation (Title 49, Code of Federal Regulations, Part 21, as amended by 23 CFR 710-405(b), hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

**Pertinent Non-Discrimination Authorities:**

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.*), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;

EXHIBIT H

Page 2

- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures nondiscrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq).

b. **Nondiscrimination**

In accordance with Title VI of the Civil Rights Act, as amended, 42 U.S.C. § 2000d, Section 303 of the Age Discrimination Act of 1975, as amended, 42 U.S.C. § 6102, Section 202 of the Americans with Disabilities Act of 1990, 42 U.S.C. § 12132, and Federal transit law at 49 U.S.C. § 5332, the COUNTY agrees that it will not discriminate against any employee or applicant for employment because of race, color, creed, national origin, sex, age, or disability. The COUNTY will not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices where the contract covers a program set forth in Appendix B of the Regulations.

The COUNTY will comply with all provisions of Executive Order 11246 of September 24, 1965 as amended by Executive Order 11375, and of the rules, regulations (41 CFR, Part 60) and relevant orders of the Secretary of Labor.

c. **Solicitations**

In all solicitations either by competitive bidding or negotiation made by the COUNTY for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor, supplier or lessor shall be notified by the COUNTY of the COUNTY'S obligation under this contract and the Regulations relative to nondiscrimination on the ground of race, color, religion, sex or national origin.

d. **Information and Reports**

The COUNTY will provide all information and reports required by the Regulations, or orders and instructions issued pursuant thereto, and will permit access to its books,

EXHIBIT H

Page 3

records, accounts, other sources of information and its facilities as may be determined by the STATE or the Federal Highway Administration to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a COUNTY is in the exclusive possession of another who fails or refuses to furnish this information, the COUNTY shall so certify to the STATE, or the Federal Highway Administration as appropriate, and shall set forth what efforts it has made to obtain the information.

e. **Sanctions for Noncompliance**

In the event of the COUNTY'S noncompliance with the nondiscrimination provisions provided for herein, the STATE shall impose such contract sanctions as it may determine to be appropriate, including but not limited to,

1. withholding of payments to the COUNTY under contract until the COUNTY complies, and/or
2. cancellation, termination or suspension of the contract, in whole or in part.

f. **Incorporation of Provisions**

The COUNTY will include the foregoing provisions a. through f. in every subcontract, including procurements of materials and leases of equipment, unless excepted by the Regulations, orders or instructions issued pursuant thereto. The COUNTY will take such action with respect to any subcontract, procurement, or lease as the STATE may direct as a means of enforcing such provisions, including sanctions for noncompliance; provided, however, that in the event a COUNTY becomes involved in, or is threatened with, litigation with subcontractors, suppliers, or lessor as a result of such direction, the COUNTY may request the STATE to enter into such litigation to protect the interest of the STATE.

g. **Equal Employment Opportunity** – The following equal employment opportunity requirements apply to the underlying contract:

1. **Race, Color, Creed, National Origin, Sex** – In accordance with Title VII of the Civil Rights Act, as amended, 42 U.S.C. § 2000e, and Federal Transit laws at 49 U.S.C. § 5332, the COUNTY agrees to comply with all applicable equal employment requirements of U.S. Department of Labor (U.S. DOL) regulations, "Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor," 41 C.F.R. Parts 60 et seq., (which implement Executive Order No. 11246, "Equal Employment Opportunity," as amended by Executive Order No. 11375, "Amending Executive Order 11246 Relating to Equal Employment Opportunity," 42 U.S.C. § 2000e note), and with any applicable Federal statutes, executive orders, regulations, and Federal policies that may in the future affect construction activities undertaken in the course of the Project.

EXHIBIT H  
Page 4

The COUNTY agrees to take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, creed, national origin, sex, or age. Such action shall include, but not limited to, the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. In addition, the COUNTY agrees to comply with any implementing requirements FTA may issue.

2. Age – In accordance with Section 4 of the Age Discrimination in Employment Act of 1967, as amended, 29 U.S.C. § 623 and Federal transit law at 49 U.S.C. § 5332, the COUNTY agrees to refrain from discrimination against present and prospective employees for reason of age. In addition, the COUNTY agrees to comply with any implementing requirements FTA may issue.
3. Disabilities – In accordance with Section 102 of the Americans with Disabilities Act, as amended, 42 U.S.C. § 12112, the COUNTY agrees that it will comply with the requirements of U.S. Equal Employment Opportunity Commission, "Regulations to Implement the Equal Employment Provisions of the Americans with Disabilities Act," 29 C.F.R. Part 1630, pertaining to employment of persons with disabilities. In addition, the Contractor agrees to comply with any implementing requirements FTA may issue.

**COST PRINCIPLES**

The STATE'S cost principles for use in determining the allowability of any item of cost, both direct and indirect, in this AGREEMENT, shall be the applicable provisions of Volume I, Federal Acquisition Regulations, Parts 30 and 31. The COUNTY shall maintain costs and supporting documentation in accordance with the Federal Acquisition Regulations, Parts 30 and 31 and other Regulations referenced with these Parts where applicable. The COUNTY shall gain an understanding of these documents and regulations. The applicable provisions of the above referenced regulations documents are hereby incorporated by reference herein as if fully set forth.

**EXECUTORY CLAUSE AND NON-MERIT SYSTEM STATUS**

- a. The COUNTY specifically agrees that this AGREEMENT shall be deemed executory only to the extent of moneys available, and no liability shall be incurred by the STATE beyond the moneys available for this purpose.

EXHIBIT H

Page 5

- b. The COUNTY, in accordance with the status of COUNTY as an independent contractor, covenants and agrees that the conduct of COUNTY will be consistent with such status, that COUNTY will neither hold COUNTY out as, or claim to be, an officer or employee of the STATE by reason hereof, and that COUNTY will not, by reason hereof, make any claim, demand or application to or for any right or privilege applicable to an officer or employee of the STATE under the merit system or any other law of Alabama, including but not limited to workmen's compensation coverage, or retirement membership or credit or any Federal employment law. This paragraph also applies in like manner to the employees of COUNTY.

**COUNTYS' CERTIFICATIONS**

The COUNTY by acceptance of this contract certifies that the rates or composition of cost noted in Article IV - PAYMENTS are based on the current actual hourly rates paid to employees, estimated non- salary direct cost based on historical prices, the latest available audited indirect cost rate, and estimated cost of reimbursements to employees for travel (mileage, per diem, and meal allowance) based on the current policy of the COUNTY. The COUNTY agrees that mileage reimbursements for use of company vehicles is based on the lesser of the approved rate allowed by the General Services Administration of the United States Government or the reimbursement policies of the COUNTY at the time of execution of the AGREEMENT. The COUNTY agrees that no mileage reimbursement will be allowed for the purpose of commuting to and from work or for personal use of a vehicle. The COUNTY agrees that the per diem rate will be limited to the rate allowed by the STATE at the time of execution of the AGREEMENT. The COUNTY agrees that a meal allowance shall be limited to COUNTY employees while in travel status only and only when used in lieu of a per diem rate.

