

MINUTES OF REGULAR MEETING
MONTGOMERY COUNTY COMMISSION
DECEMBER 7, 2015

INFORMATION SESSION

Chairman Dean called the meeting to order at 8:21 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 Williams. All five Commissioners were present.

COMMENTS FROM SCHEDULED ATTENDEES, STAFF AND COMMISSIONERS

COMMENTS FROM COUNTY ATTORNEY THOMAS T. GALLION, III

County Attorney Thomas T. Gallion, III, informed the Commission that they had won Annie Louise Whitty et al. v. Montgomery County, Alabama, et al., a major tax case, which would have cost the County \$2-\$3 million. The Commission congratulated Attorney Gallion for winning the case.

COMMENTS FROM ADMINISTRATOR MIMS

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

Vice Chairman Harris stated that Annitta Love has requested to be reappointed to the Southeast Alabama Emergency Medical Services Council, Inc., and the Commission agreed for the nomination to be considered on the agenda.

Administrator Mims noted that Chief Information and Technology Officer Lou Ialacci did not have anything to report to the Commission and had another meeting to attend.

Administrator Mims informed the Commission that Director of Development Brenda Dennis with the Alabama Dance Theatre has requested to visit the Commission regarding the program. There was no objection for Ms. Dennis to visit the Commission at their next meeting.

PRESENTATION BY HAROLD L. BOONE, SR., WITH HLB ASSOCIATES

Harold L. Boone, Sr., with HLB Associates, at the request of Vice Chairman Harris, submitted a proposal regarding a Minority Business Enterprise Initiative for Montgomery County. He stated that the target participation goal for minority businesses to submit bids is 10% to 25%. Chairman Dean stated that 10% to 25% is not high enough. Probate Judge Steven Reed also encouraged the Commission to raise this goal. (Copies of Proposal and Documents included in the Briefing Packet, Agenda Pages 23-1 through 23-17 are attached to these Minutes.)

Administrator Mims presented an email from Vice Chairman Harris requesting payment to Mr. Boone for his services regarding this matter in the amount of \$2,243. After discussion, the Commission agreed to waive rules and add this payment to the agenda.

PRESENTATION BY DISTRICT ATTORNEY DARYL BAILEY AND CHIEF ADMINISTRATOR RHONDA CAPE WITH THE DISTRICT ATTORNEY'S OFFICE

Chief Administrator Rhonda Cape briefed the Commission regarding hiring a Legal Support Assistant at Pay Grade A05, Step 4 (\$35,740) for the District Attorney's Office. After discussion, the Commission agreed to waive rules and add this item to the agenda.

District Attorney Daryl Bailey informed the Commission that the State of Alabama has reduced funding for his office which resulted in a loss of four state funded positions. He requested that the Commission approve and fund the allocation of a Legal Support Assistant position and related Position Fill Request. District Attorney Bailey requested for the Commission to approve the reallocation of an Office Runner position (A01) to a Receptionist/Secretary position (A03) and related Position Fill Request. He also requested that the Commission approve funding in the amount of \$30,000 for the salary of the Family Justice Center Director position. After discussion, the Commission agreed to waive rules and add these requests and related Budget Change Request to the agenda.

PRESENTATION BY REVENUE COMMISSIONER JANET BUSKEY AND CHIEF REVENUE CLERK ALLYSON HOLLAND

Revenue Commissioner Janet Buskey and Chief Revenue Clerk Allyson Holland briefed the Commission regarding a Position Fill Request for Revenue Branch Supervisor, Position Number 800120022 for the Revenue Commissioner's South Office. After discussion, the Commission agreed to place this item on the next agenda.

COMMENTS FROM ADMINISTRATOR MIMS AND DEPUTY ADMINISTRATOR CAUTHEN

Deputy Administrator Cauthen briefed the Commission regarding Position Fill Requests for a Clerk III/Administrative Support Specialist, Position Number 200003017 and a Clerk Typist II/Administrative Support Associate, Position Number 200012014 from the County Commission office. After discussion, the Commission agreed to place these items on the next agenda.

Deputy Administrator Cauthen briefed the Commission regarding Position Fill Request for a Mail Room and Stores Clerk, Position Number 260775002 from Support Services. After discussion, the Commission agreed to place this item on the next agenda.

Administrator Mims briefed the Commission regarding Position Fill Requests for Corrections Officer Trainee/Corrections Officer, Position Number 106, Corrections Officer Trainee/Corrections Officer, Position Number 208, Corrections Officer Trainee/Corrections Officer, Position Number 219 and Stores Clerk I, Position Number 193 from the Detention Facility. After discussion, the Commission agreed to place these items on the next agenda.

Administrator Mims presented an email from Christy H. Holding with The Samaritan Counseling Center requesting funding in the amount of \$10,000 and requesting to meet with the Commission regarding the program. The Commission agreed for Ms. Holding to visit with them at their next meeting.

Administrator Mims presented an email from Executive Director Meesoon Han with A-KEEP requesting funding in the amount of \$10,000 and requesting to meet with the Commission regarding the program. The Commission agreed for Ms. Han to visit with them at their January 4, 2016, meeting.

Chairman Dean presented a request from Robert E. Lee High School for the choral department. After discussion, the Commission agreed to the Budget Change Request in the amount of \$2,000 from donation revenue and to waive rules and add this item to the agenda.

Chairman Dean presented a request from Walter T. McKee Junior High School for funding of the football team's championship rings. After discussion, the Commission agreed to the Budget Change Request in the amount of \$1,000 from donation revenue and to waive rules and add this item to the agenda.

Chairman Dean presented a request from Troy University for facility upgrades at the Davis Theatre. After discussion, the Commission agreed to the Budget Change Request in the amount of \$20,000 from donation revenue and to waive rules and add this item to the agenda.

COMMENTS FROM DEPUTY ADMINISTRATOR CAUTHEN

Deputy Administrator Cauthen briefed the Commission regarding a Bid Award to Chappy's Deli, for the Legislative Delegation Breakfast, Bid Number 51988-16B-009. After discussion, the Commission agreed to waive rules and add this item to the agenda.

PRESENTATION BY ENVIRONMENTAL ENGINEER JUSTIN BARRETT WITH GOODWYN, MILLS, AND CAWOOD, INC.

Environmental Engineer Justin Barrett with Goodwyn, Mills, and Cawood, Inc., was present to answer any questions the Commission had regarding the Updated Montgomery County Solid Waste Management Plan, which was on the agenda. Vice Chairman Harris inquired as to whether the Town of Pike Road had agreed to participate in the County's plan and Mr. Barrett responded that they did.

PRESENTATION BY COUNTY ENGINEER GEORGE SPEAKE

County Engineer George Speake advised the Commission that three of the six new street lights have been installed near the north end of Industrial Park Boulevard at the DAS plant. Also, he mentioned that resurfacing work should begin on Mt. Zion Road in January 2016.

COMMENTS FROM DEPUTY ADMINISTRATOR CAUTHEN AND COUNTY ATTORNEY TYRONE C. MEANS

Deputy Administrator Cauthen stated that she had recently requested legal guidance from County Attorney Tyrone C. Means concerning the Raycom Media Camellia Bowl 2015 sponsorship. Attorney Means suggested that the 100 game day tickets be distributed in a manner to avoid the appearance of impropriety. Chairman Dean recommended giving the tickets to the YMCA and/or the Boys and Girls Club. There was no objection by the Commission. (Copies of E-mail and Attachments from County Attorney Tyrone C. Means, Agenda Pages 24-1 through 24-13 are attached to these Minutes.)

RECESS TO FORMAL SESSION

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 Commissioner Williams at the request of Chairman Dean.

The Pledge of Allegiance was led by Commissioner Hall.

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

Commissioner Williams made a motion to approve the Minutes of the Regular Meeting of November 16, 2015 and Minutes of the Special Call Meetings of November 24, 2015 and November 30, 2015. The motion was seconded by Commissioner Hall and unanimously approved by the Commission.

CONSENT AGENDA

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

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

RESOLUTION

COUNTY COMMISSION – ADOPTED RESOLUTION CONGRATULATING THE HUNTINGDON HAWKS FOOTBALL TEAM ON WINNING THE 2015 USA SOUTH ATHLETIC CONFERENCE

Administrator Mims presented the following memorandum and resolution from Public Affairs Director DiDi Henry and related Resolution:

MEMORANDUM

December 1, 2015

To: Montgomery County Commission

From: DiDi Henry, Public Affairs Director

RE: Request for Resolution for Huntingdon College Football Team

During the last county commission meeting, Chairman Dean asked that I write a resolution congratulating the Huntingdon College football team for their conference championship.

I am requesting that this be placed on the December 7, 2015 agenda. We would like to present it to the coach and team before they leave for Christmas break.

End of Memorandum

RESOLUTION

WHEREAS, Huntingdon College established the school's first football team in 2002; and

WHEREAS, prior to 2013, Huntingdon competed without a conference for nine of its first 10 seasons; and

WHEREAS, three years ago, the Huntingdon Hawks joined the USA South Athletic Conference; Huntingdon tied for third place in its first season in the conference and finished as the USA South runner-up last season; and

WHEREAS, on November 14, 2015, Huntingdon football coach Mike Turk and his Huntingdon Hawks won the USA South Athletic Conference by soundly defeating Maryville College of Tennessee by a score of 38-14; and

WHEREAS, the Huntingdon Hawks also recently received three of the top-five individual awards: Defensive Player of the Year, Defensive Rookie of the Year and Coach of the Year and had a total of 16 players named All-Conference, nine of which earned first team honors,

NOW THEREFORE, BE IT RESOLVED that the Montgomery County Commission does hereby recognize Coach Mike Turk, the coaching staff, and the Huntingdon College football team for the sacrifices made on and off the field that are required to perform at the championship level and does hereby congratulate the Hawks on winning the 2015 USA South Athletic Conference.

We hereby certify that the above
Resolution was adopted by the
Montgomery County Commission
on this, the 7th day of December, 2015.

End of Resolution

Vice Chairman Harris made a motion to adopt the resolution. The motion was seconded by Commissioner Walker and unanimously approved by the Commission.

Chairman Dean presented the resolution to Coach Turk who was accompanied by two players from the football team. Chairman Dean told Coach Turk that the Commission wanted to recognize his efforts and explained to the audience that this is the first championship win since 2003. Chairman Dean told Coach Turk that if he needed anything to let the Commission know. Commissioner Walker told Coach Turk that the team did a great job this year. Coach Turk thanked the Commission.

PUBLIC HEARING

PUBLIC HEARING REGARDING MONTGOMERY COUNTY SOLID WASTE MANAGEMENT PLAN UPDATE

PUBLIC HEARING NOTICE

In compliance with The Alabama Solid Waste Disposal Act, Code of Alabama, 1975, 22-27-47, Montgomery County has developed a Solid Waste Management Plan (SWMP). The Montgomery County Commission gives notice of a public hearing to solicit public comment concerning the SWMP for Montgomery County, Alabama. The plan covers waste collection, recycling, illegal dump abatement, and landfill management, among other solid waste management issues. This public hearing shall be held December 7, 2015 at 9:30 a.m., in the Commissioners Chamber of the Montgomery County Administration Building and Courthouse Annex III, 101 South Lawrence Street, Montgomery, Alabama 36104.

In addition to the public hearing, the Montgomery County Commission will also receive public comments during the period commencing on November 4, 2015, through and including December 5, 2015. Public comments may be submitted, via email to DonaldMims@mc-ala.org. Complete copies of the proposed plan are available in the administrator's office of the Montgomery County Commission and are available for inspection from 8:00 am to 5:00 pm, Monday through Friday of each week.

End of Public Hearing Notice

Chairman Dean opened the Public Hearing and asked if anyone in the audience wanted to speak regarding the Montgomery County Solid Waste Management Plan Update. No one addressed the Commission and Chairman Dean closed the Public Hearing.

NEW BUSINESS

COUNTY COMMISSION – ADOPTED RESOLUTION APPROVING AND ADOPTING THE MONTGOMERY COUNTY SOLID WASTE MANAGEMENT PLAN UPDATE

Administrator Mims presented the following letter and resolution from Project Manager of Goodwyn, Mills, and Cawood, Inc., Cole Roberson:

November 2, 2015

Montgomery County Commission,

Goodwyn, Mills and Cawood (GMC) has been retained to update the Montgomery County Solid Waste Management Plan. This plan addresses the solid waste needs for the county over the next ten years. The City of Montgomery has opted out of this plan and will develop their own.

Once the plan was updated, a draft was submitted to ADEM and the Town of Pike Road for approval. Now that the plan has been approved by ADEM and Pike Road, a notice of the public comment period (30 days) shall be published at least once in a newspaper of general circulation in the jurisdiction and in the official gazette, if any, in the jurisdiction. The public notice also needs to include the time and place of the public hearing. This hearing can only occur 30 days after the notice has been published but less than 45 days after it has been published. GMC can provide a public announcement that will sufficiently meet the requirements of the Code 22-27-47.

After the plan is passed into resolution a final draft with the resolution will be submitted to ADEM for approval.

Sincerely,
GOODWYN, MILLS, AND CAWOOD, INC.

/s/ Cole Roberson
Project Manager

End of Letter

RESOLUTION

WHEREAS, the Montgomery County Commission is required by Alabama Act 89-824 to submit a ten-year Solid Waste Management Plan Update to address solid waste management within the County; and

WHEREAS, The Montgomery County Commission has retained the engineering firm of Goodwyn, Mills, & Cawood, Inc., to prepare the required Update, and has conducted a public hearing to solicit input and has consolidated citizen comments into the development of the completed plan; and

WHEREAS, the Solid Waste Management Plan Update must be adopted through a resolution by the Commission before submission to the Alabama Department of Environmental Management.

NOW, THEREFORE, BE IT RESOLVED that the Montgomery County Commission approves and adopts the Montgomery County Solid Waste Management Plan Update, dated October 8, 2015, and that Chairman Elton N. Dean, Sr., hereby is authorized to sign all necessary correspondence involved in the submission of this Update to the Alabama Department of Environmental Management, and that the Solid Waste Management Plan Update will serve as the basis for solid waste management within Montgomery County for a ten-year planning period beginning December 7, 2015.

We hereby certify that the above
Resolution was adopted by the
Montgomery County Commission
on this, the 7th day of December, 2015.

End of Resolution

Commissioner Hall made a motion to adopt the resolution approving and adopting the Montgomery County Solid Waste Management Plan Update. The motion was seconded by Vice Chairman Harris and unanimously approved by the Commission. (Copy of Montgomery County Solid Waste Management Plan, Agenda Pages 1-3 through 1-33, is attached to these Minutes.)

COUNTY COMMISSION – ADOPTED RESOLUTION APPROVING THE 2016 SEVERE WEATHER PREPAREDNESS TAX HOLIDAY, FEBRUARY 26-28, 2016, AUTHORIZED BY ACT NO. 2012-256

Administrator Mims presented the following memorandum from Revenue Manager Terri Henderson:

MEMORANDUM

DATE: November 9, 2015

TO: Florence M. Cauthen, Deputy Administrator

FROM: Terri A. Henderson, Revenue Manager

RE: 2016 Severe Weather Preparedness Tax Holiday, February 26-28, 2016

Please see copy of the notice attached printed today from the State of Alabama Department of Revenue (“ADOR”) that is dated September 14, 2015 specific to the 2016 Severe Weather Preparedness Sales Tax Holiday. This is the Sales Tax Holiday enacted pursuant to Act No. 2012-256 that was first passed and signed into law on April 26, 2012. The 2016 Severe Weather Preparedness Tax Holiday is scheduled for the weekend of February 26-28, 2016.

If we are going to participate in the 2016 Severe Weather Preparedness Tax Holiday, I would respectfully request that this item be included for discussion and/or placed on the agenda for the Montgomery County Commission meeting on November 16, 2015 or as soon as possible thereafter. Please see the Resolution attached that has been drafted for further consideration in this matter for proposed action at the Montgomery County Commission meeting on December 7, 2015. Written notice of our participation and a certified copy of our Resolution and/or notification of our decision not to participate in 2016 will be due back to the ADOR before or not later than the January 26, 2016 deadline.

Please note the 2016 Severe Weather Preparedness Tax Holiday is in addition to the 2016 Back To School Sales Tax Holiday, which should be subsequently scheduled for the first full weekend in August 2016, or the weekend of August 5-7 2016. Please let me know if you need anything further. Thank you in advance for your assistance with this matter.

attachments

End of Memorandum

Vice Chairman Harris made a motion to adopt the resolution. The motion was seconded by Commissioner Hall and unanimously approved by the Commission. (Copy of Resolution and State of Alabama Department of Revenue Documents, Agenda Pages 2-2 through 2-4, are attached to these Minutes.)

MONTGOMERY COUNTY PARKS AND RECREATION BOARD – APPROVED
AUTHORIZATION OF BOARD MEMBER REAPPOINTMENT

Administrator Mims presented the following memorandum:

November 17, 2015

MEMORANDUM

TO: Montgomery County Commission

FROM: Donald L. Mims
County Administrator

SUBJECT: Montgomery County Parks and Recreation Board Reappointment

The Montgomery County Commission, during its meeting on November 16, 2015, agreed to place on the next agenda a Board Member reappointment to the Montgomery County Parks and Recreation Board.