The COUNTY shall submit detailed certified labor rates as requested, and in a timely manner, to the External Audits Section of the Finance and Audits Bureau of The Alabama Department of Transportation. The COUNTY agrees that material differences between rates submitted with a proposal and rates provided as certified for the same proposal are subject to adjustment and reimbursement.

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.

**STATE OF ALABAMA  
DEPARTMENT OF TRANSPORTATION  
GUIDELINES FOR OPERATION**

**SUBJECT: PROCEDURES FOR PROCESSING STATE AND INDUSTRIAL  
ACCESS FUNDED COUNTY AND CITY PROJECTS**

**No work can be performed and no contracts can be let prior to having a fully executed project agreement, submittal of project plans to Region and notification from the Region that advertisement for bids can be made, or, in the case of force account projects, work can begin.**

**A project agreement will be prepared and furnished to the County/City upon receipt of grant award letter signed by the Director or Governor. The Region will prepare and submit a F-7A Budget Allotment request upon receipt of a project funding agreement at the time it is submitted to the County/City for their execution.**

**The County/City will submit plans prepared and signed by a registered professional engineer showing work to be performed. Plans must match the project agreement description. It is not necessary for the Region to perform an in-depth review of plans. The County/City will submit a certification signed by a Registered Professional Engineer stating that the plans have been prepared so that all items included in the plans meet ALDOT specifications. The County/City will include a letter certifying that the County/City owns all right-of-way on which the project is to be constructed.**

**Upon receipt of the executed agreement, the executed F-7A, final plans from the County/City, and right-of-way certification, the Region may notify the County/City to proceed with advertising the project for letting or proceed with work in the case of a force account project.**

**In the case where a County/City is using an inplace annual bid, the County/City will furnish the Region a copy of their bid and this bid price will be used for reimbursement.**

Where the County/City is letting a contract locally, the County/City will furnish to the Region the three lowest bids with their recommendation for award. The Region will review the bids, and, if in order, advise the County/City to proceed with award of the contract to the lowest responsible bidder. The County's/City's estimate for reimbursement will be based on the bid prices concurred in by the State and supported with documentation that the contractor has been paid for work performed (copy of cancelled check).

A certification will be submitted with County/City final estimate stating that the project was constructed in accordance with final plans submitted to the State and with the specifications, supplemental specifications, and special provisions which were shown on the plans or with the State's latest specifications which were applicable at the time of plan approval.

The County/City will notify the Region when the project is complete and the Region will perform a final ride-through to determine whether the project was completed in substantial compliance with original final plans. Final acceptance will be made by the Region with a copy of the letter furnished to the Bureau of Local Transportation.

All required test reports, weight tickets, material receipts and other project documentation required by the specifications, applicable supplemental specifications, and special provisions will be retained by the County/City for a period of three (3) years following receipt of final payment and made available for audit by the State upon request. If an audit is performed and proper documentation is not available to verify quantities and compliance with specifications, the County/City will refund the project cost to the State or do whatever is necessary to correct the project at their cost.

All County/City Industrial Access or State funded projects let to contract by the State will follow normal project procedures and comply with all current plan processing requirements.

RECOMMENDED FOR APPROVAL:

  
BUREAU CHIEF/REGION ENGINEER

APPROVAL:

  
CHIEF ENGINEER

APPROVAL:

  
TRANSPORTATION DIRECTOR

NOVEMBER 1, 2017

DATE

1-20

Rev. 10/2017

April 1, 2019

Mr. Donald L. Mims  
Administrator, Montgomery County Commission  
P.O. Box 1667  
Montgomery, AL 36102-1667

Dear Mr. Mims:

This letter is to confirm the Montgomery Area Chamber of Commerce request for \$30,000 from the Montgomery County Commission to conduct preliminary feasibility and economic analysis for catalyst project development. A signed contract and invoice are enclosed for your review.

Please contact me should you require additional information. As always, the Chamber gratefully appreciates the partnership of the Montgomery County Commission to create jobs and opportunities for the citizens of Montgomery County.

Sincerely,



Anna B. Buckalew  
President & CEO

Encs.



STATE OF ALABAMA )

COUNTY OF MONTGOMERY )

**CONTRACT AGREEMENT**

**WITNESS THIS AGREEMENT** by and between the Montgomery County Commission, a body corporate and political, hereinafter referred to as the County, and Montgomery Area Chamber of Commerce, Inc. hereinafter referred to as The Chamber, for and in consideration of the mutual covenants herein contained the receipt and sufficiency whereof being hereby acknowledged as follows:

The County agrees to pay to the Chamber a sum of \$30,000,000 to be paid in April 2019.

The Chamber will utilize these funds to conduct preliminary economic and feasibility analysis for catalyst project development.

**IN WITNESS WHEREOF**, the parties hereto have hereunto caused this instrument to be duly executed on this \_\_\_\_ day of \_\_\_\_\_ 2019.

Montgomery Area Chamber of Commerce

Montgomery County Commission

By:   
ANNA B. BUCKALEW  
Its President & CEO, Montgomery Area  
Chamber of Commerce  
P.O. Box 79  
Montgomery, Alabama 36101

By: \_\_\_\_\_  
ELTON N. DEAN, SR.  
Its Chairman, Montgomery  
County Commission  
P.O Box 1667  
Montgomery, Alabama 36102-1667

# invoice



MONTGOMERY  
AREA CHAMBER OF COMMERCE

montgomerychamber.com

POST OFFICE BOX 79, 41 COMMERCE STREET

MONTGOMERY, ALABAMA 36101

TEL: 334-834-5200 FAX: 334-265-4745

BUILDING BUSINESS. BUILDING THE *River* REGION

Montgomery County Commission  
Mr. Donald L. Mims  
P.O. Box 1667  
101 S. Lawrence Street  
Montgomery, AL 36102-1667

Invoice Date: 4/1/19  
Invoice Number: 56233

## MONTGOMERY AREA CHAMBER OF COMMERCE

| Description                                                        | Quantity | Rate        | Amount      |
|--------------------------------------------------------------------|----------|-------------|-------------|
| Preliminary economic and feasibility analysis for Catalyst Project | 1        | \$30,000.00 | \$30,000.00 |
| Total:                                                             |          |             | \$30,000.00 |
| Payment/Credit Applied:                                            |          |             | \$0.00      |
| Balance:                                                           |          |             | \$30,000.00 |

### *Thank You For Your Support*

*Your investment makes it possible for The Chamber to work each and every day to bring new jobs to our region, grow our existing industry and business base and build a better quality of life.*

Please return this portion with your payment

#### **FROM:**

Montgomery County Commission  
Mr. Donald L. Mims  
P.O. Box 1667  
101 S. Lawrence Street  
Montgomery, AL 36102-1667

Invoice # 56233

Amount Due \$30,000.00

#### **Please remit payment to:**

Montgomery Area Chamber of Commerce - AL  
P.O. Box 79  
Montgomery, Alabama 36101

Amount Paid \$ \_\_\_\_\_

Check \_\_\_\_\_ MC \_\_\_\_\_ Visa \_\_\_\_\_ Amex \_\_\_\_\_

Credit Card# \_\_\_\_\_

Name on Card: \_\_\_\_\_ Expiration Date: \_\_\_\_\_ CVV Code: \_\_\_\_\_



MONTGOMERY  
AREA CHAMBER OF COMMERCE  
montgomerychamber.com

Membership fees include Montgomery Business Journal subscription. Number of subscriptions are based on membership level. For details go to montgomerychamber.com/join.

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

# AGENDA

APR 22 2019

April 18, 2019

## MEMORANDUM

TO: Montgomery County Commission

FROM: Donald L. Mims *DLM*  
County Administrator

SUBJECT: Renewal of Correctional Excess Medical Insurance

During the April 8, 2019 Commission meeting, President Buck Howard and Executive Vice President Michael Howard with Catastrophic Medical Excess, Inc., briefed the Commission regarding the Renewal of Correctional Excess Medical Insurance secured through Catastrophic Medical Excess, Inc., with Sirius America Insurance Company. After discussion, the Commission agreed to place this item on the next agenda.

I am requesting that the Commission approve this Renewal.

DLM/tn

Attachment

A COUNTY OLDER THAN THE STATE

Montgomery County Commission • 101 S. Lawrence Street • P.O. Box 1667 • Montgomery, AL 36102 • [www.mc-ala.org](http://www.mc-ala.org)  
Phone 334.832.1210 • Fax 334.832.2533 • TDD 334.265.3568

8-1

## Montgomery County Inmate Medical Excess Overview, Renewal Proposal and Recommendation

Montgomery County jail has insured county inmates for excess medical claims since April 1, 2007. This program protects the County Budget from unexpected catastrophic claims during the year. Further, due to the large amount of chronic disease in this population the potential for hospitalizations is high. The current underwriter is Sirius America, an "A" rated, admitted carrier in the State of Alabama, which is important as most other companies are strictly reinsurance agreements and not covered under the guarantee fund.

The first reimbursement was for \$26,730 dollars in May 2008. The program has run very well for 12 years since with five claims paid and the largest claim to date currently running. To reduce cost in 2016 the deductible was increased from \$25K to \$50k for a 44% premium reduction. The deductible was decreased in 2017 to \$40k with no rate increase and remains there currently. The 2018 year has a large claim (\$106,000 plus; less \$40k Deductible) with an inmate that remains the County's responsibility. We have a renewal proposal with no premium increase and no laser or deductible increase for the current large claimant. Given a flat rate renewal rate despite the pending and ongoing large claim to be paid, we recommend renewing with Sirius America.

# Inmate Medical Excess Program History 2007-2019

Montgomery County, AL Detention Facility



## Annual Detail

|      | <u>Premium</u> | <u>Claims Paid</u> | <u>Estimated Claims</u> |
|------|----------------|--------------------|-------------------------|
| 2007 | See rate below | \$ 26,730.08       |                         |
| 2008 | See rate below |                    |                         |
| 2009 | See rate below | \$ 14,272.79       |                         |
| 2010 | See rate below |                    |                         |
| 2011 | See rate below |                    |                         |
| 2012 | \$ 153,166     |                    |                         |
| 2013 | \$ 141,594     | \$ 57,725          |                         |
| 2014 | \$ 139,141     |                    |                         |
| 2015 | \$ 161,157     | \$ 17,744          |                         |
| 2016 | \$ 90,920      |                    |                         |
| 2017 | \$ 96,909      |                    |                         |
| 2018 | \$ 92,169      |                    | \$ 75,000               |

## Rate History

|               | <u>Per Inmate/Month</u> | <u>Per Inmate/Day</u> | <u>% change</u> | <u>Deductible</u> |
|---------------|-------------------------|-----------------------|-----------------|-------------------|
| 2007          |                         | \$ 0.65               |                 | \$ 25,000         |
| 2008          |                         | \$ 0.65               | 0.00%           | \$ 25,000         |
| 2009          |                         | \$ 0.69               | 6.15%           | \$ 25,000         |
| 2010          |                         | \$ 0.70               | 1.45%           | \$ 25,000         |
| 2011          |                         | \$ 0.70               | 0.00%           | \$ 25,000         |
| 2012          | \$ 20.09                | \$ 0.66               | -5.64%          | \$ 25,000         |
| 2013          | \$ 20.09                | \$ 0.66               | 0.00%           | \$ 25,000         |
| 2014          | \$ 21.69                | \$ 0.71               | 7.96%           | \$ 25,000         |
| 2015          | \$ 21.69                | \$ 0.71               | 0.00%           | \$ 25,000         |
| 2016          | \$ 12.88                | \$ 0.42               | -40.62%         | \$ 50,000         |
| 2017          | \$ 12.88                | \$ 0.42               | 0.00%           | \$ 40,000         |
| 2018          | \$ 12.88                | \$ 0.42               | 0.00%           | \$ 40,000         |
| 2019 Proposed | \$ 12.88                | \$ 0.42               | 0.00%           | \$ 40,000         |



Catastrophic Medical Excess, Inc.

## **Correctional Excess Medical Protection for Counties and Municipalities**

The target for this product is the correctional market, which consists of state prisons, county and local jails as well as federal correctional facilities. A prison is a facility in which the inmate is incarcerated for an extended period of time (typically one year or longer). A jail is a facility in which the inmate is held for a shorter period of time, often awaiting trial or sentencing. The higher inmate turnover in jails requires that healthcare be provided to a much larger number of individual inmates over time but for short duration. Due to the high number of inmate with one or more chronic diseases the potential for hospitalization is high.

We believe this is a niche market that is currently under served in the insurance market place today. This product will help state, county and local governments smooth the variances in their budgets by removing their high cost claims. Private management companies will also benefit from using this product when they are in a risk taking position.

### **Features/Benefits:**

- Budgeting takes the unexpected catastrophic claim out of the equation.
- Cost takes part of the sting out of increasing medical inflation, especially as it relates to tertiary care.
- Planning goes hand in hand with the budgeting process and maintains program consistencies with fewer surprises.