On December 4, 2015, the term of Charles Powe will expire as a board member of the Montgomery County Parks and Recreation Board. Mr. Powe has agreed to be reappointed for another term, which expires December 4, 2020.

I am requesting approval of this reappointment.

Attachment

End of Memorandum

Commissioner Williams made a motion to reappoint Charles Powe with a term expiring December 4, 2020. The motion was seconded by Vice Chairman Harris and unanimously approved by the Commission. (Copy of Board Members' Appointment Page, Agenda Page 3-2, is attached to these Minutes.)

SOUTHEAST ALABAMA EMERGENCY MEDICAL SERVICES COUNCIL, INC. –
APPROVED AUTHORIZATION OF BOARD MEMBER APPOINTMENTS, INCLUDING
THE REAPPOINTMENT OF ANNITTA LOVE

Administrator Mims presented the following memorandum:

November 17, 2015

MEMORANDUM

TO: Montgomery County Commission

FROM: Donald L. Mims
County Administrator

SUBJECT: Appointments to the Southeast Alabama Emergency Medical Services Council,
Inc.

The Montgomery County Commission, at its meeting on November 16, 2015, agreed to place on the next agenda Board Member appointments to the Southeast Alabama Emergency Medical Services Council, Inc.

Attached is a list of eight individuals who are currently serving on the Southeast Alabama Emergency Medical Services Council, Inc. These individuals have been contacted and seven of them would like to be reappointed to another full term on this Council.

Shirley Smith desires to be appointed to replace Annitta Love, who has retired.

I am requesting approval of these appointments for terms expiring November 3, 2016.

Attachments

End of Memorandum

Vice Chairman Harris made a motion to reappoint Assistant Fire Chief Stanley Cooper, Annitta Love, Mike Green, Patti Brown, John Treat, Keith Bryan, Doug Tisdale, and Kitty Harris with terms expiring November 3, 2016. The motion was seconded by Commissioner Williams and unanimously approved by the Commission. (Copy of Board Members' Appointment Page, Agenda Pages 4-2 and 4-3, is attached to these Minutes.)

COUNTY COMMISSION – APPROVED 2016 PROPOSED LEGISLATIVE AGENDA

Administrator Mims presented the following memorandum:
November 17, 2015

MEMORANDUM

TO: Montgomery County Commission

FROM: Donald L. Mims, County Administrator

SUBJECT: 2016 Legislative Agenda

Cassandra Crosby with Crosby Drinkard Group, LLC, briefed the Commission during its November 16, 2015, meeting regarding the 2016 Legislative Agenda which included the following proposed, draft bills to be introduced in the 2016 Regular Session of the Alabama Legislature.

1. Commissioner's Retirement Bill
2. Sheriff's Retirement Bill
3. Zoning Bill
4. Airport Bill

The Commission agreed for these proposed bills to be placed on the next agenda. I request approval of these bills and authorization to advertise them.

Attachments

End of Memorandum

Commissioner Williams made a motion to approve the request. The motion was seconded by Vice Chairman Harris and unanimously approved by the Commission. (Copies of Memorandum and Proposed Draft Bills, Agenda Pages 5-2 through 5-20, are attached to these Minutes.)

SHERIFF'S OFFICE – APPROVED AUTHORIZATION OF THE 2015-2016 COMMUNITY TRAFFIC SAFETY PROGRAM CONTRACT WITH SOUTHEAST ALABAMA REGIONAL HIGHWAY SAFETY OFFICE REGARDING TWO GRANTS FOR SELECTIVE TRAFFIC ENFORCEMENT AND HOTSPOT IMPAIRED DRIVING ENFORCEMENT

Administrator Mims presented the following memorandum:

November 17, 2015

MEMORANDUM

TO: Montgomery County Commission

FROM: Donald L. Mims
County Administrator

SUBJECT: 2015-2016 Community Traffic Safety Program Contract for Two Grants, Sheriff's Office

The Montgomery County Commission, at its meeting on November 16, 2015, agreed to place on the next agenda a 2015-2016 Community Traffic Safety Program Contract with Southeast Alabama Regional Highway Safety Office regarding two grants for Selective Traffic Enforcement and Hotspot Impaired Driving Enforcement for the Sheriff's Office.

I am requesting approval of this item.

Attachment

End of Memorandum

Commissioner Walker made a motion to approve the request. The motion was seconded by Commissioner Williams and unanimously approved by the Commission. (Copies of Memorandum, Letter, and Agreement, Agenda Pages 6-2 through 6-10, are attached to these Minutes.)

COUNTY COMMISSION – APPROVED AUTHORIZATION TO RECOGNIZE AND DENY A CLAIM FILED BY TIMOTHY SCOTT, YUTARRA FRIENDLY, QUANTARIES A. GRAY, AND ZYQUARIUS L. ROSS

Administrator Mims presented the following memorandum:

November 17, 2015

MEMORANDUM

TO: Montgomery County Commission

FROM: Donald L. Mims
County Administrator

SUBJECT: Recognize and Deny Claim Filed by Timothy Scott, Yutarra Friendly, Quantaries A. Gray and Zyquarius L. Ross

The Montgomery County Commission, at its meeting on November 16, 2015, agreed to place on the next agenda consideration to recognize and deny a Claim filed by Attorney Ian A. Brendel on behalf of Timothy Scott, Yutarra Friendly, Quantaries A. Gray and Zyquarius L. Ross.

I am requesting that the Commission approve this item.

Attachment

End of Memorandum

Vice Chairman Harris made a motion to approve the request. The motion was seconded by Commissioner Walker and unanimously approved by the Commission. (Copies of Memorandum, Letter, and Notice of Claim, Agenda Pages 7-2 through 7-7, are attached to these Minutes.)

COUNTY COMMISSION – APPROVED PAYMENT OF GUEST FEE TO THE MONTGOMERY AREA COMMITTEE OF 100 FOR CHAIRMAN ELTON N. DEAN, SR.

Administrator Mims presented the following memorandum:

November 17, 2015

MEMORANDUM

TO: Montgomery County Commission

FROM: Donald L. Mims
County Administrator

SUBJECT: Payment of Guest Fee to Montgomery Area Committee of 100, Inc.

The Montgomery County Commission, at its meeting on November 16, 2015, agreed to place on the next agenda the payment of a Guest Fee in the amount of \$100.00 to the Montgomery Area Committee of 100, Inc., for Chairman Elton N. Dean, Sr.

I am requesting approval of this item.

Attachment

End of Memorandum

Commissioner Williams made a motion to approve the request. The motion was seconded by Commissioner Walker and unanimously approved by the Commission. (Copy of Invoice, Agenda Page 8-2, is attached to these Minutes.)

CIRCUIT CLERK – APPROVED AUTHORIZATION OF REIMBURSEMENT IN THE AMOUNT OF \$9,000 FOR SCANNING OF JUVENILE FILES

Administrator Mims presented the following memorandum:

November 17, 2015

MEMORANDUM

TO: Montgomery County Commission

FROM: Donald L. Mims
County Administrator

SUBJECT: Reimbursement to Circuit Clerk's Office for Scanning of Juvenile Files

The Montgomery County Commission, at its meeting on November 16, 2015, agreed to place on the next agenda reimbursement to the Montgomery County Circuit Clerk's Office in the amount of \$9,000 for the scanning of juvenile files

I am requesting approval of this item.

Attachment

End of Memorandum

Commissioner Williams made a motion to approve the request. The motion was seconded by Commissioner Hall and unanimously approved by the Commission. (Copy of Letter, Agenda Page 9-2, is attached to these Minutes.)

DETENTION FACILITY – APPROVED BID AWARD TO ACME SUPPLY CO., LTD., FOR INMATE UNIFORMS, BID NUMBER 52200-15B-032

Administrator Mims presented the following memorandum from Purchasing Manager Myrtle Singleton:

MEMORANDUM

TO: Donald L. Mims, County Administrator

FROM: Myrtle Singleton, Purchasing Manager

DATE: November 9, 2015

RE: Invitation to Bid No. 52200-15B-032
Inmate Uniforms

I request approval of award on the above referenced Invitation to Bid, to the low bidder, Acme Supply Co., Ltd., in the amount of \$2,962.50, based on unit pricing for imported inmate uniforms, be placed on a future agenda for the County Commission meeting. (Copy of spreadsheet attached.)

The contract will be for one (1) year, with the option to renew for an additional two (2) years in one year periods. At the end of the one year contract period, a price escalation may be allowed, but shall not exceed 5% per year.

Coordination of award made with Derrick Cunningham, Sheriff.

Attachment

End of Memorandum

Vice Chairman Harris made a motion to approve the request. The motion was seconded by Commissioner Walker and unanimously approved by the Commission. (Copies of Contractual Agreement and Spreadsheets, Agenda Pages 10-2 through 10-11, are attached to these Minutes.)

ENGINEERING DEPARTMENT – APPROVED REALLOCATION OF COUNTY TRAFFIC CONTROL SUPERVISOR FROM PAY GRADE A07 (\$40,664 - \$60,775) TO PAY GRADE A08 (\$45,440 - \$67,894)

Administrator Mims presented the following memorandum from County Engineer George C. Speake:

November 9, 2015

MEMORANDUM

TO: Donald L. Mims, County Administrator

FROM: George C. Speake, County Engineer

SUBJECT: Pay Evaluation Recommendation – County Traffic Control Supervisor

The Montgomery County Engineering Department recently asked the Personnel Department to do a Pay Evaluation Study for the County Traffic Control Supervisor position at our Sign Shop. Attached is a copy of their recommendation to reallocate this position from pay grade A07 (\$40,664-\$60,775) to A08 (\$45,440-\$67,894). Reallocating this position to a pay grade A08, will put the salary of this position at the same pay grade of the City of Montgomery's counterpart. Please place the request for approval of this recommendation on the agenda of the next regularly scheduled Montgomery County Commission meeting.

Let me know if you have any questions or if any additional information is needed. Thank you for your assistance with this matter.

Attachments

End of Memorandum

Vice Chairman Harris made a motion to approve the request. The motion was seconded by Commissioner Williams and unanimously approved by the Commission. (Copies of Memorandum, Job Description, Letter, and Organizational Chart, Agenda Pages 11-2 through 11-11, are attached to these Minutes.)

DETENTION FACILITY – APPROVED POSITION FILL REQUESTS (2)

Administrator Mims presented the following memorandum:

November 17, 2015

MEMORANDUM

TO: Montgomery County Commission

FROM: Donald L. Mims
County Administrator

SUBJECT: Position Fill Requests for Detention Facility

The Montgomery County Commission, at its meeting on November 16, 2015, agreed to place the following Position Fill Requests from the Detention Facility on the next agenda:

- (1) Corrections Officer Trainee/Corrections Officer, Position Number 021
- (2) Corrections Officer Trainee/Corrections Officer, Position Number 033

I am requesting approval of these items.

Attachments

End of Memorandum

Vice Chairman Harris made a motion to approve the requests. The motion was seconded by Commissioner Williams and unanimously approved by the Commission. (Copies of Position Fill Requests, Agenda Pages 12-2 and 12-3, are attached to these Minutes.)

SHERIFF'S OFFICE – APPROVED POSITION FILL REQUESTS (2)

Administrator Mims presented the following memorandum:

November 17, 2015

MEMORANDUM

TO: Montgomery County Commission

FROM: Donald L. Mims
County Administrator

SUBJECT: Position Fill Requests for Sheriff's Office

The Montgomery County Commission, at its meeting on November 16, 2015, agreed to place the following Position Fill Requests on the next agenda for the Sheriff's Office:

- (1) Deputy Sheriff Corporal, Position Number 166
- (2) Deputy Sheriff Trainee/Deputy Sheriff, Position Number To Be Determined

I am requesting approval of these items.

Attachments

End of Memorandum

Commissioner Hall made a motion to approve the requests. The motion was seconded by Vice Chairman Harris and unanimously approved by the Commission. (Copies of Position Fill Requests, Agenda Pages 13-2 and 13-3, are attached to these Minutes.)

YOUTH FACILITY – APPROVED POSITION FILL REQUESTS (2)

Administrator Mims presented the following memorandum from Juvenile Court Administrator Bruce R. Howell:

MEMORANDUM

To: Mr. Donnie Mims, Montgomery County Administrator

From: Bruce R. Howell, Juvenile Court Administrator

Date: November 17, 2015

Re: Juvenile Detention Officer Fill Requests

We have a full-time and a part-time Juvenile Detention Officer vacancy which needs to be filled. I am requesting that these be placed on the formal agenda of the December 7th County Commission Meeting.

Thank you for your consideration!

End of Memorandum

Commissioner Williams made a motion to approve the requests. The motion was seconded by Vice Chairman Harris and unanimously approved by the Commission. (Copies of Position Fill Requests, Agenda Pages 14-2 and 14-3, are attached to these Minutes.)

VARIOUS DEPARTMENTS – APPROVED TRAVEL/TRAINING REQUESTS (6)

Administrator Mims recommended the following Travel/Training Requests for approval by the Commission:

<u>DEPARTMENT</u>	<u>TRAVEL/TRAINING REQUESTS</u>
1. County Commission	Request Numbers 6 and 7
2. Probate Judge's Office	Request Number 1
3. Sheriff's Office	Request Number 8
4. Detention Facility	Request Number 4
5. Risk Management	Request Number 4

Commissioner Williams made a motion to approve the requests. The motion was seconded by Commissioner Walker and unanimously approved by the Commission. (Copies of Travel/Training Requests, Agenda Pages 15-1 through 15-6, are attached to these Minutes.)

WAIVE RULES

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

COUNTY COMMISSION – APPROVED BID AWARD TO CHAPPY'S DELI, FOR LEGISLATIVE DELEGATION BREAKFAST, BID NUMBER 51988-16B-009

Administrator Mims presented the following memorandum from Purchasing Manager Myrtle Singleton:

MEMORANDUM

TO: Donald L. Mims, County Administrator

FROM: Myrtle Singleton, Purchasing Manager

DATE: December 3, 2015

RE: Invitation to Bid No. 51988-16B-009
Legislative Delegation Breakfast

Request that rules be waived to approve award on the above referenced Invitation to Bid to the only bidder, Chappy's Deli, for a unit price of \$14.95 each and a total amount of \$418.60, and be placed on the agenda for the County Commission December 7, 2015. (Copy of spreadsheet attached.).

Coordination of award made with Donald Mims, County Administrator

Attachment

End of Memorandum

Commissioner Williams made a motion to approve the request. The motion was seconded by Commissioner Hall and unanimously approved by the Commission. (Copy of Spreadsheet, Agenda Page 16-2, is attached to these Minutes.)

COUNTY COMMISSION APPROPRIATIONS – APPROVED BUDGET CHANGE REQUEST 19 FOR \$2,000 TO MONTGOMERY COUNTY BOARD OF EDUCATION, ROBERT E. LEE HIGH SCHOOL FOR THE CHORAL DEPARTMENT

Administrator Mims requested approval of Budget Change Request Number 19, for \$2,000 to Montgomery County Board of Education, Robert E. Lee High School, County Commission Appropriations.

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

COUNTY COMMISSION APPROPRIATIONS – APPROVED BUDGET CHANGE REQUEST 20 FOR \$1,000 TO MONTGOMERY COUNTY BOARD OF EDUCATION, WALTER T. MCKEE JUNIOR HIGH SCHOOL FOR THE FOOTBALL TEAM'S CHAMPIONSHIP RINGS

Administrator Mims requested approval of Budget Change Request Number 20, for \$1,000 to Montgomery County Board of Education, Walter T. McKee Junior High School, County Commission Appropriations.

Commissioner Williams made a motion to approve the request. The motion was seconded by Vice Chairman Harris and unanimously approved by the Commission. (Copy of Budget Change Request, Agenda Page 18-1, is attached to these Minutes.)

COUNTY COMMISSION APPROPRIATIONS – APPROVED BUDGET CHANGE
REQUEST 21 FOR \$20,000 TO TROY UNIVERSITY FOR FACILITY UPGRADES AT THE
DAVIS THEATRE

Administrator Mims requested approval of Budget Change Request Number 21, for \$20,000 to Troy University, County Commission Appropriations.

Commissioner Williams made a motion to approve the request. The motion was seconded by Vice Chairman Harris and unanimously approved by the Commission. (Copy of Budget Change Request, Agenda Page 19-1, is attached to these Minutes.)

COUNTY COMMISSION – APPROVED AUTHORIZATION TO PAY INVOICE FROM
HLB ASSOCIATES (HAROLD L. BOONE) IN THE AMOUNT OF \$2,243 FOR
DEVELOPMENT OF MINORITY BUSINESS INITIATIVE PROGRAM

Administrator Mims requested approval of authorization to pay invoice from HLB Associates (Harold L. Boone) in the amount of \$2,243 for Development of Minority Business Initiative Program.

Vice Chairman Harris made a motion to approve the request. The motion was seconded by Commissioner Williams and unanimously approved by the Commission. (Copy of Invoice, Agenda Page 20-1, is attached to these Minutes.)