Buck Howard  
President  
300 Vestavia Parkway  
Vestavia, Al. 35216  
[buck@catmedex.com](mailto:buck@catmedex.com)

Michael Howard  
Executive Vice President  
300 Vestavia Parkway  
Vestavia, Al. 35216  
[michael@catmedex.com](mailto:michael@catmedex.com)

8-4

# INSURANCE PROPOSAL

**Date:** February 28, 2019

**Proposed Insured:**

|                      |                                                 |
|----------------------|-------------------------------------------------|
| <b>Insured Name:</b> | Montgomery County Commission Detention Facility |
| <b>City, State</b>   | Montgomery, AL                                  |

**Facilities Included:**

|                                                 |
|-------------------------------------------------|
| Montgomery County Commission Detention Facility |
|-------------------------------------------------|

1. **Insurer:** Sirius America Insurance Company  
A.M. Best Rating "A" Excellent

**Coverage Type(s):**

|                                     |     |
|-------------------------------------|-----|
| Calendar Year Deductible per Inmate | Yes |
|-------------------------------------|-----|

**Deductible(s)**

| Coverage Type         | Option 1  |
|-----------------------|-----------|
| Deductible per Inmate | \$ 40,000 |

**Coinsurance:**

**Percentage Payable Excess of the Deductible(s)**

|                   |      |
|-------------------|------|
| Individual Excess | 100% |
|-------------------|------|

**Effective Date:**

April 1, 2019

**Termination Date:**

March 31, 2020

**Claims Incurred:**

| Coverage Type | From          | To             |
|---------------|---------------|----------------|
| Per Policy    | April 1, 2019 | March 31, 2020 |
|               | n/a           | n/a            |

**Claims Paid:**

| Coverage Type | From          | To                 |
|---------------|---------------|--------------------|
| Per Policy    | April 1, 2019 | September 30, 2020 |
|               | n/a           | n/a                |

**Claims Reported:**

| Coverage Type | From          | To                 |
|---------------|---------------|--------------------|
| Per Policy    | April 1, 2019 | September 30, 2020 |
|               | n/a           | n/a                |

**Claims Submitted:**

| Coverage Type | From          | To                 |
|---------------|---------------|--------------------|
| Per Policy    | April 1, 2019 | September 30, 2020 |
|               | n/a           | n/a                |

Sirius America  
Insurance Company  
Insurance Proposal

**Covered Services:** Medical Services provided outside the walls of the facility listed above, and as outlined below and defined in the Insurance Policy.

| Claims Accumulation Basis: | Eligible Medical Services shall accumulate to satisfy the Individual deductible as outlined below:     |
|----------------------------|--------------------------------------------------------------------------------------------------------|
| Hospital                   | Lesser of 30% of billed, the amount paid, or the negotiated amount                                     |
| Ambulance                  | Lesser of 30% of billed, the amount paid, or the negotiated amount.                                    |
| DME                        | Lesser of 30% of billed, the amount paid, or the negotiated amount.                                    |
| Pharmaceutical             | Lesser of 30% of billed, the amount paid, or the negotiated amount.<br>Specialty Drugs are not covered |
| Outpatient                 | Lesser of 30% of billed, the amount paid, or the negotiated amount                                     |
| Professional               | Lesser of 30% of billed, the amount paid, or the negotiated amount                                     |
| Other Provisions           | Pre-booking injuries are not covered.                                                                  |

**Policy Maximum Benefit(s):**

|                         |              |
|-------------------------|--------------|
| Per Inmate              | \$ 250,000   |
| Common Occurrence Limit | \$ 750,000   |
| Policy Limit            | \$ 1,000,000 |

**Proposed Rates:**

**Per Inmate Per Month:**

|                         |           |
|-------------------------|-----------|
| Deductible              | \$ 40,000 |
| Monthly Rate Per Inmate | \$ 12.88  |
|                         |           |
| Total                   | \$ 12.88  |

**Form:** Insured

**Minimum Premium:** The minimum premium shall be based on a minimum daily census of 636 Inmates per day or \$98,300.16 whichever is greater.

Sirius America  
Insurance Company  
Insurance Proposal

8-6

**Reporting:**

1. Review and acceptance by Sirius America Insurance Company
2. Receipt and Review of provider agreements currently in place, if any.
3. Completion of Sirius America Insurance Company Application and Disclosure Statement.

By and on behalf of Sirius America Insurance Company;  
International Assurance of Tennessee, Inc.

**Robert Baisden**

Contract Holder: Montgomery County Commission Detention Facility

By:

\_\_\_\_\_  
(Signature)

Date: \_\_\_\_\_

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Title)

Sirius America  
Insurance Company  
Insurance Proposal

8-7

**Sirius America Insurance  
Company  
140 Broadway  
New York, NY 10005**

---

**APPLICATION FOR LIMITED BENEFIT HEALTH INSURANCE**

**Part I Proposed Policyholder**

**a. Full Legal Name of Proposed Policyholder**

Montgomery County Commission Detention Facility

**b. Address**

Montgomery, AL

- c. Proposed Policyholder is**   X   A correctional facility or authority of a state, county or municipality, or \_\_\_\_\_ a management company providing health services to inmates

- d. Requested Effective Date:**   04/01/2019

*Policy will become effective on the Requested Effective Date only if (a) all required information is provided and (b) Sirius America has received the initial premium on or before that date.*

- e. Who will be insured?** *Please check each category that applies*

☐

1. Eligible Persons during Pursuit

☒

2. Eligible Persons in Custody of a correctional facility of a state, county or municipality

☒

3. Eligible Persons Incarcerated in a correctional facility of a state, county or municipality

**Part II Plan of Insurance and Premium Calculation**

**a. Plan of Benefits**

1. Maximum Benefit per Covered Inmate Per Policy Year \$   250,000
2. Maximum Benefit for injuries sustained during Pursuit \$   N/A
3. Policy Aggregate Maximum per Policy Year \$   1,000,000
4. Deductible Per Covered Inmate Per Policy Year \$   40,000

**b. Premium Calculation**

1. Rate Per Covered Inmate per month \$   12.88
2. Number of Covered Inmates on the Policy Effective Date   636
3. Minimum Annual Premium \$   98,300.16

SEM-16-5000

**Part III Acknowledgements and Signatures**

- a. **Fraud Warning** Any person who knowingly and with intent to defraud any insurance company or other person files an application for insurance or a statement of claim containing any materially false information or conceals, for the purpose of misleading, information concerning any fact material thereto may be guilty of committing a fraudulent insurance act, which is a crime.
- b. **Applicant's Acknowledgement** I, the applicant, declare, to the best of my knowledge and belief, that all statements and answers in this application are true and complete. I understand and agree that (a) this application will form part of any policy issued, (b) no information given to or acquired by any representative of Sirius America will bind it, unless it is in writing on this application, (c) no waiver or modification will bind the Company unless it is in writing and is signed by an executive officer of Sirius America, and (d) only those persons eligible under the terms of an issued policy will be insured.

Dated at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2019

\_\_\_\_\_  
*Signed for the Proposed Policyholder*

\_\_\_\_\_  
*Signed by Licensed Agent*

*Title:* \_\_\_\_\_

*Agent License Number:* \_\_\_\_\_

SEM-16-5000



Haskell Slaughter Gallion & Walker, LLC  
242 Winton M. Blount Loop  
Montgomery, Alabama 36117  
t. 334.265.8573 f. 334.264.7945

**AGENDA**

**APR 22 2019**

TTG

**MEMORANDUM**

**March 28, 2019**

To: Donnie Mims  
From: Thomas T. Gallion, III  
Re: Notice of Claim – County Inmate Derwin Deandre Smith

---

I have reviewed your memorandum of March 27, 2019. This Notice of Claim does not meet the requirements for a claim in that it does not state with particularity the injury and any cost related thereto.

The inmate was shot in the foot prior to being arrested and placed in the County Jail which was no fault of the County.

Based on the Claim, I opine that it should be denied.

50051-317

NOTICE OF CLAIM

TO : Montgomery County Commission  
P. O. Box 1667  
Montgomery, AL 36102-1667

Claimants Name: Derwin Deandre Smith

Address: c/o Thomas J. Azar, Jr., Azar Law Offices, LLC, 10 Cambridge Court,  
Wetumpka, AL 36093  
(334) 731-1073

Manner in Which Damage/injury Was Received: On or about September 23, 2018, and prior to being incarcerated at the County Jail, I was shot in the foot. On or about October 18, 2018 I was arrested and placed in the County Jail. While in the County Jail I received medical treatment removing the bullet from my foot. Since the bullet was removed from my foot, I have received virtually no medical care although I have repeatedly asked for medical care for my foot. I saw a doctor at the County Jail on Monday, March 18, 2019 because my foot is infected, swollen, and oozing pus. I was told if I had not improved by next week that I would be taken to see an outside doctor. I am concerned that the infection will cause additional medical problems if it remains untreated.

\*\* Damages Claimed: I am unsure what damages I may incur if I continue to be denied adequate medical care.

I Certify That the Foregoing Facts Are True and Correct to the Best of My Knowledge.

Done this 20<sup>th</sup> day of March, 2019.

  
\_\_\_\_\_  
Signature of Claimant,  
Derwin Deandre Smith

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

March 27, 2019

**MEMORANDUM**

TO: Thomas T. Gallion, III  
County Attorney

FROM: Donald L. Mims *DLM*  
County Administrator

SUBJECT: Notice of Claim – County Inmate Derwin Deandre Smith

Yesterday, I received the attached Notice of Claim from Montgomery County Detention Facility inmate Derwin Deandre Smith.

The Notice states, *"I saw a doctor at the County Jail on Monday, March 18, 2019 because my foot is infected, swollen, and oozing pus. I was told if I had not improved by next week that I would be taken to see an outside doctor."*

Immediately after reviewing the Notice, I emailed the document to Dr. Bates, who manages QCHC, Inc., and provides medical services to inmates in the Montgomery County Detention Facility. I called Dr. Bates and he stated that he has already asked an assistant to check into the matter.

I am providing this Notice for your information. Please advise by Monday, April 1, 2019 as to whether the County needs to recognize and deny this Claim.

As always, thank you for your assistance.

DLM/tn

Attachment

**A COUNTY OLDER THAN THE STATE**

Montgomery County Commission • 101 S. Lawrence Street • P.O. Box 1667 • Montgomery, AL 36102 • www.mc-ala.org  
Phone 334.832.1210 • Fax 334.832.2533 • TDD 334.265.3568

## APR 22 2019

APR 22 2019

[illegible]

10-1



MISCELLANEOUS APPROPRIATIONS FROM DESIGNATED REVENUE - Meeting Date: 4/22/19 - CODE: 001-59320.450

[illegible]

12-1



## APR 22 2019

# MONTGOMERY COUNTY COMMISSION

## BUDGET CHANGE REQUEST

Request Number: 7

# AGENDA

APR 22 2019

DEPARTMENT: Engineering REQUESTED BY: George Speake 04/16/19  
Elected Official/Dept. Head Date

FINANCE REVIEW: REVIEWED BY: Sherrill Thomas 04/16/19  
Finance Director Date

COMMISSION APPROVAL PROCESSING:

Briefing Memo ☐  
Agenda ☒

COUNTY COMMISSION APPROVAL:

\_\_\_\_\_  
Administrator Date

| ACCOUNT NAME               | ACCOUNT NUMBER | CURRENT BUDGET | INCREASE (DECREASE) | REVISED BUDGET |
|----------------------------|----------------|----------------|---------------------|----------------|
| Advertising                | 111-53199.253  | 1,500          | 1,000               | 2,500          |
| Road Const & Main Supplies | 111-53199.213  | 168,325        | (1,000)             | 167,325        |
|                            |                |                |                     | 0              |
|                            |                |                |                     | 0              |
|                            |                |                |                     | 0              |
|                            |                |                |                     | 0              |
|                            |                |                |                     | 0              |
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|                            |                |                |                     | 0              |
|                            |                |                |                     | 0              |
|                            |                |                |                     | 0              |
|                            |                |                |                     | 0              |
|                            |                |                |                     | 0              |
| TOTAL                      |                | \$ 169,825     | \$ 0                | \$ 169,825     |

JUSTIFICATION: To realign budget for Advertising.

**MONTGOMERY COUNTY COMMISSION  
BUDGET CHANGE REQUEST**

Request Number: 2

**AGENDA**

**APR 22 2019**

DEPARTMENT: Recreation Board REQUESTED BY: James Williams 4/16/19  
Elected Official/Dept. Head Date

FINANCE REVIEW: REVIEWED BY: Sherrill Thomas 4/16/19  
Finance Director Date

COMMISSION APPROVAL PROCESSING:

Briefing Memo ☐  
Agenda ☒

COUNTY COMMISSION APPROVAL:

\_\_\_\_\_  
Administrator Date

| ACCOUNT<br>NAME        | ACCOUNT<br>NUMBER | CURRENT<br>BUDGET | INCREASE<br>(DECREASE) | REVISED<br>BUDGET |
|------------------------|-------------------|-------------------|------------------------|-------------------|
| Office Supplies        | 008-57200.211     | 1,400             | 1,400                  | 2,800             |
| Miscellaneous Supplies | 008-57200.219     | 21,000            | (1,400)                | 19,600            |
|                        |                   |                   |                        | 0                 |
|                        |                   |                   |                        | 0                 |
|                        |                   |                   |                        | 0                 |
|                        |                   |                   |                        | 0                 |
|                        |                   |                   |                        | 0                 |
|                        |                   |                   |                        | 0                 |
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|                        |                   |                   |                        | 0                 |
|                        |                   |                   |                        | 0                 |
|                        |                   |                   |                        | 0                 |
|                        |                   |                   |                        | 0                 |
|                        |                   |                   |                        | 0                 |
| <b>TOTAL</b>           |                   | <b>\$ 22,400</b>  | <b>\$ 0</b>            | <b>\$ 22,400</b>  |

JUSTIFICATION: To realign the budget to cover the cost of new computers.