DISTRICT ATTORNEY’S OFFICE – APPROVED HIRING LEGAL SUPPORT ASSISTANT
AT PAY GRADE A05, STEP 4 (\$35,740)

Administrator Mims presented the following memorandum from District Attorney Daryl D. Bailey:

MEMORANDUM

TO: Donnie Mims
County Administrator

FROM: Daryl D. Bailey
District Attorney

DATE: December 1, 2015

SUBJECT: Request for 3 Step Increase in Starting Salary for Legal Support Assistant

The Commission approved a Grade A05 Legal Support Assistant position fill request for my office at a previous commission meeting. The vacancy was due to a retirement of a long term employee.

I have selected Dawn Rambo to fill this position. Ms. Rambo has worked in my office as a state employee for almost five years. Based on her experience, I respectfully request that her starting salary be approved at Grade A05, Step 4, and effective December 21, 2015.

The funding for this request is in the budget so no additional funds would be required. Please place this request on the next Commission agenda for approval by the Commission.

Contact me if you have any questions.

End of Memorandum

Commissioner Williams made a motion to approve the request. The motion was seconded by Vice Chairman Harris and unanimously approved by the Commission.

DISTRICT ATTORNEY'S OFFICE – APPROVED PERSONNEL ACTIONS AND RELATED BUDGET CHANGE REQUEST FROM THE DISTRICT ATTORNEY'S OFFICE TO FUND THE ALLOCATION OF ONE LEGAL SUPPORT ASSISTANT POSITION AND RELATED POSITION FILL REQUEST; REALLOCATION OF OFFICE RUNNER POSITION (A01) TO RECEPTIONIST/SECRETARY POSITION (A03) AND RELATED POSITION FILL REQUEST; AND FUNDING IN THE AMOUNT OF \$30,000 FOR THE SALARY OF THE FAMILY JUSTICE CENTER DIRECTOR POSITION

Administrator Mims requested approval of personnel actions and related budget change request from the District Attorney's Office to fund the allocation of one Legal Support Assistant Position and related position fill request; reallocation of Office Runner Position (A01) to Receptionist/Secretary Position (A03) and related position fill request; and funding in the amount of \$30,000 for the salary of the Family Justice Center Director Position.

Vice Chairman Harris made a motion to approve the request. The motion was seconded by Commissioner Williams and unanimously approved by the Commission. (Copies of Letter of Request from District Attorney Daryl D. Bailey, Budget Change Request, and Position Fill Requests, Agenda Pages 22-1 through 22-4, are attached to these Minutes.)

COMMENTS BY COMMISSIONERS AND ATTENDEES

Probate Judge Steven Reed introduced the new Probate Archivist Dallas Hanbury. Mr. Hanbury told everyone that this is a great opportunity and that he looks forward to serving the County and the Commissioners.

Commissioner Hall thanked Judge Reed for introducing Mr. Hanbury and stated that this is a perfect time with Montgomery County's Bicentennial Anniversary coming up. He wished everyone a Happy Advent season and a Merry Christmas.

Commissioner Williams told Mr. Hanbury that he is looking forward to working with him. He commended his fellow Commissioners for a job well done this year. He thanked Chairman Dean for his leadership and that Montgomery County is looking real good.

Commissioner Walker said that she looks forward to 2016 to be a great year. She stated that it has been a long and horrible year with her fight against cancer. She informed everyone that her last surgery went well, lasted 14 hours and that she is doing better. She said that she is looking forward to getting back and working hard for Montgomery County.

Chairman Dean stated that he missed Commissioner Walker while she was recovering from surgery. He told the audience that the Commission has done a lot of good things today. He spoke about the events of the Bus Boycott explaining that 1955 was their Montgomery and 2015 is our Montgomery. He added that there is a lot we have to do and need to do because we are not where we need to be. He said that the State and County need to work together. He told everyone that we need to be thankful every day. He stated that the Commission is a giving Commission and wants to give the employees pay raises. He said that he is glad to serve with his fellow Commissioners and to serve God.

Vice Chairman Harris welcomed Commissioner Walker back and told her it is good to have her back. He informed everyone that he too has had a bout with cancer and that he had surgery at the same place Commissioner Walker had hers. He spoke about the Bus Boycott Commemorative Celebration that was held at his church, United Evangelical Lutheran Church. He mentioned that boycott activists Attorney Fred Gray and Pastor Robert Graetz spoke at the celebration. Vice Chairman Harris thanked Reporter Rebecca Burylo with the Montgomery Advertiser for the article she wrote about the event, which was on the front page of today's paper. He informed the audience that when he was 7 years old the church was bombed and he felt it at his house which was 100 yards from the church. He told them that Pastor Graetz planted a tree in the crater that was left where the bomb had gone off. He encouraged employees to attend the Employee Appreciation Christmas luncheon being held at 11:00 a.m. on December 17, 2015.

RECESS TO INFORMATION SESSION

Chairman Dean recessed the Formal Session to the Information Session.

INFORMATION SESSION

COMMENTS FROM SCHEDULED ATTENDEES, STAFF AND COMMISSIONERS

COMMENTS FROM ADMINISTRATOR MIMS AND DEPUTY ADMINISTRATOR CAUTHEN

Deputy Administrator Cauthen briefed the Commission regarding a proposal from JMR+H Architects, Inc., regarding modification of existing South Lawrence Street parking and access to Annex III. After discussion, the Commission agreed to place this item on the next agenda.

Deputy Administrator Cauthen briefed the Commission regarding a Bid Award to MSF, Inc., for security guard service, Bid Number 51100-16B-004. After discussion, the Commission agreed to place this item on the next agenda.

Administrator Mims and Director of Public Affairs DiDi Henry presented a resolution proclaiming January 24-30, 2016, as School Choice Week in Montgomery County. After discussion, Chairman Dean, Vice Chairman Harris and Commissioner Williams instructed Administrator Mims not to place this item on a future agenda.

Deputy Administrator Cauthen informed the Commission that a Request for Proposal is being drafted and will be issued regarding the evaluation of elevators in county buildings.

Deputy Administrator Cauthen informed the Commission that the County has not received responses from the landowners of the property on Terminal Road to be used by the Sheriff's Office and is ready to move forward with condemnation. After discussion, Chairman Dean asked County Attorney Gallion to notify the landowners of the Commission's authorization to move forward with the condemnation process.

Deputy Administrator Cauthen informed the Commission that she had attended the ACCA Legislative Conference in Auburn last week and Alabama Ethics Commission Director Tom Albritton spoke to the attendees. She distributed a copy of the Alabama Ethics Law 2014 Edition handbook to each Commissioner of which were distributed at the Conference.

Deputy Administrator Cauthen presented the Revenue Reports for November 2015.

PRESENTATION BY DIRECTOR OF RISK MANAGEMENT SCOTT KRAMER

Director of Risk Management Scott Kramer informed the Commission that he has scheduled active shooter training classes for county employees. He stated that this particular class is the most recognized training class by the FBI and Department of Homeland Security and the instructor would be an expert from the Sheriff's Office. Chief Probate Clerk William Flowers requested that the training class be video recorded for those employees, who cannot attend the class, and for Department Heads to be encouraged to attend.

COMMENTS FROM PUBLIC AFFAIRS DIRECTOR DIDI HENRY

Public Affairs Director DiDi Henry briefed the Commission regarding upcoming events.

ADJOURNMENT

Commissioner Williams made a motion to adjourn the meeting of the Montgomery County Commission on December 7, 2015, at 10:49 a.m. The motion was seconded by Commissioner Walker and unanimously approved by the Commission.

DEC - 7 2015

12-7-15 Meeting

MONTGOMERY COUNTY COMMISSION

THE FOLLOWING ACCOUNTS PAYABLE WERE AUDITED AND
ORDERED PAID

CHECKS ARE DATED 11-13-15

Check Number	To	Check Number
256772		256833
Total Checks Paid		\$252,547.23

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

12-7-15 Meeting

MONTGOMERY COUNTY COMMISSION

THE FOLLOWING ACCOUNTS PAYABLE WERE AUDITED AND
ORDERED PAID

CHECKS ARE DATED 11-13-15

Check Number	To	Check Number
256834		256904
Total Checks Paid		\$233,090.80

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

12-7-15 Meeting

MONTGOMERY COUNTY COMMISSION

THE FOLLOWING ACCOUNTS PAYABLE WERE AUDITED AND
ORDERED PAID

CHECKS ARE DATED 11-20-15

Check Number	To	Check Number
256905		256964
Total Checks Paid		\$410,478.33

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

MONTGOMERY COUNTY COMMISSION

THE FOLLOWING ACCOUNTS PAYABLE WERE AUDITED AND
ORDERED PAID

CHECKS ARE DATED 11-20-15

Check Number	To	Check Number
256965		257049
Total Checks Paid		\$899,537.26

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

MONTGOMERY COUNTY COMMISSION

THE FOLLOWING ACCOUNTS PAYABLE WERE AUDITED AND
ORDERED PAID

CHECKS ARE DATED 11-25-15

Check Number	To	Check Number
257050		257071
Total Checks Paid		\$80,346.73

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

12-7-15 Meeting

MONTGOMERY COUNTY COMMISSION

THE FOLLOWING ACCOUNTS PAYABLE WERE AUDITED AND
ORDERED PAID

CHECKS ARE DATED 11-25-15

Check Number	To	Check Number
257072		257110
Total Checks Paid		\$194,165.42

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

MONTGOMERY COUNTY COMMISSION

THE FOLLOWING TRANSACTIONS WERE AUDITED AND
ORDERED PAID

CHECKS ARE DATED
11/25/15

12/7/15 Meeting
AGENDA
DEC - 7 2015

Payroll Check Number	124298	To	Payroll Check Number	124369	\$ 53,673.09
Direct Deposits					\$ 871,055.70
Payroll Check Number	124370	To	Payroll Check Number	124393	\$ 250,143.20
Direct Deposits					\$ 379,895.19
Federal Deposits					\$ 336,033.50
Total Payroll Paid					\$ 1,890,800.68

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

MONTGOMERY COUNTY

SOLID WASTE MANAGEMENT PLAN



Prepared For:
Montgomery County Commission
P.O. Box 1667
Montgomery, Alabama 36102

Prepared By:



GOODWYN | MILLS | CAWOOD

2660 EastChase Lane
Suite 200
Montgomery, Al 36117
(334) 271-3200

October 8, 2015

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- D. Public Hearing Sign-in sheet
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I. Introduction

A Solid Waste Management Plan (SWMP) is required of local governments by the Alabama Department of Environmental Management (ADEM) to plan for the collection and disposal of solid waste generated within its boundaries. A SWMP was last developed for Montgomery County in 2005, which addressed the solid waste needs for Montgomery County until 2015. This plan will serve as an update to the 2005 plan by analyzing the previous recommendations and providing suggested alternatives to serve the solid waste needs of Montgomery County.

The goal of this Solid Waste Management Plan is to aid Montgomery County, its municipalities, and ADEM in providing for the collection and disposal of solid waste generated within the county. The plan is meant to provide an overview of current waste volumes and characteristics, as well as to project the future solid waste needs of the county. In addition, the plan is intended to offer alternatives and recommendations for the county to implement in order to efficiently and economically meet their needs. Section X of this plan offers recommendations for Montgomery County to meet the needs set forth in this plan. The plan will serve Montgomery County for a 10-year period from 2015 to 2025. As required by Alabama Law, the Montgomery County Commission will pass a resolution to accept this plan. This updated Plan will expire ten (10) years from the approval date of the resolution included in Appendix E.

Montgomery County is located in central Alabama. It is bounded by Elmore County to the north, Macon County and Bullock County to the east, Pike County to the southeast, Crenshaw County to the southwest, Lowndes County to the southwest, and Autauga County to the northwest. Montgomery County is composed of two municipalities and one county government. The City of Montgomery and the Town of Pike Road are the only municipalities within Montgomery County. Most of the county is in a sparsely populated, rural area. The City of Montgomery opted out of the Montgomery County Solid Waste Management Plan (SWMP). The City of Montgomery elected to opt out of being included in this SWMP. The opt-out letter can be found in Appendix F. The remainder of this report will not include any data in relation to the City of Montgomery. This SWMP solely represents the Town of Pike Road and Rural Montgomery County. The population totals for Montgomery County will omit the population and projected population of the City of Montgomery. The Town of Pike Road has experienced a significant increase in population in recent years. To more accurately project the population increases for the Town of Pike Road, the author contacted The University of Alabama's Center for Business and Economic Research directly. Goodwyn, Mills and Cawood contracted The University of Alabama's Center for Business and Economic Research to calculate population projections of the city of Montgomery and The Town of Pike Road.

According to the 2010 US Census, the population of Montgomery County is 23,599 people. This is an approximately 12.23% increase from the 2000 US Census figure of 21,027 people. Of the 2010 figure, approximately 70.30%, or 18,193 people, live outside of the Pike Road Municipality. According to the 2010 US Census, populations of Pike Road is 5,406.

A detailed list of current population data as well as population projections is shown below (Figure I-1).

Figure I-1
Montgomery County Current and Projected Populations

Area	Census Data			Projected Population		
	1990	2000	2010	2015	2020	2025
Montgomery County	21,979	21,942	18,193	24,099	27,801	28,154
Pike Road	NA	310	5,406	8,330	10,749	13,519
Category	Existing Population			Projected Population		
	1990	2000	2010	2015	2020	2025
Urban	NA	310	5,406	8,330	10,749	13,519
Rural	21,979	21,942	18,193	24,099	27,801	28,154
Total	21,979	22,252	23,599	32,429	38,550	41,673

Sources:

U.S. Census Bureau, 2010 Data

U.S. Census Bureau and Center for Business and Economic Research, The University of Alabama, September 2015.

Municipality Projected Population Estimated as Percentage of Future county Population based on municipality's 2010 percentage of overall county population

Among the variety of Montgomery's industries are automotive manufacturing, metal fabrication, food processing, lumber processing, and furniture production. Sand, gravel, grain, and chemicals are transported north and south via barge from the Montgomery region.

II. Waste Volume and Compositions

Section 22-27-47(b)(1): Describe and explain the general origin, and weight or volume of solid waste currently generated within the jurisdiction's boundaries.

Section 22-27-47(b)(7): Describe and explain the general origin and weight or volume of solid waste reasonably expected to be generated within the jurisdiction annually during the next 10 years. The assessment shall describe the primary variables affecting this estimate and the extent to which they can reasonably be expected to affect the estimate.

Municipal solid waste consists of the solid material discarded by a community including excess food, containers and packaging, residential garden wastes, other household discards, and light industrial debris. These materials are generally disposed of by the community in a permitted landfill. Hazardous wastes including paints, oils, and radioactive substances present special disposal problems and are not included in municipal solid waste. According to the United States Environmental Protection Agency, the US generated approximately 4.7 lbs per day of municipal solid waste in 2005 and 4.43 lbs per day in 2010. A value of 5 lbs per person per day is commonly used for design purposes in developing solid waste plans. This number can vary greatly in an area based on illegal dumping, recycling programs, an area's average income, and the number and type of jobs within the community. Given Montgomery County's existing population of 23,599, the expected waste to be generated from the county would be 21,534 tons per year; however, recent data shows the total waste at approximately 11,908 tons per year. Table II-1 gives the average composition of solid wastes generated in the United States.

Table II-1
Composition of Municipal Solid Waste, 2012

Component	Percentage by Weight
Paper, Cardboard	27.4
Yard Waste	13.5
Food Waste	14.5
Metal	8.9
Glass	4.6
Plastics	12.7
Wood	6.3
Rubber, Leather, Textiles	8.7
Other (Ceramic, Stone, Dirt)	3.4
Total	100%

A key to evaluating the solid waste management needs for Montgomery County is to determine the amount of existing and future wastes volumes to be generated. In addition, the composition of that waste generated must be taken into account. This data can be useful in making determinations as to the required landfill capacity and alternatives for collection and disposal. The composition of the waste will aid in determining the amount of potential recyclables as well as waste that could be disposed of in a Construction and Demolition (C & D) landfill instead of a Municipal Solid Waste (MSW) landfill.

Montgomery County Commission is under contract with Advanced Disposal to provide solid waste for all residences in rural Montgomery County. The Town of Pike Road is also under contract with Advanced Disposal for collection of its solid waste.

The amount of industrial and C&D wastes can vary greatly from one area to another. These wastes are directly affected by the number and type of large industries and the amount of growth and construction an area is experiencing. Waste that is transported to C&D landfills is usually collected and transported by a private homeowner, municipality, or a contract hauler. There are three C&D landfills in Montgomery County where citizens can dispose of C&D waste.

The average annual municipal solid waste collected in Montgomery County is 11,908 tons or approximately 2.76 lbs per person per day. This amount is considerably less than the national average discussed previously, which could be attributed to the rural nature of the area. Table II-2 gives a breakdown of the average annual waste collected in Montgomery County.

Table II-2
Montgomery County Waste Totals

Source of Waste	Tons of Waste
Commercial Waste	7,643
Montgomery County Residential Waste	2,303
Pike Road Residential Waste	1,962
Total	11,908

The Solid Waste Management Plan must address the solid waste needs of Montgomery County for the next 10 years. In order to accomplish this, projections must be made of the waste to be generated in that time period. Using the projected population trends and past increases in solid waste generation, estimates can be made. According to data from the 2005 plan, Montgomery County generated an average of 6,853 tons per year of solid waste. In 2014 the total waste increased to 11,908 tons per year.

Table II-3 gives a breakdown of population and solid waste projections for Montgomery County for the next 10 years. The population figures for 2015, 2020, and 2025 were obtained from the University of Alabama Center for Business and Economic Research. Population projections for intermediate years were interpolated by the author. The solid waste projections over the next 10 years are based on percentage increases in population. It should be noted that population data is generally not a reliable measure for future waste projections, but considering there are no long range economic projections available from the Regional Planning Commission, population will be the only variable used in predicting future solid waste projections.

Table II-3
Population and Solid Waste Projections

Year	Population Projections	Solid Waste Projections (Tons)
2015	32,429	16,363
2016	33,653	16,981
2017	34,923	17,622
2018	36,242	18,288
2019	37,610	18,978
2020	38,550	19,452
2021	39,175	19,768
2022	39,809	20,087
2023	40,454	20,413
2024	41,110	20,744
2025	41,673	21,028

III. Existing Collection Methods

Section 22-27-47(b)(2): Identify current methods of collection and haulage (transport) of solid waste within the jurisdiction.

Advanced Disposal is under contract with Montgomery County to provide solid waste collection to all residences within rural Montgomery County. In addition, the Town of Pike Road has an individual contract with Advanced Disposal to provide waste collection services. All residences are provided house-to-house collection on a weekly basis. The county and municipalities pay Advanced Disposal a set fee for the services and collect from the residences on a quarterly basis.

Advanced Disposal also provides collection services for businesses, industries and institutions through individual contracts. Dumpsters are provided to these private entities and collected based on individual needs. There is a tipping fee charged for the collection from these businesses.

Records of waste volume and compositions were obtained from Advanced Disposal for 2014. Montgomery County Commission is under contract with Advanced Disposal to collect solid waste from rural Montgomery County. Solid waste is collected on a weekly basis from approximately 3,301 residences in Montgomery County. The total solid waste collected by Advanced Disposal from rural areas within the county for 2014 was 2,303 tons. Fees are assessed by Advanced Disposal to each resident at \$44.13 per quarter.

The Town of Pike Road is under contract with Advanced Disposal for the collection of its residential waste on a weekly basis from 2,800 residents. The total solid waste collected by Advanced Disposal from the Town of Pike Road for 2014 was 1962 tons.

The total commercial solid waste collected in Montgomery County and The Town of Pike Road was approximately 7,643 tons for 2014.

Advanced Disposal operates a transfer station located at 2141 Hunter Loop Road, Montgomery, Alabama. All waste collected by Advanced Disposal in the county is hauled to the transfer station to prevent long hauls to the landfill by individual trucks. The waste collected from the individual trucks is dumped into a loading area at the transfer station. When enough waste has accumulated, it is loaded into a tractor trailer and hauled to the landfill.

The Montgomery County Commission and Advanced Disposal offer free trash drop-off sites throughout the county on the last Saturday of the month between 10:00 am and 2:00 pm. These Drop off location accept any type of waste.

All other solid waste is transported to the nearest C&D landfill by individuals personally. Collection of these wastes is the responsibility of the individual or private company and is not provided by the county or local municipalities. All waste disposed of at this site must be brought to the landfill by the individual or business. Depending upon the amount of waste being transported, the waste is usually hauled to the landfill in privately owned vehicles, trailers or large dump trucks. Disposal of solid waste is not permitted by the county other than at the locations listed above.

IV. Evaluation of Disposal Facilities

Section 22-27-47(b)(3): Identify and describe the facilities where solid waste is currently being disposed or processed and the remaining available permitted capacity of such facilities and the capacity which could be made available through the reasonable expansion of such facilities. The plan shall also explain the extent to which existing facilities will be used during the life of the plan and shall not substantially impair the use of their remaining capacity.

Section 22-27-47(b)(12): For any facility expected to serve the jurisdiction's future needs that is located or is proposed to be located outside the jurisdiction, the plan shall explain in detail the reasons for selecting such a facility.

Municipal solid waste (MSW) is generally disposed in a permitted landfill facility. All newly constructed MSW landfills require liners, which prevent the leachate from the waste from contaminating adjacent soil and groundwater. Leachates are liquid wastes from a landfill containing dissolved and suspended solid matter. Waste is placed in layers, typically 2 to 3 ft. thick, and is compacted before soil is added as a cover. A landfill is typically evaluated according to its remaining capacity. MSW collected by the Advanced Disposal is currently disposed of in the Stone's Throw Landfill.

Stone's Throw Landfill is located in Tallassee, Tallapoosa County, Alabama. The landfill is owned and operated by Advanced Disposal. Stone's Throw landfill is currently permitted by the Alabama Department of Environmental Management and the US Environmental Protection Agency to accept 1500 tons per day, and services 19 counties in Alabama, including Macon County. The total permitted area consists of 123.47 acres with 65.88 acres permitted for MSW disposal, and 5.80 acres permitted for C & D disposal. The 5.80 acres for C & D disposal has been closed. Stone's Throw Landfill currently accepts an average of 1,500 tons of waste per day. Assuming the current average is maintained, Stone's Throw Landfill will have capacity until at least 2050. Stone's Throw Landfill has recently approved a 56-acre expansion which is ready for construction.

There are three public landfills located in Montgomery County. The North Montgomery County Landfill, Tocwah Landfill, and Circle J Landfill. The Tocwah and Circle J Landfills only accept C&D waste. The North Montgomery Landfill Collects MSW and C&D waste.

V. Elimination of Dumps

Section 22-27-47(b)(6): Propose procedures for the identification and elimination of unauthorized dumps in the jurisdiction.

Illegal dumping creates environmental and health hazards and must be addressed as a part of this report. Illegal dumping can occur throughout the county both on public right of way and on private property. The disposed waste can pollute streams and rivers and affect the quality of groundwater. Participation in the solid waste collection system is not mandatory of residents of Montgomery County.

One of the objectives of this Solid Waste Management Plan is to address illegal dumping in Montgomery County and offer suggestions for their elimination. At the time of this report, the Montgomery County Solid Waste Officer was unaware of any new illegal dump sites within the county on public rights of way. This absence of illegal dumping in Montgomery County can be greatly attributed to the work the county and municipalities have done over the past 10 years including implementing solid waste collection systems and educating the public of the environmental consequences.

A key to the elimination of illegal dumps throughout the county is public education. The public must be made aware of the adverse effects the waste will have on their surrounding environment. One method that can be used to educate the public of the environmental consequences of illegal dumping is through the Montgomery County School System. Local officials can make presentations and students can be encouraged by teachers and school officials to take the necessary steps to protect the environment for the future. Other methods for public education can include signs throughout the county encouraging residents not to litter and organized clean-ups of dump sites in the county.

A second key to the elimination of illegal dumps is to provide all residences with house-to-house waste pick-up at affordable rates. Some residents who are forced to pay high fees for collection and have to go out of their way to have the waste collected will often seek alternative ways to dispose of the waste such as illegal dumping or burning. Montgomery County and the Town of Pike Road have accomplished this by contracting with Advanced Disposal. Montgomery County and the Town of Pike Road must work to ensure these services continue and that fees residents are required to pay do not dramatically increase.

It is recommended that Montgomery County and the Town of Pike Road continue their efforts throughout the ten-year period of this plan to eliminate all illegal dumps within the county. Providing enough manpower to adequately monitor all sites with law enforcement would be virtually impossible, however, all law enforcement throughout the county should be made aware of the location of these dumps and encouraged to periodically monitor them. Citizens of Montgomery County and the Town of Pike Road, especially those living and owning property near the sites should also be encouraged to monitor the sites and report any illegal dumping to appropriate authorities. Implementing increased punitive fines for illegal dumping as a deterrent may also be considered.

VI. Solid Waste Agreements and Authorities

Section 22-27-47(b)(9): Identify any current agreements between the jurisdiction and other units of local government or public authorities for the joint use of solid waste processing or disposal facilities and evaluate the need for and feasibility of entering joint agreements in the future.

Section 22-27-47(b)(10): Identify any current contractual agreements with private entities for the collection, processing or disposal of solid waste and evaluate the need for and feasibility of entering into such agreements in the future.

The Montgomery County Solid Waste Department is directed by the Montgomery County Commission. Municipalities within the county include and the Town of Pike Road which also currently has an agreement with Advanced Disposal for house-to-house pick up. The Town of Pike Road's contract with Advanced Disposal began June 1, 2006 and ends May 31, 2018. The Montgomery County's contract with Advanced Disposal began July 2003 and ends June 30, 2018. Data was not available for agreements between Advanced Disposal and privately owned businesses and industries.

VII. Recycling

Section 22-27-47(b)(4): Provide a description of current or planned recycling programs and an analysis of their impact on waste generated within the jurisdiction. Particularly regarding recycling, the plan shall describe and evaluate:

- a. Potential benefits of recycling, including the potential solid waste reduction and the avoided cost of municipal waste processing or disposal.*
- b. Existing materials recovery operations and the kind and weight or volume of materials recycled by the operations, whether public or private.*
- c. The compatibility of recycling with other waste processing or disposal methods used in the jurisdiction including methods of collecting recyclables.*
- d. Options for cooperation or agreement with other jurisdictions for the collection, processing and sale of recyclable materials.*

Recycling is an important step in developing an effective solid waste management plan for a community. Recycling programs can eliminate 25% to 50% of the waste generated by a community. Programs can consist of collection of materials for reuse, as well as composting of yard wastes. It is estimated that approximately 20% of the solid waste from a community is made up of yard wastes. Other recyclable wastes including plastics, paper and cardboard must be collected and transported to a facility capable of recycling the materials.

Recycling can be accomplished both at the source and at the point of disposal. Collection programs can be established to pick up recyclables at each residence, business, and institution with the resident having the responsibility to separate the items from other waste. Recycling centers can also be set up at one or more locations in the county, providing a location where recyclable wastes can be brought. In addition, recycling containers can be set up at all transfer stations and landfills to allow customers bringing wastes to these locations to participate in the program.

In addition to providing collection services, educational tools can be utilized to promote recycling activities. Local schools can be used to educate children on the importance of recycling for the protection of the environment. Public education methods can also be utilized by the county and local municipalities.

There are currently recycling programs in Montgomery County. As noted in the 2005 Plan, Alabama Act 89-824 recommends that each county must develop a recycling plan to reduce waste volume by 25%. In order to meet the 25% goal, Montgomery County must implement a county-wide plan and encourage participation by all local municipalities. A proposed plan of action for reaching this goal is described in Section VIII of this report.

VIII. Proposed Alternatives

In compiling a Solid Waste Management Plan for Montgomery County, it is important to evaluate alternatives in order to ensure the county has the proper plans in place to adequately serve its resident's solid waste needs. Alternatives must be evaluated for solid waste collection, disposal, and recycling programs. An analysis must be made of the current system to determine any deficiencies and areas where the county can seek to improve. Several factors must be taken into account including the county's anticipated growth, their ability to meet current and future regulatory requirements, and their ability to provide quality service to the residents at affordable rates.

The first area that was analyzed was the collection of solid waste within the county. Currently, Advanced Disposal collects the majority of solid waste generated within Montgomery County and the Town of Pike Road on a contract basis. Advanced Disposal charges the county \$44.13 per quarter for collection from residencies within the county and charges the Town of Pike Road \$43.83 per quarter for collection from residents within the town. Waste volumes collected from these commercial businesses were not reported; therefore, will not be considered in this plan.

One alternative for the collection of solid waste would be for the county and municipality to collect waste at all residences and businesses. In order to accomplish this, a county-wide Solid Waste Authority would need to be established to oversee the collection services and aid the municipalities in all management aspects. Costs of the collection system would depend greatly on the location of the disposal facility. There is currently a transfer station within the county that helps to shorten haul distances for the individual trucks. This alternative would have the advantage of giving control of the system to the county and local governments for cost and quality control. One disadvantage to this alternative is the required initial investment to start the collection system.

A second alternative for collection of solid waste is to continue to contract with a private company. The Town of Pike Road's contract with Advanced Disposal ends May 31, 2018. The Montgomery County's contract with Advanced Disposal ends June 30, 2018. The county and municipalities can choose to continue with the same company or solicit bids from other companies for the services. An advantage to this alternative is that it puts the responsibility of operating the system including maintaining equipment and personnel on the private company. A disadvantage to this alternative is that it does not give the local governments control over the quality of service and costs to the residents.

The second area analyzed was the disposal location of solid waste generated from the county. Currently, all municipal solid waste generated in Montgomery County is transported to the Central Alabama Transfer Station and then disposed of at the Stone's Throw Landfill. This section excludes the North Montgomery Landfill as a recipient of MSW due to The City of Montgomery being the main contributor of MSW at this location. Although the residents of Montgomery County are not directly charged a tipping fee for disposal of waste, the cost is factored in to the fees paid for collection.

A second alternative to solid waste disposal is to continue utilizing the existing collection and disposal system. The county could continue to contract the collection through a private company and allow that company to dispose of the waste at an approved landfill site of their choosing. Currently, collection and disposal of the majority of waste in Montgomery County is handled by Advanced Disposal. The problem that exists with this alternative is that the private company contracted would be a for-profit organization. This could cause the price per customer to be higher than that of a county operated system. In addition, the county would not have as much control as they would when operating their own collection and disposal system.

Montgomery County currently generates approximately 11,908 tons per year of municipal solid waste. Projections show the county's waste increasing to 21,028 tons per year by the year 2025. Given these figures, it is currently more economical for Montgomery County to contract with a private company

for solid waste disposal. The possibility of a landfill facility in Montgomery County should be reevaluated if there is a dramatic increase in waste generated or if other counties express interest in participating in the project.

The third area that was analyzed was the recycling program for Montgomery County. Currently, the Montgomery County Commission and Advanced Disposal offer free trash drop-off sites throughout the county on the last Saturday of the month. The Town of Pike Road has a recycling drop-off center located on the south side of Veterans Park (4902 Pike Road). Advertisement of these drop-off locations may further encourage citizens to utilize this recycling program. An increase in recycled solid waste would decrease the waste that is currently disposed of in landfills and could ultimately decrease collection and disposal costs. Well established recycling programs can eliminate up to 50% of solid waste that would otherwise occupy landfill space.

One alternative for recycling in Montgomery County is to establish a county-wide recycling program. The county would hire a recycling director and staff to collect, separate and transport the material to the appropriate recycling centers. The county would purchase portable containers to be placed throughout the county for use by all residents. In addition, a building would be needed to provide a central location for handling of all recyclable materials.

Montgomery County should set a goal to recycle approximately 25% of the total solid waste generated annually by the county to meet the requirements established by the State. Based on the solid waste generated in Montgomery County in 2014, approximately 2,977 tons of solid waste would need to be recycled in order to meet this goal. This goal could be easily obtained if the recycling program is established as planned. In order to fully implement a successful recycling program, the county must work with all municipalities to educate the public of its importance and provide convenient methods for public participation.

The proposed recycling program would need to be implemented in phases by the county over a 3 to 5 year period. The county could start the program at a basic level and add locations and methods of collection each year. One possibility for the county is to start the program by contracting with a private company who would collect the materials at various points throughout the county and transport them to the appropriate recycling centers.

A second alternative for recycling is to implement a system of composting. As mentioned in Section VII, yard wastes can account for as much as 20% of a community's total solid waste. By committing a portion of the total yard waste to recycling, Montgomery County could easily reach the 25% goal. Composting can be achieved both on an individual and community-wide basis. Citizens and business owners can create small composts to handle grass clippings, leaves and small limbs. The county or municipalities can create more large-scale composts to be used by the citizens and city departments. Yard wastes and tree debris could be collected by the municipalities or county, or it could be transported to the compost site by the public. The compost material would result in a dramatic landfill area savings and could ultimately be sold by the county.

A third alternative for recycling is to partner with the City of Montgomery and the Infinitus Renewable Energy Park recycling center. The 81,992-square-foot recycling facility represents a \$35 million capital investment by Infinitus Energy and is the most advanced recycling facility in the country, according to Bulk Handling Systems, which installed the system. The facility is expected to recycle 75% - 85% of materials it receives, this will help the county achieve the 25% recycling goal set under this plan. Montgomery County could also modify the next solid waste collection services contract, which expires June 30, 2018, to require 25% of the solid waste collected to be disposed of at the Infinitus recycling center.

IX. Economic Considerations

In order for Montgomery County to choose the best alternatives for solid waste collection and disposal, all economic aspects must be considered. The county must work to provide the best possible service for all residents at affordable rates. As a part of this solid waste plan, economic factors are evaluated for collection, disposal, and recycling of solid waste. These factors, coupled with the environmental considerations noted throughout the report will form a composite basis for determining which options the county should pursue.

The first economic consideration is for the collection of solid waste in the county. Presently, the county and municipalities spend approximately \$268,400.00 per quarter for weekly house-to-house pick up of the 6,101 households within the county. In order for the county to implement a collection service, estimates would need to be made for the required equipment, personnel, and management. Coordination would be required with each municipality to determine how collection in these areas would be handled. Due to the complexity of the issue, no cost estimates for a collection system were made as a part of this report. The county, however, should further explore this option and determine if it would benefit the residents economically.

The second economic consideration is for disposal of all solid waste. Currently, tipping fees are calculated into the amount that residents pay for solid waste collection. The cost per household for the construction of a regional landfill would depend greatly on the number of other counties participating in the landfill.