# MONTGOMERY COUNTY COMMISSION

## BUDGET CHANGE REQUEST

Request Number: 1

# AGENDA

APR 22 2019

DEPARTMENT:

Revenue Commissioner's Office

REQUESTED BY: Janet Buskey

4/17/19

Elected Official/Dept. Head

Date

FINANCE REVIEW:

REVIEWED BY:

Sherrill Thomas

4/17/19

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/Minor Equipment | 001-51500.211  | 22,580         | (3,000)             | 19,580         |
| Travel-Registration & Training  | 001-51500.265  | 6,000          | 3,000               | 9,000          |
|                                 |                |                |                     | 0              |
|                                 |                |                |                     | 0              |
|                                 |                |                |                     | 0              |
|                                 |                |                |                     | 0              |
|                                 |                |                |                     | 0              |
|                                 |                |                |                     | 0              |
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|                                 |                |                |                     | 0              |
|                                 |                |                |                     | 0              |
|                                 |                |                |                     | 0              |
|                                 |                |                |                     | 0              |
| TOTAL                           |                | \$ 28,580      | \$ 0                | \$ 28,580      |

JUSTIFICATION: Realign budget to cover cost of Annual Tax Administrator Conference expenses.

APR 22 2019

## POSITION FILL REQUEST- BUDGETED VACANCY

DEPARTMENT: Personnel  
 DEPARTMENT HEAD: Carmen Douglas  
 SUPERVISOR: Carmen Douglas

### POSITION INFORMATION:

Position Title Senior Analyst  
 Position Number 700188012  
 Pay Grade A12 Pay Range 69,237 - 103,445  
 Proposed Effective Date May 30, 2019  
 Type of Hire ( ☐ ) New ( ☒ ) Promotional  
 Type of Appointment ( ☒ ) Permanent ( ☐ ) Temporary

### DEPARTMENT APPROVAL:

Carmen Douglas  
 Department Head

Date 4/17/2019

### PAYROLL/FINANCE REVIEW:

Requested position is vacant and budgeted.

Lisa Herring  
 Employee Benefit Manager

Date 04/17/2019

Sherrill Thomas  
 Finance Director

Date 04/17/2019

### ADMINISTRATIVE APPROVAL:

\_\_\_\_\_  
 County Administrator

Date \_\_\_\_\_

Montgomery County Commission  
Travel / Training Request Approval  
Request # 4

**AGENDA**

**APR 22 2019**

Date: 04/17/2019  
To: Donald L. Mims, Administrator  
From: REVENUE COMMISSION  
Re: Approval for the following travel:

Destination: PERDIDO BEACH RESORT  
Departure Date: JUNE 6 Return Date: JUNE 13  
Conference Leave (Days / Hours): 5 Days  
Purpose of Travel: ASSOCIATION OF ALABAMA TAX ADMINISTRATION 2019  
SUMMER CONFERENCE

Traveler (s) Name: 1. JANET BUSKEY 4. \_\_\_\_\_  
2. ALLYSON HOLLAND 5. \_\_\_\_\_  
3. SHUNDRA BROWN 6. \_\_\_\_\_

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

Total (est.) Cost: \$4,800.00 Advance Registration Required: \$1,200.00  
Department Name: REVENUE COMMISSION Fund Name: 001-51500-265  
Additional Comments: THE ABOVE TOTAL INCLUDES REGISTRATION, TRAVEL,  
AND LODGING

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

The above request is app. 4/22/19 reimbursement of actual and necessary expenses in the  
approximate amount of \$4,800.00 and advance registration of \$1,200.00 is authorized.

| <i>To be completed by the Finance Department</i> |                                          |
|--------------------------------------------------|------------------------------------------|
| Fund Code:                                       | <u>001-51500.265</u> (ex: 000-00000-000) |
| Description:                                     | <u>Registration &amp; Training</u>       |
| Current Budget:                                  | <u>\$6,000.00</u>                        |
| Approved Requests:                               | <u>\$600.00</u>                          |
| Budget Available:                                | <u>\$5,400.00</u>                        |
| Current Requests:                                | <u>\$6,475.00</u>                        |
| Budget Balance:                                  | <u>-\$1,075.00</u>                       |

Donald L. Mims, Administrator

  
Reviewed by: S. Thomas  
Date: 4/17/2019  
cc: Finance Director / Buyer

## **Theresa LeGrady**

---

**From:** Sherrill Thomas  
**Sent:** Wednesday, April 17, 2019 1:24 PM  
**To:** Theresa LeGrady  
**Cc:** Tammy Nix  
**Subject:** Revenue Commissioner 2019-4.pdf  
**Attachments:** Revenue Commissioner 2019-4.pdf

This travel is over budget but the department has a budget change request on the agenda for Monday that would cover the overage.

Montgomery County Commission  
Travel / Training Request Approval  
Request # 28

**AGENDA**

**APR 22 2019**

Date: April 10, 2019  
To: Donald L. Mims, Administrator  
From: Sheriff Derrick Cunningham  
Re: Approval for the following travel:

Destination: Prattville, AL  
Departure Date: 09.25.2019 Return Date: 09.26.2019  
Conference Leave (Days / Hours): 2 Days  
Purpose of Travel: attend Grant Writing for the County Employee

Traveler (s) Name: 1. Wesley Richerson 4. \_\_\_\_\_  
2. \_\_\_\_\_ 5. \_\_\_\_\_  
3. \_\_\_\_\_ 6. \_\_\_\_\_

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

Total (est.) Cost: \$185.00 Advance Registration Required: \$185.00  
Department Name: Montgomery County Sheriff's Office Fund Name: 001-52110.265  
Additional Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

The above request is app. 4/22/19 reimbursement of actual and necessary expenses in the  
approximate amount of \$185.00 and advance registration of \$185.00 is authorized.