The third economic consideration is for a recycling program in Montgomery County. Recent data showed pricing for materials as \$70-\$80/ton for cardboard, \$70-\$80/ton for newspapers, \$100-\$110/ton for magazines, \$0.60/lb for aluminum, and \$35/ton for clear glass. To reach the 25% goal for recycling, the county would need to recycle approximately 2,977 tons per year. It is estimated that of that 2,977 tons, 40% or 1,190 tons would be yard waste, 30% or 893 tons would be cardboard, 15% or 447 tons would be newspapers, 3% or 89 tons would be magazines, and the remaining 12% or 357 tons would be glass and plastic.

X. Conclusions and Recommendations

Montgomery County currently generates approximately 11,908 tons per year of solid waste. For design purposes, a value of 34,500 tons per year can be expected for the next 10-year period. The majority of all solid waste generated in the county is collected and disposed of by Advanced Disposal on a contract basis. The total cost of collection and disposal for all solid waste in Montgomery County is approximately \$268,400.00 per quarter for weekly house-to-house pick up. Solid waste is disposed of in the Stone's Throw Landfill located in Washington County, Alabama.

Three aspects of the solid waste system were evaluated as a part of this plan. First, solid waste collection alternatives were presented including maintaining the current system with private collection, and providing collection by the county or local municipality. Second, disposal alternatives were also discussed including utilizing private landfills and the possible construction of a regional landfill. Finally, recycling programs were analyzed and suggestions made to implement increased recycling and public education.

XI. Guidelines for Local Approval of New or Expanded Facilities

Section 22-27-47(b)(8): Provide for the development or expansion of solid waste management systems in a manner that is consistent with the needs of the area, taking into account planning, zoning, population and development estimates, and economics of the jurisdiction and the protection of air, water, land and other natural resources.

The Montgomery County Commission, as well as leaders from all municipalities within the county must evaluate the alternatives for solid waste collection, disposal and recycling and determine the best course of action to take over the next ten-year period. Several key factors must be used as guidelines for the leaders to use in making their determinations.

In evaluating alternatives for new or expanded facilities, including a county operated landfill and a recycling center, the commission must determine if the needs set forth in the Solid Waste Management Plan have been addressed. New or expanded facilities must be sized according to current and projected waste volumes to ensure they will economically meet the county's needs over the ten-year period. In analyzing alternates for collection of waste, the county must evaluate the existing conditions including cost per customer and level of service in order to determine if changes should be made. Any proposed changes to the existing system must be consistent with the plan adopted by the county and municipalities.

In locating potential sites for solid waste facilities within the county, the commission must evaluate all existing and planned development and infrastructure. The commission should work closely with other agencies including any industrial development boards and regional planning agencies to determine if other development has been planned in or around potential sites. Potential sites must also be evaluated for their proximity to existing industries that generate large volumes of waste.

Prior to determining the location of new sites, the commission must reevaluate these figures as well as determine any areas that are proposed for the development of industries. The commission should also consider the location of existing and proposed major transportation routes in locating the sites. Coordination should be made with local, state and federal transportation authorities to determine any potential conflicts and proposed routes.

Prior to constructing new facilities including a landfill, transfer station or recycling center, the commission must evaluate the potential impacts on the surrounding public health, public safety and the environment. The county must work closely with ADEM and EPA to determine the guidelines for construction and operating such facilities. Costs for providing for these services should be included in the overall budgeting of new facilities to ensure sufficient funding is in place. Once a potential site is located, environmental impact studies should be performed to determine the possible impacts the facility will have. As a part of these studies, social and economic impacts of the proposed facility should also be evaluated. The proposed location should be found to have minimal impacts on the surrounding property values and social perception.

State and Federal Regulations regarding the siting, design, construction and operation of solid waste processing and disposal facilities are in place to protect air, water and natural resources. These Regulations which safeguard against health, safety and environmental concerns involve:

- Buffer zones
- Minimum separation from groundwater
- Storm water run-on/run-off
- Liners, if applicable
- Leachate collection systems, if applicable
- Gas monitoring systems, if applicable

- Daily cover of solid waste

Planning and Zoning is the principal means for the county to guide its future growth and achieve a logical pattern of land use and development for the county. Some of the generally accepted specific objectives of Planning and Zoning are:

- To conserve the taxable value of land and buildings. To prevent overcrowding of land and buildings.
- To control pollution, noise, dust, smoke, vibration, odor, flashes of light or danger of explosion.
- To lessen or avoid congestion in the public streets.
- To promote the public health, safety, comfort, morals, and general welfare of the public and the community.

The Planning and Zoning Department or Commission typically ensures that all new development meets specific guidelines and requirements related to the adequacy of roads, parking, traffic flow, setbacks, drainage, utilities, etc. Any proposed solid waste transfer stations, disposal facilities or processing facilities shall also be located in areas that are appropriately zoned for each type of facility.

The entire nation has been significantly affected by an economic downturn over the past several years. While slight economic growth is starting to occur, it is not expected to increase to the extent that it would significantly impact solid waste management systems and remaining disposal capacities in the area during the life of this SWMP.

A solid waste facility or recycling facility will require certain public services as a minimum. Water service is vital for fire protection, sanitation, and housekeeping. Water service can be public water system extensions or on-site wells. Sewage treatment facilities close at hand is convenient for leachate and wash down water treatment as well as sanitation treatment. If these are not close by, then liquid wastes will need to be captured and hauled to the facilities or sewer extensions constructed. Alternatively, on site treatment can be considered.

Even considering the information presented above, unforeseen circumstances during the next ten years may lead to the need for additional solid waste disposal or processing facilities in the county due to increased population or commercial development. The county may also wish to consider locating additional solid waste processing or disposal facilities within its jurisdiction due to host government benefits (i.e. fees, taxes, etc.) that would be received from these types of Facilities.

XII. Public Participation

Montgomery County must seek to involve the public in the approval of this Solid Waste Management Plan. A copy of the draft plan was made available at the Commission's office for public review. There was a 30 day review period where public comment regarding the plan was accepted. A public hearing was set for (pending approval of plan) and held in the Montgomery County Administration Building. A copy of the draft plan was also sent to all municipalities within the county for their review and comments. All information received from the municipalities was evaluated by Goodwyn, Mills and Cawood, and incorporated into the final plan. The municipalities will be encouraged to pass a resolution in support of the plan and adhere to the recommendations in any future changes in handling their solid waste.

The public should also be involved in any changes to the existing solid waste management and collection system including collection contracts, siting of landfills, and proposed changes in recycling. One possible way this can be accomplished is by the development of a Citizens Solid Waste Advisory Committee. Although the ultimate decision to make changes to the system would remain with the Montgomery County Commission, the advisory committee would be allowed to make recommendations and aid the county in evaluating alternatives. The committee would be made up of citizens from all municipalities and rural areas within the county. The committee would be responsible for organizing additional public hearings and should be made aware of all proceedings before changes are made.

XIII. RCRA Subtitle D Requirements

Section 22-27-47(b)(5): Address the requirements proposed under Subtitle D of the federal Resource Conservation and Recovery Act, 42 U.S. C. Section 6941 as amended and identify and explain those actions the jurisdiction should take to assure proper management of its wastes under these requirements.

The Resource Conservation and Recovery Act (RCRA), an amendment to the Solid Waste Disposal Act, is the principal federal law in the United States governing the disposal of solid waste and hazardous waste. RCRA was enacted in 1976 to:

- Protect human health and the environment from the potential hazards of waste disposal;
- Conserve energy and natural resources;
- Reduce the amount of waste generated; and
- Ensure that wastes are managed in an environmentally sound manner.

Enacted in 1984, the Subtitle D amendment to RCRA deals with nonhazardous solid waste management and designates the state and local governments as the primary planning, permitting, regulating, implementing, and enforcement agencies for the management and disposal of household and industrial or commercial non-hazardous solid wastes. Minimum nationwide standards have been developed under Subtitle D that includes specific requirements for the proper design and operation of MSW landfills and other solid waste disposal facilities. These requirements include location restrictions, facility design (liner, leachate collection, run-off controls, etc.) and operating criteria, groundwater and landfill gas monitoring requirements, corrective action requirements, financial assurance requirements, and closure and post-closure care requirements. Most states (including Alabama) have adopted these criteria into their state solid waste management programs. In addition to the minimum federal criteria, states may also impose requirements that are more stringent than the federal requirements. This Plan is in compliance with RCRA, 42 U.S.C. § 6941.

The Town of Pike Road municipality offers residential solid waste collection for households in their jurisdiction via Advanced Disposal. In addition, the Montgomery County Commission provides household solid waste collection services in the unincorporated parts of the county through a contract with Advanced Disposal. All municipal solid waste collected is disposed of in an MSW landfill that has been designed in accordance with Subtitle D regulations.

References

Alabama Department of Environmental Management, Alabama Solid Waste Management Plan. August 2015. <http://www.adem.state.al.us/default.cnt>

Alabama Department of Environmental Management, Land Division. September 2015.

"County Unemployment Rates." Labor Market Information. Alabama Department of Labor, 18 Aug. 2015.

Environmental Protection Agency, Municipal Solid Waste Generation in the United States. August, 2015. <http://www.epa.gov/epawaste/nonhaz/municipal/index.htm>

"Montgomery County Profile." Economic Development Partnership of Alabama. Advantage Alabama, 25 Aug. 2015.

University of Alabama Center for Business and Economic Research, 2010 Census for Alabama. August, 2015. <http://cber.cba.ua.edu/data.html>

APPENDIX A

LETTERS OF APPROVAL



October 9, 2015

Mayor Gordon Stone
Town of Pike Road

RE: Solid Waste Management Plan
Montgomery County, Alabama

Mayor Stone:

Goodwyn, Mills, and Cawood, Inc. (GMC) has been retained by the Montgomery County Commission to update the Solid Waste Management Plan (SWMP) for the county as required by the Alabama Department of Environmental Management. The plan must provide for the collection, disposal and recycling of all waste in the municipalities and rural areas within Montgomery County for the next 10 years.

As a part of the plan, the county is required to obtain approval and/or comments from each municipality included in the plan. Attached is the final draft of the SWMP for Montgomery County. Please review the plan and send any comments you may have back to GMC at Cole.roberson@gmcnetwork.com.

If you choose not to participate in the county's plan, you will be required by ADEM to complete your own plan. Please let us know in writing if you would like to opt out of the proposed Montgomery County SWMP.

If GMC does not receive the signed approval letter or an Opt out letter by November 1, 2015, it will be assumed that the Town of Pike Road approves of the SWMP for Montgomery County.

Upon your approval of the SWMP, please sign in the space provided below and return to the email address listed above or to my attention at 2660 EastChase Lane, Montgomery, Alabama 36117.

Please feel free to give me a call if you have any questions at (334) 271-3200.

Respectfully,

Justin Barrett, P.E., CFM

Mayor Stone

GOODWYN MILLS AND CAWOOD, INC.

2660 EastChase Lane, Suite 100

Montgomery, AL 36117

Tel: (334) 271-3200 Fax: (334) 271-3201

www.gmcnetwork.com

APPENDIX B

PUBLIC NOTICE

Public Notice

In compliance with The Alabama Solid Waste Disposal Act, Code of Alabama, 1975, 22-27-47, Montgomery County has developed a Solid Waste Management Plan (SWMP). The Montgomery County Commission gives notice of a public hearing to solicit public comment concerning the SWMP for Montgomery County, Alabama. The plan covers waste collection, recycling, illegal dump abatement, and landfill management, among other solid waste management issues. This public hearing shall be held December 7, 2015 at 9:30 a.m., in the Commissioners Chamber of the Montgomery County Administration Building and Courthouse Annex III, 101 South Lawrence Street, Montgomery, Alabama 36104.

In addition to the public hearing, the Montgomery County Commission will also receive public comments during the period commencing on November 4, 2015, through and including December 5, 2015. Public comments may be submitted, via email to DonaldMims@mc-ala.org. Complete copies of the proposed plan are available in the administrator's office of the Montgomery County Commission and are available for inspection from 8:00 am to 5:00 pm, Monday through Friday of each week.

APPENDIX C

PROOF OF PUBLICATION

TO:
MONTGOMERY COUNTY COMMISSION
P.O. BOX 1667
MONTGOMERY, AL 36102

Daily-Montgomery, Montgomery County, AL

E-Verify#: DHS72179

PROOF OF PUBLICATION

State of Alabama

County of Montgomery:

Before the undersigned authority personally appeared Shalawn Williams who on oath, says that she is a personal representative of the *Montgomery Advertiser*, a daily newspaper published in Montgomery, Alabama; that the attached copy of advertisement, being a Legal in the matter of:

Ad Number: 1099917 PUBLICNOTICEINCOMPLI

Was published in said newspaper in the issue(s) of:

11/4/2015

Affiant further says that the said *Montgomery Advertiser* is a newspaper published in said Montgomery County, Alabama, and that the said newspaper has heretofore been published in said Montgomery County, Alabama, and has been entered as second class matter at the Post Office in said Montgomery County, Alabama, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Now due on said account is \$ 115.20

Sworn to and subscribed before me this 4th day of November 2015
by Shalawn Williams who is personally known to me.

Shalawn Williams Affiant

Renee Duhon Notary Public

MY COMMISSION EXPIRES 07/01/2019

PUBLIC NOTICE

Regions Bank dba Regions Mortgage by virtue of that certain Assignment of Mortgage dated March 12, 2014 and recorded in said Probate Office in Real Property Book 4550, at Page 508. The undersigned, Regions Bank dba Regions Mortgage, as Assignee of said Mortgage will, under and by virtue of the power of sale contained in said Mortgage, sell at auction to the highest bidder for cash before the main entrance of the Montgomery County Courthouse in the City of Montgomery, Alabama, during the legal hours of sale on November 24, 2015 the real property described in said Mortgage, which said description is hereby referred to and made a part hereof, said property being situated in Montgomery County, Alabama, to-wit:

lot 35, Block 20, according to the Map of Woodley Park Plat No. 13, as said Map appears of record in the Office of the Judge of Probate of Montgomery County, Alabama, in Plat Book 21 at Page 120.

This sale is made for the purpose of realizing the mortgage debt, together with all expenses of the sale, including a reasonable attorney's fee.

REGIONS BANK DBA
REGIONS MORTGAGE
ASSIGNEE

SASSER, SEFTON, &
BROWN, P.C.
Bowdy J. Brown, Esq.
445 Dexter Avenue,
Suite 8050
Montgomery, Alabama
36104
Our File No.: 49820.299
ATTORNEYS FOR
ASSIGNEE

Mont. Adv. 10/21, 10/28,
11/4/2015

1097246

NOTICE OF MORTGAGE FORECLOSURE SALE

Default having been made in the payment of that certain Note and in the terms of that certain Mortgage executed by David Gadsden and Savannah Goodwyn to Fastening Solutions, Inc., an Alabama corporation, dated the 29th day of October, 2014, which Mortgage was recorded in the Office of the Judge of Probate of Montgomery County, Alabama, in Real Property Book 04637, at Page 0526 ("Mortgage"). The undersigned Mortgagee, Fastening Solutions, Inc. an Alabama cor-

PUBLIC NOTICE

ription is hereby referred to and made a part hereof, said property being situated in Montgomery County, Alabama, to-wit:

Lots 28, 29, 30 & 31, Block 16, all according to the Plat of Greater Washington Park, as same is recorded in the Office of the Judge of Probate of Montgomery County, Alabama, in Plat Book 5, at Page 48.

This sale is made for the purpose of realizing the mortgage debt, together with all expenses of the sale, including a reasonable attorney's fee.

FASTENING SOLUTIONS,
INC., AN ALABAMA
CORPORATION
MORTGAGEE

RUSHTON, STAKELY,
JOHNSTON &
GARRETT, P.A.
J. Ladd Davis, Esq.
184 Commerce Street
Montgomery, Alabama
36104
Our File No.: 6075-3A
ATTORNEYS FOR
MORTGAGEE

Mont. Adv. 10/28, 11/4,
11/11/2015

1099861

NOTICE OF MORTGAGE FORECLOSURE SALE

Default having been made in the payment of the indebtedness secured by that certain Mortgage executed by Angelisa R. Jackson a/k/a Angelisa Jackson, a married person and Leonardo D. Russell, her husband, to Mortgage Electronic Registration Systems, Inc. ("MERS"), (solely as nominee for Lender, Wells Fargo Bank, N.A., and Lender's successors and assigns), dated the 17th day of February, 2011, which Mortgage was recorded in the Office of the Judge of Probate of Montgomery County, Alabama, in Real Property Book 4124, at Page 552; said Mortgage having been transferred and assigned by Mortgage Electronic Registration Systems, Inc. (solely as nominee for Lender, Wells Fargo Bank, N.A., and Lender's successors and assigns) to Alabama Housing Finance Authority by virtue of that certain Assignment of Mortgage dated February 8, 2012 and recorded in said Probate Office in Real Property Book 4244, at Page 112. The undersigned, Alabama Housing Finance Authority, as Assignee of said Mortgage will, under

PUBLIC NOTICE

gee/Transferee THE BELOW LAW FIRM MAY BE HELD TO BE ACTING AS A DEBT COLLECTOR, UNDER FEDERAL LAW. IF SO, ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. Rubin Lublin, LLC, Attorney for Mortgagee/Transferee 100 Concourse Parkway, Suite 125, Birmingham, AL 35244 Telephone Number: (877) 813-0992 Case No. NAT-15-03103-4 Ad Run Dates: 10/28/2015, 11/04/2015, 11/11/2015 www.rublinlublin.com/property-listings.php Ad #88455: 2015-10-28 2015-11-04, 2015-11-11

Mont. Adv. 10/28, 11/4,
11/11/2015

1099638

PUBLIC NOTICE

In compliance with The Alabama Solid Waste Disposal Act, Code of Alabama, 1975, 22-27-47, Montgomery County has developed a Solid Waste Management Plan (SWMP). The Montgomery County Commission gives notice of a public hearing to solicit public comment concerning the SWMP for Montgomery County, Alabama. The plan covers waste collection, recycling, illegal dump abatement, and landfill management, among other solid waste management issues. This public hearing shall be held December 7, 2015 at 9:30 a.m., in the Commissioners Chamber of the Montgomery County Administration Building and Courthouse Annex III, 101 South Lawrence Street, Montgomery, Alabama 36104.

In addition to the public hearing, the Montgomery County Commission will also receive public comments during the period commencing on November 4, 2015, through and including December 5, 2015. Public comments may be submitted, via email to Donald Mills@mca-al.org. Complete copies of the proposed plan are available in the administrator's office of the Montgomery County Commission and are available for inspection from 8:00 am to 5:00 pm, Monday through Friday of each week.

Mont. Adv. 11/4/2015

1099917

SPECIAL NOTICE BOARD OF ADJUSTMENT PUBLIC HEARING

At the regularly scheduled meeting of the Board of Adjustment of the City of Montgomery

PUBLIC NOTICE

(Code) Zoning District.

BD-2015-068
PICKETT STREET

Request a special exception to keep a duck at 58 Pickett Street in an R-65-d (Duplex Residential) Zoning District.

BD-2015-065
LAGOON PARK DRIVE

Requesting a height variance and parking variance to the Gunter Industrial Park Guidelines for (2) two new buildings to be located at 2720 Lagoon Park Drive in an INST (Institutional) Zoning District.

BD-1988-055
TROY HIGHWAY

Request a special exception for church use in a building located at 4040 Troy Highway in a B-3 (Commercial) Zoning District.

BD-2015-066
WOODLEY ROAD

Request a special exception to operate a bed and breakfast in a dwelling located at 4955 Woodley Road in an AGR-1 (Residential Agriculture) Zoning District.

BD-1986-256
WOODWARD AVENUE

Request a street side yard variance and a special exception for accessory structures without a main dwelling to be located at 1125 Woodward Avenue in an R-65-s (Single-Family Residential) Zoning District.

BD-1987-029
CARMICHAEL ROAD

Request a height variance for an ID sign located at 5175 Carmichael Road in a B-3 (Commercial) Zoning District.

All property owners interested in the above items are urged to attend this public hearing and to express themselves concerning the same. For additional information regarding these items call (334)625-2722, Planning Controls Division, City of Montgomery.

BOARD OF ADJUSTMENT
Executive Secretary

Mont. Adv. 11/4,
11/8/2015

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APPENDIX D

PUBLIC HEARING SIGN-IN SHEET

APPENDIX E

MONTGOMERY COUNTY RESOLUTION

APPENDIX F

City of Montgomery Opt-out Letter

**RESOLUTION PROVIDING FOR MONTGOMERY COUNTY'S
PARTICIPATION IN THE "SALES TAX HOLIDAY"
IN FEBRUARY 2016, AS AUTHORIZED
BY ACT NO. 2012-256**

WHEREAS, during its 2012 Regular Session, the Alabama Legislature enacted Act No. 2012-256, approved April 26, 2012, which provides an exemption of the state sales and use tax for certain purchases related to severe weather preparedness during the first full weekend in July 2012 and the last full weekend of February in subsequent years; and

WHEREAS, as required by Code of Alabama 1975, § 11-51-210(e), a participating county or municipality shall submit a certified copy of their adopted resolution or ordinance providing for the severe weather preparedness sales tax holiday, and any subsequent amendments thereof, to the Alabama Department of Revenue at least 14 days prior to the first full weekend of July in 2012 and at least 30 days prior to the last full weekend of February in subsequent years; and

WHEREAS, the exemption of certain county sales and use taxes for the last full weekend of February 2016 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. 2012-256 beginning at 12:01 a.m. on Friday, February 26, 2016 and ending at twelve midnight on Sunday, February 28, 2016.

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of the December 7, 2015 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 7th day of December, 2015.

I hereby certify that the above
Resolution was adopted by the
Montgomery County Commission
on this, the 7th day of December, 2015.

Elton N. Dean, Sr.
Chairman



JULIE P. MAGEE
Commissioner

State of Alabama Department of Revenue

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

September 14, 2015

MICHAEL E. MASON
Assistant Commissioner

JOE W. GARRETT, JR.
Deputy Commissioner

CURTIS E. STEWART
Deputy Commissioner

IMPORTANT

RESPONSE REQUIRED

IMPORTANT

2016 Severe Weather Preparedness Tax Holiday February 26-28, 2016

Deadline to notify ADOR: January 26, 2016

The 2016 Severe Weather Preparedness Tax Holiday begins at 12:01 a.m. on Friday, February 26, 2016, and ends at twelve midnight on Sunday, February 28, 2016. As required by the Sales Tax Holiday for Severe Weather Preparedness Rule, a participating county or municipality shall submit a certified copy of their adopted resolution or ordinance providing for the Severe Weather Preparedness Sales Tax Holiday, and any subsequent amendments thereof, to the Alabama Department of Revenue before January 26, 2016. The Department will compile this information into a list of all counties and municipalities participating in the Severe Weather Preparedness Tax Holiday and issue a current publication of the list on its website at: **www.revenue.alabama.gov/salestax/ WPSalesTaxHol.htm**

Notification of participation in the sales tax holiday may not be included in the published list if received after Jan. 26, 2016.

**Your taxpayers want to know if your locality will participate
in the 2016 Weather Preparedness Tax Holiday.**

ACTION REQUIRED:

Please put it on your calendar to discuss and vote on this matter soon and notify the ADOR of the decision before January 26, 2016.

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

Not Participating? - It is important that you inform us via email, fax, or letter of that fact.

Taxpayers 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 copies of resolution/ordinance from the locality is required.

Notification can be faxed, mailed or emailed:

FAX: 334-353-7666

MAIL: ALABAMA DEPARTMENT OF REVENUE
Attention: Wanda Robbins, Room 4311
Sales & Use Tax Division
Post Office Box 327900
Montgomery, Alabama 36132-7900

EMAIL: wanda.robbs@revenue.alabama.gov

QUESTIONS: 334-353-8044

"An Affirmative Action / Equal Opportunity Employer"



2016 SEVERE WEATHER PREPAREDNESS SALES TAX HOLIDAY

Alabama will hold its fifth annual Severe Weather Preparedness Sales Tax Holiday, beginning Friday, February 26, 2016 at 12:01 a.m. and ending Sunday, February 28, 2016 at 12 midnight, giving shoppers the opportunity to purchase certain severe weather preparedness items free of state sales tax. Local sales tax may apply.

For more information, contact us 8:00 a.m. – 5:00 p.m., CST
Monday through Friday
334-242-1490 or 866-576-6531

COVERED ITEMS - \$60 or Less, per ITEM		
EXEMPT:		
• AAA-cell batteries • AA-cell batteries • C-cell batteries • D-cell batteries • 6-volt batteries • 9-volt batteries • Cellular phone battery • Cellular phone charger • Portable self-powered or battery-powered radio, two-way radio, weatherband radio or NOAA weather radio • Portable self-powered light source, including battery-powered flashlights, lanterns, or emergency glow sticks	• Tarpaulin • Plastic sheeting • Plastic drop cloths • Other flexible, waterproof sheeting • Ground anchor system, such as bungee cords or rope, or tie-down kit • Duct tape • Plywood, window film or other materials specifically designed to protect window coverings • Non-electric food storage cooler or water storage container • Non-electric can opener	• Artificial ice • Blue ice • Ice packs • Reusable ice • Self-contained first aid kit • Fire extinguisher • Smoke detector • Carbon monoxide detector • Gas or Diesel fuel tank or container
TAXABLE:		
• Coin batteries • Automobile and boat batteries		

A single purchase with a sales price of \$1000 or Less
EXEMPT:
Any portable generator and power cords – used to provide light or communications or preserve food in the event of a power outage.

Montgomery County Parks and Recreation Board

Members:

Term Expires:

Andre' Howard
143 Wilkinson Street
Montgomery, AL 36104
Cell: (334) 462-2696
Work: (334) 265-1504
howardsphd@att.net

12/4/2016

Mark Salter
3909 Oak Street
Montgomery, AL 36104
Home: 262-4173
Work: 262-7727

12/4/2019

James B. Phillips
2139 Yarbrough Street
Montgomery, AL 36110
Home: 263-9438
Cell: 850-4667

12/4/2018



Charles Powe
19 Stone Park Trail
Pike Road, AL 36064
Cell: 334220-6579
Home: 260-9232
Email: cbigjr8590@charter.net

12/4/2015

Lynn Gowan
440 Town Lake Place
Montgomery, AL 36117
Cell: 391-4661

12/4/2017

Term: 5 years

Southeast Alabama Emergency
Medical Services Council, Inc.

Members:**Term Expires:**

Asst. Fire Chief Stanley Cooper
Medic Division
Montgomery Fire Department
P.O. Box 1111
Montgomery, AL 36101-1111
slcooper@montgomeryal.gov
Work: (334) 625-2960

11/3/2015

Annitta Love
134 Cantabury Lane
Millbrook, AL 36054
Work: (334) 420-4483
Cell: (334) 467-4857

11/3/2015

Mike Green
47 Honeysuckle Lane
Cecil, AL 36013
Home: (334) 277-2153
Cell: (334) 309-5026

11/3/2015

Patti Brown
Haynes Ambulance
2530 East Fifth Street
Montgomery, AL 36107
Work: (334) 241-5259

11/3/2015

John Treat
2845 Zelda Road, Apt. P1
Montgomery, AL 36106
Cell: (334) 318-9924

11/3/2015

Keith Bryan
110 Zolman Road
Ramer, AL 36069
Home: (334) 284-6307
Cell: (334) 303-3840

11/3/2015

Doug Tisdale
1413 Colonial Way
Alabaster, AL 35007
Cell: (334) 850-2636

11/3/2015

Southeast Alabama Emergency
Medical Services Council, Inc.

Kitty Harris
120 West Rosemary Road
Montgomery, AL 36109
(334) 306-0165

11/3/2015

Term: 1 year



Crosby Drinkard Group, LLC
Governmental Relations & Consulting

November 12, 2015

MEMORANDUM

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

FROM: Crosby Drinkard Group

SUBJECT: 2016 Legislative Agenda

Following are proposed, draft bills for consideration of the Commission to be introduced in the 2016 Regular Session of the Alabama Legislature.

These drafts were prepared by the Alabama Legislative Reference Service following conversations with Commissioners and other Montgomery County elected officials.

1. Commissioner's Retirement Bill
2. Sheriff's Retirement Bill
3. Zoning Bill
4. Airport Bill

In the event other proposals for bills are brought to our attention, we will present them to you expeditiously for your consideration.

1 172433-1 : n : 11/03/2015 : FC / tj LRS2015-3150
2
3
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8 SYNOPSIS: This bill would propose an amendment to the
9 Constitution of Alabama of 1901, to allow the
10 members of the Montgomery County Commission to
11 participate in the Employees' Retirement System.
12

13 A BILL
14 TO BE ENTITLED
15 AN ACT
16

17 Proposing an amendment to the Constitution of
18 Alabama of 1901, to allow the members of the Montgomery County
19 Commission to participate in the Employees' Retirement System.
20 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

21 Section 1. The following amendment to the
22 Constitution of Alabama of 1901, is proposed and shall become
23 valid as a part of the Constitution when all requirements of
24 this act are fulfilled:

25 PROPOSED AMENDMENT

26 No elected or appointed Montgomery County
27 Commissioner may assume a supernumerary office after the

1 effective date of this amendment. Each member of the
2 Montgomery County Commission may participate in the Employees'
3 Retirement System of Alabama upon the same terms and
4 conditions as may be specified by law for any other employee
5 in the same retirement system. A Montgomery County
6 Commissioner holding office at the time of the ratification of
7 this amendment shall be eligible to purchase service credit in
8 the Employees' Retirement System for the time the official has
9 served in the current office; provided, however, the official
10 may not assume a supernumerary office.

11 Section 2. An election upon the proposed amendment
12 shall be held in accordance with Amendment 555 to the
13 Constitution of Alabama of 1901, now appearing as Section
14 284.01 of the Official ReCompilation of the Constitution of
15 Alabama of 1901, as amended, and the election laws of this
16 state.

17 Section 3. The appropriate election official shall
18 assign a ballot number for the proposed constitutional
19 amendment on the election ballot and shall set forth the
20 following description of the substance or subject matter of
21 the proposed constitutional amendment:

22 "Relating to Montgomery County, proposing an
23 amendment to the Constitution of Alabama of 1901, to allow the
24 members of the Montgomery County Commission to participate in
25 the Employees' Retirement System.

26 "Proposed by Act _____."

1 This description shall be followed by the following
2 language:
3 "Yes () No ()."

8 SYNOPSIS: This bill would propose an amendment to the
9 Constitution of Alabama of 1901, to allow the
10 Montgomery County Sheriff to participate in the
11 Employees' Retirement System in lieu of
12 participating in a supernumerary program.
13

14 A BILL
15 TO BE ENTITLED
16 AN ACT
17

18 Proposing an amendment to the Constitution of
19 Alabama of 1901, to allow the Montgomery County Sheriff to
20 participate in the Employees' Retirement System in lieu of
21 participating in a supernumerary program.

22 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

23 Section 1. The following amendment to the
24 Constitution of Alabama of 1901, is proposed and shall become
25 valid as a part of the Constitution when all requirements of
26 this act are fulfilled:
27

PROPOSED AMENDMENT

1 No elected or appointed sheriff in Montgomery County
2 may assume a supernumerary office after the effective date of
3 this amendment except as provided herein. Any person who, on
4 the effective date of this amendment, is entitled to
5 participate in a supernumerary program may continue to
6 participate in that supernumerary program, which shall include
7 the assumption of a supernumerary office according to the
8 terms and conditions of the law which established that
9 supernumerary program. The Sheriff of Montgomery County may
10 participate in the Employees' Retirement System of Alabama
11 upon the same terms and conditions as may be specified by law
12 for any other employee in the same retirement system. The
13 sheriff holding office at the time of the ratification of this
14 amendment shall be eligible to purchase service credit in the
15 Employees' Retirement System for the time the official has
16 served in the current office; provided, however, the official
17 shall forego the assumption of a supernumerary office.

18 Section 2. An election upon the proposed amendment
19 shall be held in accordance with Amendment 555 to the
20 Constitution of Alabama of 1901, now appearing as Section
21 284.01 of the Official Recompilation of the Constitution of
22 Alabama of 1901, as amended, and the election laws of this
23 state.

24 Section 3. The appropriate election official shall
25 assign a ballot number for the proposed constitutional
26 amendment on the election ballot and shall set forth the

1 following description of the substance or subject matter of
2 the proposed constitutional amendment:

3 "Relating to Montgomery County, proposing an
4 amendment to the Constitution of Alabama of 1901, to allow the
5 Montgomery County Sheriff to participate in the Employees'
6 Retirement System in lieu of participating in a supernumerary
7 program.

8 "Proposed by Act _____."

9 This description shall be followed by the following
10 language:

11 "Yes () No ()."

9 A BILL
10 TO BE ENTITLED
11 AN ACT
12

13 To create the Montgomery County Planning Commission;
14 to provide for the organization membership, powers, personnel,
15 jurisdiction, and financial and legal status of the planning
16 commission; to authorize the planning commission to adopt a
17 master plan and zoning regulations for the development of the
18 unincorporated area of Montgomery County; to provide for an
19 election in each precinct prior to the application of the
20 authority of the planning commission in the precinct; to
21 authorize the planning commission to zone under certain
22 conditions in the unincorporated areas within Montgomery
23 County and provide a procedure for the amendment of zoning
24 regulations; to prohibit zoning regulations from being
25 retroactive; to provide remedies for the enforcement of the
26 provisions of this act; to provide exceptions to the zoning

1 regulations; and to provide for appeals from the decisions of
2 the planning commission.

3 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

4 Section 1. (a) There is hereby created a Planning
5 Commission for Montgomery County which planning commission
6 shall be appointed as hereinafter provided and shall have
7 responsibilities and duties as are stated herein. The term
8 "planning commission" as used herein shall mean the Montgomery
9 County Planning Commission and the term "county commission" as
10 used herein shall mean the Montgomery County Commission.

11 (b) The jurisdiction of the planning commission
12 shall extend to all unincorporated areas of Montgomery County.