| To be completed by the Finance Department |                                    |                     |
|-------------------------------------------|------------------------------------|---------------------|
| Fund Code:                                | <u>001-52110.265</u>               | (ex: 000-00000-000) |
| Description:                              | <u>Registration &amp; Training</u> |                     |
| Current Budget:                           | <u>\$40,000.00</u>                 |                     |
| Approved Requests:                        | <u>\$20,940.00</u>                 |                     |
| Budget Available:                         | <u>\$19,060.00</u>                 |                     |
| Current Requests:                         | <u>\$185.00</u>                    |                     |
| Budget Balance:                           | <u>\$18,875.00</u>                 |                     |

Donald L. Mims, Administrator



Reviewed by: S. Thomas  
Date: 4/17/2019  
cc: Finance Director / Buyer

Montgomery County Commission  
Travel / Training Request Approval  
Request # 29

**AGENDA**

**APR 22 2019**

Date: April 10, 2019  
To: Donald L. Mims, Administrator  
From: Sheriff Derrick Cunningham  
Re: Approval for the following travel:

Destination: Prattville, AL  
Departure Date: 10.09.2019 Return Date: 10.10.2019  
Conference Leave (Days / Hours): 2 Days  
Purpose of Travel: attend Overview of County Government

Traveler (s) Name: 1. Wesley Richerson 4. \_\_\_\_\_  
2. \_\_\_\_\_ 5. \_\_\_\_\_  
3. \_\_\_\_\_ 6. \_\_\_\_\_

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

Total (est.) Cost: \$185.00 Advance Registration Required: \$185.00

Department Name: Montgomery County Sheriff's Office Fund Name: 001-52110.265

Additional Comments: WILL BE EXPENSED IN THE 2020 BUDGET

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

The above request is app. 4/22/19 reimbursement of actual and necessary expenses in the  
approximate amount of \$185.00 and advance registration of \$185.00 is authorized.

| <i>To be completed by the Finance Department</i> |                                          |
|--------------------------------------------------|------------------------------------------|
| Fund Code:                                       | <u>001-52110.265</u> (ex: 000-00000-000) |
| Description:                                     | <u>Registration &amp; Training</u>       |
| Current Budget:                                  | <u>\$40,000.00</u>                       |
| Approved Requests:                               | <u>\$20,940.00</u>                       |
| Budget Available:                                | <u>\$19,060.00</u>                       |
| Current Requests:                                | <u>\$185.00</u>                          |
| Budget Balance:                                  | <u>\$18,875.00</u>                       |

Donald L. Mims, Administrator



Reviewed by: S. Thomas

Date: 4/17/2019

cc: Finance Director / Buyer

Montgomery County Commission  
Travel / Training Request Approval  
Request # 30

**AGENDA**

**APR 22 2019**

Date: April 10, 2019  
To: Donald L. Mims, Administrator  
From: Sheriff Derrick Cunningham  
Re: Approval for the following travel:

Destination: Prattville, AL  
Departure Date: 10.30.2019 Return Date: 10.31.2019  
Conference Leave (Days / Hours): 2 Days  
Purpose of Travel: attend Fundamentals of Emergency Communications District Administration

Traveler (s) Name: 1. Wesley Richerson 4. \_\_\_\_\_  
2. \_\_\_\_\_ 5. \_\_\_\_\_  
3. \_\_\_\_\_ 6. \_\_\_\_\_

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

Total (est.) Cost: \$185.00 Advance Registration Required: \$185.00

Department Name: Montgomery County Sheriff's Office Fund Name: 001-52110.265

Additional Comments: WILL BE EXPENSED IN THE 2020 BUDGET

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

The above request is app. 4/22/19 reimbursement of actual and necessary expenses in the  
approximate amount of \$185.00 and advance registration of \$185.00 is authorized.

| <i>To be completed by the Finance Department</i> |                                          |
|--------------------------------------------------|------------------------------------------|
| Fund Code:                                       | <u>001-52110.265</u> (ex: 000-00000-000) |
| Description:                                     | <u>Registration &amp; Training</u>       |
| Current Budget:                                  | <u>\$40,000.00</u>                       |
| Approved Requests:                               | <u>\$20,940.00</u>                       |
| Budget Available:                                | <u>\$19,060.00</u>                       |
| Current Requests:                                | <u>\$185.00</u>                          |
| Budget Balance:                                  | <u>\$18,875.00</u>                       |

Donald L. Mims, Administrator



Reviewed by: S. Thomas

Date: 4/17/2019

cc: Finance Director / Buyer

Montgomery County Commission  
Travel / Training Request Approval  
Request # 31

# AGENDA

APR 22 2019

Date: April 10, 2019  
To: Donald L. Mims, Administrator  
From: Sheriff Derrick Cunningham  
Re: Approval for the following travel:

Destination: Orange Beach, AL  
Departure Date: 06.02.2019 Return Date: 06.05.2019  
Conference Leave (Days / Hours): 3 Days  
Purpose of Travel: attend annual FBI Summer Conference

Traveler (s) Name: 1. Wesley Richerson 4. Robert Irsik  
2. George Beaudry 5. \_\_\_\_\_  
3. Leigh Persky 6. \_\_\_\_\_

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

Total (est.) Cost: \$3,900.00 Advance Registration Required: \$900.00

Department Name: Montgomery County Sheriff's Office Fund Name: 001-52110.265

Additional Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

The above request is app. 4/22/19 reimbursement of actual and necessary expenses in the  
approximate amount of \$3,900.00 and advance registration of \$900.00 is authorized.

| To be completed by the Finance Department |                                          |
|-------------------------------------------|------------------------------------------|
| Fund Code:                                | <u>001-52110.265</u> (ex: 000-00000-000) |
| Description:                              | <u>Registration &amp; Training</u>       |
| Current Budget:                           | <u>\$40,000.00</u>                       |
| Approved Requests:                        | <u>\$20,940.00</u>                       |
| Budget Available:                         | <u>\$19,060.00</u>                       |
| Current Requests:                         | <u>\$4,085.00</u>                        |
| Budget Balance:                           | <u>\$14,975.00</u>                       |

Donald L. Mims, Administrator

  
Reviewed by: S. Thomas  
Date: 4/17/2019  
cc: Finance Director / Buyer

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Montgomery County Commission  
Travel / Training Request Approval  
Request # 13

# AGENDA

APR 22 2019

Date: 4/8/2019  
To: Donald L. Mims, Administrator  
From: George Speake  
Re: Approval for the following travel:

Destination: Hilton Garden Inn, Montgomery, Alabama  
Departure Date: May 30, 2019 Return Date: May 30, 2019  
Conference Leave (Days / Hours): 1 day  
Purpose of Travel: Attend Alabama Transportation Assistance Program - Runoff Control  
with National Stormwater Calculator

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  
From: Donald L. Mims, Administrator

The above request is app. 4/22/19 reimbursement of actual and necessary expenses in the  
approximate amount of \$175.00 and advance registration of \$175.00 is authorized.

| To be completed by the Finance Department |                                  |                     |
|-------------------------------------------|----------------------------------|---------------------|
| Fund Code:                                | <u>111-53600.265</u>             | (ex: 000-00000-000) |
| Description:                              | <u>Registration and Training</u> |                     |
| Current Budget:                           | <u>\$19,000.00</u>               |                     |
| Approved Requests:                        | <u>\$9,742.00</u>                |                     |
| Budget Available:                         | <u>\$9,258.00</u>                |                     |
| Current Requests:                         | <u>\$175.00</u>                  |                     |
| Budget Balance:                           | <u>\$9,083.00</u>                |                     |

Donald L. Mims, Administrator



Reviewed by: S. Thomas  
Date: 4/9/2019  
cc: Finance Director / Buyer

Montgomery County Commission  
Travel / Training Request Approval  
Request # 14

**AGENDA**

**APR 22 2019**

Date: 4/9/2019  
To: Donald L. Mims, Administrator  
From: George Speake  
Re: Approval for the following travel:

Destination: Lee County  
Departure Date: May 14, 2019 Return Date: May 16, 2019  
Conference Leave (Days / Hours): 3 days  
Purpose of Travel: Attend ACEA 2019 Motor Grader Training

Traveler (s) Name: 1. William Gray Mills 4. \_\_\_\_\_  
2. \_\_\_\_\_ 5. \_\_\_\_\_  
3. \_\_\_\_\_ 6. \_\_\_\_\_

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

Total (est.) Cost: \$225.00 Advance Registration Required: \$0.00  
Department Name: Engineering Department Fund Name: Gasoline Tax 111-53600.265  
Additional Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

The above request is app. 4/22/19 reimbursement of actual and necessary expenses in the  
approximate amount of \$225.00 and advance registration of \$0.00 is authorized.

| To be completed by the Finance Department |                                  |                     |
|-------------------------------------------|----------------------------------|---------------------|
| Fund Code:                                | <u>111-53600.265</u>             | (ex: 000-00000-000) |
| Description:                              | <u>Registration and Training</u> |                     |
| Current Budget:                           | <u>\$19,000.00</u>               |                     |
| Approved Requests:                        | <u>\$9,742.00</u>                |                     |
| Budget Available:                         | <u>\$9,258.00</u>                |                     |
| Current Requests:                         | <u>\$400.00</u>                  |                     |
| Budget Balance:                           | <u>\$8,858.00</u>                |                     |

Donald L. Mims, Administrator



Reviewed by: S. Thomas  
Date: 4/16/2019  
cc: Finance Director / Buyer

Montgomery County Commission  
Travel / Training Request Approval  
Request # 15

**AGENDA**

**APR 22 2019**

Date: 4/9/2019  
To: Donald L. Mims, Administrator  
From: George Speake  
Re: Approval for the following travel:

Destination: Elmore County  
Departure Date: May 21, 2019 Return Date: May 23, 2019  
Conference Leave (Days / Hours): 3 days  
Purpose of Travel: Attend ACEA 2019 Motor Grader Training

Traveler (s) Name: 1. Tommy Stiles 4. \_\_\_\_\_  
2. DeWayne Sankey 5. \_\_\_\_\_  
3. \_\_\_\_\_ 6. \_\_\_\_\_

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

Total (est.) Cost: \$450.00 Advance Registration Required: \$0.00  
Department Name: Engineering Department Fund Name: Gasoline Tax 111-53600.265  
Additional Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

The above request is app. 4/22/19 reimbursement of actual and necessary expenses in the  
approximate amount of \$450.00 and advance registration of \$0.00 is authorized.

| To be completed by the Finance Department |                                  |                     |
|-------------------------------------------|----------------------------------|---------------------|
| Fund Code:                                | <u>111-53600.265</u>             | (ex: 000-00000-000) |
| Description:                              | <u>Registration and Training</u> |                     |
| Current Budget:                           | <u>\$19,000.00</u>               |                     |
| Approved Requests:                        | <u>\$9,742.00</u>                |                     |
| Budget Available:                         | <u>\$9,258.00</u>                |                     |
| Current Requests:                         | <u>\$850.00</u>                  |                     |
| Budget Balance:                           | <u>\$8,408.00</u>                |                     |

Donald L. Mims, Administrator



Reviewed by: S. Thomas  
Date: 4/16/2019  
cc: Finance Director / Buyer

Montgomery County Commission  
Travel / Training Request Approval  
Request # 12

# AGENDA

APR 22 2019

Date: April 11, 2019  
To: Donald L. Mims, Administrator  
From: Carmen Douglas, Personnel Director  
Re: Approval for the following travel:

Destination: Minneapolis, MN  
Departure Date: July 13, 2019 Return Date: July 17, 2019  
Conference Leave (Days / Hours): 3 Days  
Purpose of Travel: 2019 IPAC Conference - Max Assessments

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

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

Total (est.) Cost: \$4,550.00 Advance Registration Required: \$1,150.00

Department Name: Personnel Fund Name: Merit System

Additional Comments: Per Person: Conference registration \$475.00; Pre-conference registration \$100  
Airfare - \$425 ; Luggage - \$75 ; Hotel - \$725 ; Food - \$375  
Taxi - \$100

To: Carmen Douglas, Personnel Director

From: Donald L. Mims, Administrator

The above request is app. 4/22/19 reimbursement of actual and necessary expenses in the  
approximate amount of \$4,550.00 and advance registration of \$1,150.00 is authorized.

| To be completed by the Finance Department |                                  |                     |
|-------------------------------------------|----------------------------------|---------------------|
| Fund Code:                                | <u>123-51961.265</u>             | (ex: 000-00000-000) |
| Description:                              | <u>Registration and Training</u> |                     |
| Current Budget:                           | <u>\$25,000.00</u>               |                     |
| Approved Requests:                        | <u>\$10,828.20</u>               |                     |
| Budget Available:                         | <u>\$14,171.80</u>               |                     |
| Current Requests:                         | <u>\$4,550.00</u>                |                     |
| Budget Balance:                           | <u>\$9,621.80</u>                |                     |

Donald L. Mims, Administrator



Reviewed by: S. Thomas

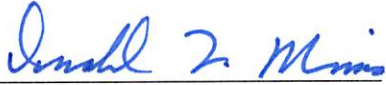
Date: 4/16/2019

cc: Finance Director / Buyer

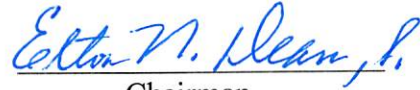
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## ADJOURNMENT

There being no further business to come before the Commission at this time, the meeting stood adjourned until Monday, May 6, 2019, at 8:00 in the morning.



Administrator



Chairman