13 Section 2. The planning commission shall be composed
14 of seven members, each of whom shall be a qualified voter in
15 and an actual resident of Montgomery County. The majority of
16 the planning commission members shall be persons from the
17 unincorporated areas of Montgomery County. Each commissioner
18 shall appoint one member to the planning commission, one of
19 which will be a person with expertise in the field of
20 agriculture. An additional member shall be appointed by each
21 of the two commissioners that represent the majority of the
22 unincorporated geographical area, and shall serve at the
23 pleasure of the county commission. Each member shall serve a
24 term of six years or until a successor is duly appointed and
25 qualified. Prior to taking office each member shall subscribe
26 to an oath as provided by law for the public officials and the
27 same shall be recorded in the office of the Judge of Probate

1 of Montgomery County. The original members of the planning
2 commission shall draw lots to determine the period of time
3 each is to serve and the terms of two shall expire two years
4 from the date of the organization of the planning commission;
5 and the terms of two others shall expire four years from the
6 date of the organization of the planning commission; and the
7 terms of three others shall expire six years from the date of
8 the organization of the planning commission. In the event of a
9 vacancy on the planning commission, the vacancy shall be
10 filled as in the same manner as the original appointment. All
11 members shall be reimbursed reasonable and necessary expenses
12 incurred and approved by the county commission.

13 Section 3. The planning commission shall elect a
14 chair and other officers as it may determine necessary. The
15 term of chair shall be for one-year, with eligibility for
16 reelection to additional terms. The planning commission shall
17 normally hold at least one regular meeting each month. It
18 shall adopt bylaws, which shall also be approved by the county
19 commission, for the transaction of business and shall keep a
20 record of its resolutions and transactions of business, all of
21 which shall be a public record.

22 Section 4. The county commission, as it deems
23 necessary, may employ a planning director, as the appointing
24 authority for the planning department, with the authority to
25 hire, promote, demote, and remove employees under the rules
26 and regulations adopted by the county commission in compliance
27 with the policies of the Montgomery City/County Personnel

1 Board. The county commission may also contract with county or
2 city planners, engineers, architects, and other consultants
3 and with any local, state, or federal agency for any services
4 as the planning commission may require. The county commission
5 may cooperate with and accept funds from federal, state, and
6 local public or semi-public agencies, private individuals, or
7 corporations, and may expend the funds and carry out the
8 cooperative undertakings and contracts for necessary planning
9 studies. The expenditures of the planning commission shall be
10 within the budget appropriated for the purpose by the county
11 commission.

12 Section 5. It shall be the function and duty of the
13 planning commission to create and maintain a master plan of
14 unincorporated areas of Montgomery County as and when deemed
15 necessary by the planning commission and to adopt with the
16 approval of the county commission appropriate zoning
17 regulations as provided by Section 10 of this act for the
18 physical development of Montgomery County. The master plan and
19 regulations as provided for in this act, with the accompanying
20 maps, plats, charts, and descriptive material, shall show the
21 planning commission's recommendations for the use and
22 development of the unincorporated areas of Montgomery County.
23 The zoning plan shall also include zoning regulations for
24 selected areas for the control of the height, area, location,
25 and use of buildings and land. As the master plan and
26 preparation of zoning regulations evolves, the planning
27 commission may adopt and publish a part or parts thereof. The

1 planning commission, with approval of the county commission,
2 may extend or add to the plan or regulations as hereinafter
3 provided. Nothing in this act shall be construed to impair the
4 legal right of eminent domain currently prescribed by law.

5 Section 6. In the preparation of the master plan and
6 zoning regulations, the planning commission shall consider
7 surveys and studies of the present conditions existing within
8 Montgomery County.

9 Section 7. The master plan and zoning regulations
10 provided by the planning commission shall not be applicable in
11 any precinct of Montgomery County until the majority of the
12 qualified voters of the precinct voting in a special election
13 have signified by their vote that they desire the authority of
14 the planning commission, its master plan, and the zoning
15 regulations to apply to their precinct. The election must be
16 held not less than 30 or more than 45 days after a petition
17 seeking the election is filed in the office of the judge of
18 probate. The petition shall be signed by at least 25 percent
19 of the qualified voters who reside within the precinct and the
20 unincorporated areas of Montgomery County, as certified by the
21 office of the Judge of Probate of Montgomery County. Notice of
22 the election shall be given by three weeks publication in a
23 newspaper of general circulation in Montgomery County and
24 posting notice in two public places within the precinct. The
25 cost of the election shall be paid from the general fund of
26 Montgomery County. The ballot shall be so worded as to give
27 the voter the opportunity to vote either "Yes" or "No" as to

1 whether the voter wishes the authority of the planning
2 commission, its master plan, and the zoning regulations to
3 apply to the precinct. Only those qualified voters residing in
4 the precinct and in the unincorporated areas of Montgomery
5 County shall be permitted to sign a petition calling for the
6 election and vote in an election. Each petitioner shall verify
7 on the petition and at the voting precinct that he or she
8 resides in the unincorporated area of Montgomery County. If a
9 statement to this fact is not on the petition and the ballot,
10 the petition and the ballot are invalid.

11 Section 8. The planning commission, with the
12 approval of the county commission, shall adopt rules and
13 regulations applicable for the zoning of land, subdivision of
14 land, and plats of subdivisions in the unincorporated areas of
15 Montgomery County and the same shall be recorded in the office
16 of the judge of probate as prescribed by law. The provisions
17 of this section shall apply within the jurisdiction of the
18 planning commission as specified in Section 3 of this act.

19 Section 9. For the purpose of promoting the general
20 health, education, and welfare of the citizens of Montgomery
21 County, the planning commission, with the approval of the
22 county commission, may divide the portion of Montgomery County
23 within its unincorporated area as it deems proper.

24 Section 10. The county commission and its duly
25 appointed planning commission shall have the exclusive zoning
26 authority over all unincorporated areas of Montgomery County.

1 Section 11. Once zoning regulations and master plan
2 have been adopted by the county commission and have become
3 applicable to a precinct as provided by Section 8 herein, the
4 zoning regulations and master plan shall not be changed until
5 the notice has been published for three weeks in a newspaper
6 of general circulation within Montgomery County and posting
7 notice in two public places within the precinct. The notice
8 shall state the date, time, and place of a public hearing
9 concerning any proposed changes. After the hearing has been
10 properly conducted, any proposed changes shall be approved by
11 a vote of the majority of the members present that constitute
12 a legal quorum of the county commission.

13 Section 12. In case any building or structure is
14 erected, constructed, reconstructed, altered, repaired,
15 converted, or maintained, or any subdivision is established,
16 or land used in violation of this enactment or of any
17 regulation made under the authority conferred hereby, the
18 county commission may initiate any appropriate action or
19 proceeding to prevent the unlawful erection, construction,
20 reconstruction, alteration, repair, conversion, maintenance,
21 or subdivision of the land or use of the land to restrain,
22 correct, or abate the violation, and to prevent the occupancy
23 of any building, structure, or subdivision of land, or to
24 prevent any illegal act, conduct, business, or misuse in or
25 upon any premises regulated under the authority conferred by
26 this act.

1 Section 13. The planning commission, with the
2 approval of the county commission, in appropriate cases and
3 subject to appropriate conditions and safeguards, may make
4 special exceptions to the terms of the zoning regulations in
5 order to provide for the general health, education, and
6 welfare of the citizens of Montgomery County. Any appeal from
7 any exceptions to the above described zoning regulations
8 decision made by the planning commission pertaining to the
9 exceptions prescribed herein may be filed in writing setting
10 the basis for the appeal whereupon the county commission shall
11 fix a date for such hearing. The planning commission shall
12 give notice as to the date, time, and place of the hearing.
13 The county commission shall have the following powers: (1) To
14 hear and decide appeals where it is alleged there is error in
15 any order, requirement, decision, or determination made by the
16 planning commission; (2) To hear and decide on requests for
17 special exceptions to the term of provisions of the
18 regulations upon which such planning commission is required to
19 pass; and (3) To authorize upon appeal, in special cases, any
20 variances from the previously adopted regulations and master
21 plan.

22 The hearing shall require a legal quorum of the
23 members of the county commission.

24 Any actions taken must be approved by a majority
25 vote of the members present.

26 Section 14. Any aggrieved party to any final
27 judgment or decision of the planning commission, within 15

1 days, may file in writing by certified mail an appeal to the
2 county commission. The county commission shall then notify the
3 appellant in writing by certified mail as to the date, time,
4 and location of the hearing. The county commission, after
5 reviewing the evidence presented at the hearing, shall take
6 whatever action it deems appropriate. The county commission
7 shall issue in writing within 30 days of the hearing its
8 findings and final decision. Any party dissatisfied with the
9 decision of the county commission shall have the right to
10 appeal its decision within 30 days to the Circuit Court of
11 Montgomery County. In the case of an appeal to the circuit
12 court, the county commission shall cause a transcript of the
13 proceedings of the hearing to be certified to the court.

14 Section 15. The provisions of this act are
15 severable. If any part of this act is declared invalid or
16 unconstitutional, that declaration shall not affect the part
17 which remains.

18 Section 16. This act shall not affect the
19 jurisdiction of the planning commission of the City of
20 Montgomery pursuant to Section 11-52-30, Code of Alabama 1975.
21 All other laws or parts of laws in conflict with this act are
22 repealed. Upon approval by the voters of any precinct for this
23 act to be applicable in the precinct, this act shall supersede
24 any part of Act 350, 1971 Regular Session (Acts 1971, p. 642),
25 in conflict with this act.

1 Section 17. This act shall become effective on the
2 first day of the third month following its passage and
3 approval by the Governor, or its otherwise becoming law.

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9 A BILL
10 TO BE ENTITLED
11 AN ACT
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13 Relating to any Class 3 municipality organized under
14 Act 618, 1973 Regular Session (Acts 1973, p. 879); to further
15 provide for the membership of any airport authority
16 established by the city.

17 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

18 Section 1. Notwithstanding any other provision of
19 law, any airport authority established by any Class 3
20 municipality organized under Act 618, 1973 Regular Session
21 (Acts 1973, p. 879), shall have two additional members
22 appointed by the county commission of the county where the
23 municipality is located. Members appointed pursuant to this
24 section shall serve for terms as currently provided for other
25 members of the authority.

26 Section 2. All laws or parts of laws which conflict
27 with this act are repealed.

1 Section 3. This act shall become effective
2 immediately following its passage and approval by the
3 Governor, or its otherwise becoming law.

November 5, 2015

MEMORANDUM

To: Mr. Donnie Mims, Administrator, Montgomery Co. Commission

From: Regina Walker, Grants Manager, Montgomery Co. Sheriff's Office *RW.*

CC: Derrick Cunningham, Sheriff

Subject: Southeast Region's Community Traffic Safety Program (CTSP) Grant Contract/Award

The Montgomery County Sheriff's Office has been awarded two grants from the Alabama Department of Economic and Community Affairs (ADECA), Community Traffic Safety Program. The grant names and award amounts are listed below:

1. Selective Traffic Enforcement, \$11,500
2. Hotspot Impaired Driving Enforcement, \$9,000

The contract is between the Southeast Regional Highway Safety Office, referred to in the attached document as "SEARHSO" and the Montgomery County Commission, referred to in the attached document as "Agency".

I am requesting that this item be placed on the agenda of the November 16th meeting for approval and signature of the Chair of the County Commission.

Should you have any questions or require additional information, I can be reached at 832-1660 or 313-7216. I thank you in advance for your attention to this matter.

SOUTHEAST ALABAMA REGIONAL HIGHWAY SAFETY OFFICE
ENTERPRISE STATE COMMUNITY COLLEGE

P.O. BOX 1300 • ENTERPRISE, AL 36331 • PHONE # 334-347-2623 (EXT. 2289) • FAX # 334-393-9560



Montgomery County Commission

The following is the 2015-2016 Community Traffic Safety Program contract from the Southeast Alabama Regional Highway Safety Office located at Enterprise State Community College. There are several forms that must be signed and returned to the Southeast Alabama Regional Highway Safety Office before your law enforcement agency will be eligible to receive reimbursement funds for overtime traffic enforcement from October 1, 2015 through September 30, 2016. Below is a list of the required forms contained in this packet that must be filled out and signed by your municipal or county Chief Elected Official.

1. Signature page of contract (page 4 of 4). This page also requires your Chief Elected Official, and Chief Law Enforcement Official's signature, as well as the address that reimbursement checks from ESCC are to be mailed.
2. Immigration Form (Certificate of Compliance with the Beason-Hammon Alabama Taxpayer and Citizen Protection Act, signed and completed, or a copy of E verify).
3. Written Overtime Policy form. This form must be completed and signed by the Mayor or County Commission Chairperson before overtime funds will be approved. This form should be completed according to the policy and procedures adopted by your governing body.

Please note, as stated in this contract, that your law enforcement agency will be required to keep records of ALL documentation that is submitted to the Southeast Alabama Regional Highway Safety Office on file for audit purposes. ALL law enforcement agencies participating in this program are subject to an audit by ADECA.

Greg Adams, Regional Director
Southeast Alabama Regional Highway Safety Office

**SOUTHEAST ALABAMA REGIONAL HIGHWAY SAFETY OFFICE
ENTERPRISE STATE COMMUNITY COLLEGE**

600 PLAZA DR. • P.O. BOX 1300 • ENTERPRISE, AL 36331 • PHONE # 334-347-2623 (EXT. 2289) • FAX # 334-393-9560

Community Traffic Safety Program (CTSP)

Agreement for CTSP Grant Participation

Fiscal Period: October 01, 2015 – September 30, 2016

(NOT the same as a grant's authorized spending period during this Contract Period)

This agreement is entered into by Southeast Alabama Regional Highway Safety Office, located at Enterprise State Community College, hereinafter referred to as "SEARHSO", and the governing entity of the law enforcement department of the following:

Montgomery County Commission, hereinafter referred to as "AGENCY", for official participation in the Southeast Region's Community Traffic Safety Program (CTSP) grant(s), and for 100% funded salary, plus allowable FICA fringe, for overtime traffic safety enforcement (and other time as approved by ADECA and/or SEARHSO), and for traffic enforcement/traffic safety equipment, dependent upon approval of applicable grant(s). The term of this contract will be from **October 01, 2015 through September 30, 2016; however, this contract period will not be the same as any grant's authorized spending period during the fiscal year.** Expenditure of CTSP grant funds will only be allowable under this agreement for the AGENCY's grant activity performed within the state-designated Southeast Region's Counties of: Autauga, Barbour, Bullock, Butler, Coffee, Covington, Crenshaw, Dale, Geneva, Henry, Houston, Lowndes, Montgomery, Pike, and Russell.

The United States Federal Government has set forth that NO entity may supplant funds or use Federal grant funds for budget relief of state, regional, county, city, local, or any other non-federal funds. Federal grant funds are intended for the purpose of providing monies for overtime traffic enforcement/traffic safety activities conducted outside of the AGENCY's budgeted initiatives. According to the State of Alabama ADECA/LETS Subgrantee Administrative Manual, "Supplanting" is defined as, "to deliberately reduce State or local funds because of the existence of Federal funds."

Upon approval of grant(s), funding will be made available to the AGENCY through the CORE reporting system by SEARHSO as authorized by the Alabama Department of Economic and Community Affairs (ADECA). **This Agreement for CTSP Grant Participation is not a notice of grant approval, but is required for the AGENCY's receipt of CTSP grant funds and equipment once or if such become available.**

NO AGENCY will be approved to receive overtime enforcement funding without having entered into this contract with the Southeast Alabama Regional Highway Safety Office located at Enterprise State Community College. NO AGENCY will be approved to receive overtime enforcement funding without having an approved overtime policy adopted by its GOVERNING ENTITY. If an agency does not have an approved overtime policy, its GOVERNING ENTITY may agree to adopt the one attached to this contract, which meets the minimum requirements set forth to participate in this program. Once a grant is approved by ADECA, applicable funding allocations under such grant will then be awarded by SEARHSO, to AGENCY's that meet all funding requirements, and have submitted all required documentation. If an AGENCY is awarded traffic overtime funds, the fund dates and amount will be recorded on the CORE reporting system. The AGENCY will be notified of the grant award by SEARHSO. Such notification will include information such as the grant's name and number, amount of funding allocated to the AGENCY (set forth through a purchase order by ESCC), the spending period during which the grant funds must be spent, the final deadline required for submitting the reimbursement claim, and other guidelines and/or requirements such as hotspot locations, as applicable.

Each different grant will likely have a different authorized spending period (start and end dates). The AGENCY is responsible for ensuring that funds under CTSP grant(s) are only expended during the applicable

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**Southeast Alabama Regional Highway Safety Office Community Traffic Safety Program at ESCC
Agreement for CTSP Grant Participation, Fiscal Period: October 01, 2015 – September 30, 2016
Page 2 of 4**

grant spending period, which **will not** have the same date range as this fiscal Agreement. The AGENCY may only use allotted funds under an approved grant for overtime traffic enforcement within the spending period specified in the grant approval notification to the AGENCY.

After the initial notification of funding allocation is made to the AGENCY, any adjustments in the funding level, time period, and/or scope of this agreement and/or the grant(s); will only be accomplished through the CORE reporting system website by the SEARHSO.

During the applicable grant period(s), AGENCY grant expenditures will be evaluated by SEARHSO to determine if the AGENCY would likely utilize allocated funds before the end of a grant's authorized work period. Any funds determined to be surplus may be transferred to other agencies that can utilize the funds by SEARHSO through the CORE reporting system website. The AGENCY should inform SEARHSO as soon as possible, if any grant funds will likely not be expended, for voluntary release of such funds. The sooner the notification, the sooner SEARHSO may transfer such funds elsewhere to be spent. SEARHSO and/or ADECA have the authority to rescind the AGENCY's grant funding at any time, even without voluntary release of such funds by the AGENCY, due to non-compliance, non-expenditure, lack of submitted reimbursement claims, or for any other reason deemed necessary by SEARHSO and/or ADECA.

Each agency will be responsible for keeping on file ALL paperwork pertaining to each grant that a reimbursement claim is filed. ADECA reserves the right to audit any agency at any time to assure that all documents that have been submitted are correct. Documents that should be kept on file by the agency are as follows; (1.) contract with SEARHSO, (2.) CORE Project Reimbursement Form, (3.) CORE Roll-Up form, (4.) CORE signed contact report(s) for each person claiming reimbursement hours on the grant, (5.) copy of every citation and warning citation claimed on the grant, (6.) time sheets or time cards identifying regular hours worked and overtime hours worked on traffic grant, (7.) City or County overtime policy. Basically, any agency claiming reimbursement for overtime hours worked, should have documentation on file to account for hours worked and traffic statistics claimed. The above mentioned paperwork should be kept on file by each agency for no less than 3 years from the date of the claim. Each agency will be notified if a file audit is requested. Any agency that unable to produce ALL forms required to verify the claims that have been submitted to the SEARHSO, may be required to refund ALL funds that were reimbursed on the grant in question.

The AGENCY agrees to utilize the CORE reporting system for ALL funding awards made by SEARHSO. Submission of reimbursement forms, other than those forms required by SEARHSO for the contract period, will result in return of an AGENCY's reimbursement claim for completion on the proper forms; and therefore, delay reimbursement to the AGENCY. Each different grant requires separate reimbursement forms and reports to be submitted to SEARHSO. Combining information from different grants into a claim will result in return of an AGENCY's reimbursement claim for correction; and therefore, delay reimbursement to the AGENCY.

Each AGENCY which receives grant funding from SEARHSO agrees to submit a **In-Kind Match Form** to SEARHSO for the contract period. The CTSP must meet the required "In-kind" (Soft) Match as set forth by ADECA, for applicable federal grant(s). To ensure continued funding, each contracted law enforcement department, which receives federal grant funds from SEARHSO, is asked to contribute in some way towards this in-kind/soft match requirement. Submission of Match Reporting form, other than the form required by SEARHSO for the contract period, will result in return of the form until the proper form is used and returned.

Reimbursement claims (CORE forms or an email if no activity) are required to be submitted to SEARHSO once per month, preferably by the 10th of the month, whether grant activity occurred during the previous month or not, to allow SEARHSO to have an accurate account of activity in the region.

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**Southeast Alabama Regional Highway Safety Office Community Traffic Safety Program at ESCC
Agreement for CTSP Grant Participation, Fiscal Period: October 01, 2015 – September 30, 2016
Page 3 of 4**

Suspension of funds, until all documentation is properly completed by the AGENCY and received by SEARHSO, may occur for those departments not in compliance with program requirements.

The FINAL deadline for receipt of FINAL reimbursement claims/requests from the AGENCY will be September 12, 2016 (received by SEARHSO - IN the CTSP office). Any claims received by SEARHSO after this date will NOT be reimbursed. It is the AGENCY's responsibility to ensure that all of their reimbursement claims are submitted to SEARHSO in a timely manner, so as to meet these monthly timelines and final deadline. Though the contract period of this agreement extends to September 30th (for CTSP participation purposes), the AGENCY must comply with each grant's designated work period and final reimbursement claims deadline. **No reimbursement will be made for work performed outside of each grant's regionally authorized work period.**

The AGENCY may use up to 10% of its allotted funds under a traffic enforcement grant for direct grant-related administrative purposes, as allowable by ADECA and/or SEARHSO. Allowable administrative purposes (may vary between grants) include costs for time spent preparing CTSP reimbursement forms, processing CTSP paperwork and requests, preparing Match reporting forms, attending CTSP meetings, and delivering to and/or picking up from the CTSP office various information and/or items. Other administrative purposes not enumerated herein, as well as any education conducted, must be requested and/or reported to SEARHSO and receive approval for reimbursement. Administrative costs must be in direct relation to the grant project(s) and must be in direct support of the CTSP.

Any commitments for **equipment** granted to the AGENCY shall be limited to the availability of grant funds, through approval of an applicable grant for purchase of such equipment. If CTSP equipment is granted to the AGENCY, applicable grant documents will be signed by SEARHSO and the AGENCY to transfer custody of such equipment to the AGENCY. Once equipment is received by the AGENCY, any maintenance, repair and/or replacement parts become the sole responsibility of the AGENCY. The AGENCY must maintain current records of maintenance, calibration, repair, certification and training, as applicable. The AGENCY agrees to hold SEARHSO harmless from any liability for any damages arising from any acts or omissions which may occur in connection with the AGENCY's use or non-use of such equipment.

The Chief Law Enforcement Official will serve as the AGENCY Representative unless he or she delegates the responsibility. The Chief Law Enforcement Official may appoint a department representative to be the AGENCY Representative if he or she chooses. The AGENCY Representative will also serve as the primary contact person for communications and correspondence between the AGENCY and SEARHSO. If the AGENCY Representative is designated as someone other than the Chief Law Enforcement Official, this person must be identified within this Agreement (or by notification of change if after this Agreement has been signed).

The AGENCY is solely and exclusively responsible for all expenditure documentation submitted to SEARHSO and shall ensure the accuracy of all such documentation and reports submitted, including but not limited to, hours reported, computation of salary/fringe benefits and reimbursement, and pay rates. The AGENCY shall hold harmless and indemnify SEARHSO from and against any loss, claim for reimbursement, or any claim whatsoever in any way, relating to any error or omission in the reimbursements claimed, documentation and reports submitted, and/or grant funds distributed in reliance thereon.

The AGENCY, in performance of its operations and obligations, shall not be deemed to be an agent of SEARHSO, but shall be an independent contractor in every respect. The AGENCY is solely responsible for the acts and omissions of its employees and agents. SEARHSO assumes no responsibility for the manner in which or means by which the AGENCY performs its activities pursuant to this agreement. SEARHSO enters into this

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**Southeast Alabama Regional Highway Safety Office Community Traffic Safety Program at ESCC
Agreement for CTSP Grant Participation, Fiscal Period: October 01, 2015 – September 30, 2016
Page 4 of 4**

agreement for the sole purpose of distributing grant funds and/or equipment made available by ADECA. The AGENCY agrees to hold SEARHSO harmless from any liability for any damages arising from any acts or omissions occurring in connection with the AGENCY's performance under this contract.

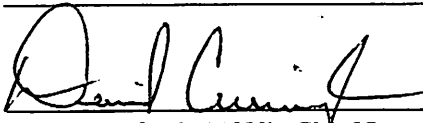
The AGENCY agrees to comply with all other requirements as set forth by ADECA and/or SEARHSO, which are needed to carry out the scope and intent of this project, in accordance with applicable agreement(s) into which are entered between SEARHSO and ADECA. Reimbursement of funds may be suspended until all applicable CTSP grant and agreement requirements are met.

Subject to the terms of the grant, SEARHSO agrees to reimburse the AGENCY, subject to availability of grant funds, for actual overtime traffic enforcement worked under a CTSP grant project, provided the activity is documented in accordance program requirements, as set forth by SEARHSO, with final approval by ADECA, and in accordance with funding guidelines. All commitments for reimbursement shall be limited to the availability of grant funds.

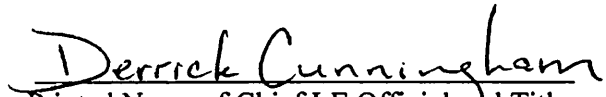
Signatures required:

Signature of AGENCY's Authorizing Official
(Mayor/Comm. Chair authorized to enter Agreement)

Printed Name of Authorizing Official and Title
(Mayor/Comm. Chair)



Signature of AGENCY's Chief Law Enforcement Official
(Chief of Police or Sheriff)

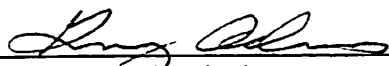


Printed Name of Chief LE Official and Title
(Chief/Sheriff)

Signature of AGENCY Representative for CTSP
(If applicable, as designated by Chief LE Official)

Printed Name of Representative for CTSP and Title

To what Address should ESCC's Checks be Mailed?
(Any changes to such address must be submitted in writing to SEARHSO)


Signature of Regional Director
Southeast Alabama Regional Highway Safety Office

Greg Adams
Printed Name of Regional Director

State of _____

Subgrant _____

County of _____

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

DATE: _____

RE: Contract/Grant/Incentive (describe by number or subject):

_____ by and between
_____ (Contractor/Grantee) and
_____ (State Agency, Department or Public Entity)

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

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

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

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

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

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

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

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

Certified this _____ day of _____ 20____.

Name of Contractor/Grantee/Recipient

By: _____

Its: _____

The above Certification was signed in my presence by the person whose name appears above, on this _____ day of _____ 20____.

WITNESS: _____

Printed Name of Witness

WRITTEN OVERTIME POLICY

Agency Name

SEARHSO acknowledges that the following is the minimum allowable documentation of the Overtime Policy of the GOVERNING ENTITY and may not be the total policy of the GOVERNING ENTITY. However, this signed portion of the Policy shall fulfill all requirements of SEARHSO for a WRITTEN OVERTIME POLICY and will be relied upon for Agreement and audit purposes.

TIME SHEETS:

All hourly employees are required to record their hours worked on a time sheet.

PAY PERIOD:

The normal pay period shall begin at _____ (am / pm) on _____

and end at _____ (am / pm) on the (following / 2nd following) _____.

HOURS OF WORK:

A normal shift consists of _____ continuous hours with _____ hour for lunch. The lunch hour shall be taken on (paid / unpaid) time.

OVERTIME PAY BEGINS:

- A. Overtime pay shall begin after _____ hours of continuous work for a given day.
- B. Overtime pay shall begin after _____ hours of work for a given PAY PERIOD.
- C. Overtime pay shall begin after _____ hours of work for a given (2) week period, if paid by-weekly.

PAID HOURS NOT WORKED:

Paid hours not worked shall consist of time off for vacation days, holidays, allowable sick days, allowable personal days, bereavement days or other days as designated by the GOVERNING ENTITY. Said paid hours (**shall / shall not**) count as hours worked for purposes of "OVERTIME PAY BEGINS" above.

OVERTIME PAY RATE:

Overtime pay rate shall be at the rate of _____ times the regular hourly rate of the employee or _____ times the regular hourly rate for Holidays worked as designated by the GOVERNING ENTITY.

If overtime status has not been reached for the pay period being submitted, the GOVERNING ENTITY (**allows / does not allow**) REGULAR TIME to be paid for overtime hours worked during this pay period.

In the event that this policy is needed to apply to personnel that are paid on a Salary basis rather than an Hourly basis, the following shall apply:

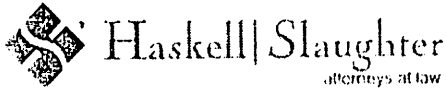
Payment for overtime hours worked on Traffic Safety Grants by Salaried Employees of the GOVERNING ENTITY shall be considered an exception to the normal Payroll Policies of the GOVERNING ENTITY and shall apply ONLY to overtime hours that are reimbursed by SEARHSO for Traffic Safety Projects.

To determine the "hourly rate" for Salaried Employees, their annual salary shall be divided by 2080 for such determination. The "hourly rate" thus determined shall then be used on Form 1 for that Employee. If a Salaried Employee must work more than 40 hours per week before being eligible for overtime, then their annual salary shall first be divided by the number of Pay Periods per year and then the result shall be divided by the expected number of hours per period before overtime begins to determine the "hourly rate". The GOVERNING ENTITY (**allows / does not allow**) salaried employees to receive overtime for traffic grant purposes.

It is the understanding of the below signed Chief Elected Official that this signed Policy shall fulfill all requirements of SEARHSO for a WRITTEN OVERTIME POLICY and will be relied upon for Agreement and audit purposes in so far as it concerns payment of overtime funds as provided by the Traffic Safety grants covered by the Agreement for Overtime Funds even though it may or may not be the entire Overtime Policy of the GOVERNING ENTITY.

County Comm. Chair / Mayor _____ **Date** _____

Revision Date: 4/01/13



Haskell Slaughter & Gallion, LLC

8 Commerce Street

Suite 1200

Montgomery, Alabama 36104

t. 334.265.8573 | f. 334.264.7945

MEMORANDUM

ATTORNEY/CLIENT PRIVILEGED

T.T.G.

TO: Donnie Mims

FROM: Tommy Gallion

DATE: November 5, 2015

RE: Notice of Claim of Timothy Scott, Yutarra Friendly, Quantaries A. Gray,
Zyquarius L. Ross

I am in receipt of your November 4, 2015, memo regarding a notice of claim filed by Timothy Scott, Yutarra Friendly, Quantaries A. Gray, Zyquarius L. Ross wherein they claim that while driving down Woodley Road within the City of Montgomery, a tree fell onto and crushed their vehicle injuring all parties in the vehicle.

Based on the information that I reviewed, it is my legal opinion that this is not the responsibility of Montgomery County but is the responsibility of the City of Montgomery.

It is my recommendation that this claim be recognized and denied at the next commission meeting.

50051-317



Alexander Shunnarah

GULF COAST, LLP

Alexander Shunnarah ~¹
 James T. Laura, Jr. *^{1 2}
 Russell D. Johnson ^{1 3}
 Damian Zimmerman ²
 Emily S. Fertig ³
 Patrick Montgomery ¹
 Brian Connors ²
 Joseph Oaks ¹
 Mack Reeves ³
 Ian A. Brendel ^{1 3 4 5}
 L. Blade Thompson ^{1 2 6}
 Pace Mawhinney ²
 Ben Clary ⁶
 John S.H. Miner ³
 Thomas Normandeau ²
 Anthony Shunnarah ¹
 Graham Roberts ⁶
 Ryan Rucker ⁶
 Carol Little ¹
 Scott Soutullo ^{1 3 *}
 J. Daniel Rhames ^{1 *}
 James E. Hasser, Jr. ^{1 *}

Sender's Contact Information:

Ian A. Brendel
 Litigation Attorney
 P. O. Box 1388
 Mobile, Alabama 36633
 Phone: 251-459-8641
 Fax: 251-459-6387
 Email: ibrendel2@asilpc.com

October 8, 2015

VIA CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Montgomery County Commission
 ATTN: Andrew D. Hall, Jiles Williams, Jr., Ronda M. Walker, Elton N. Dean, Sr.,
 Daniel Harris, Jr.
 P.O. Box 1667
 Montgomery, AL 36102

RE: Notice of Claim for Timothy Scott, Yutarra Friendly, Quantaries A. Gray, Zyquarius L. Ross

Dear County Commissioners:

Please find enclosed the notice of claim that I am submitting on behalf of Timothy Scott, Yutarra Friendly, Quantaries A. Gray, Zyquarius L. Ross. Please process the same in your usual and customary manner.

If you believe that you have received this notice in error, or believe that another entity may be responsible for a judgment for the acts/omissions contained in the notice, please have your legal counsel write me and explain why.

Thank you for your attention to this matter.

Sincerely,

/s/ Ian A. Brendel
 IAN A. BRENDEL

IAB
 Enclosure

YUTARRA L. FRIENDLY, QUANTARIES A. GRAY AND ZYQUARIUS L. ROSS'
NOTICE OF CLAIM TO THE CITY OF MONTGOMERY, ALABAMA AND
MONTGOMERY COUNTY, ALABAMA.

Pursuant to § 11-12-5, Alabama Code (1975), § 11-12-6, Alabama Code (1975) and § 11-47-192, Alabama Code (1975), Yutarra L. Friendly, Individually and on behalf of Quantaries A. Gray and Zyquarius L. Ross, as Natural Mother and Next of Kin, submit the following Notice of Claim to the City Clerk of the City of Montgomery, Alabama and Montgomery County, Alabama.

1. Yutarra L. Friendly is an adult female resident of Montgomery County, Alabama. Quantaries A. Gray and Zyquarius L. Ross are minors and residents of Montgomery County, Alabama.

2. On or around August 18, 2015, Yutarra L. Friendly, Quantaries A. Gray and Zyquarius L. Ross were when a tree fell on a vehicle they were occupying on or around Woodley Road in Montgomery, Alabama. ^{UB} Timothy Scott was driving said motor vehicle and Quantaries A. Gray and Zyquarius L. Ross were back seat passengers. Said tree crushed the vehicle occupied by Yutarra L. Friendly, Quantaries A. Gray and Zyquarius L. Ross and caused injuries and damages to Yutarra L. Friendly, Quantaries A. Gray and Zyquarius L. Ross. Pictures of the location of the tree before and after this incident is attached hereto as Exhibit "A."

3. Yutarra L. Friendly sustained injuries from said incident. Upon information and belief, Yutarra L. Friendly's known injuries include injuries to her head, neck, left shoulder, both legs and general soreness throughout her body. Upon information and belief, she was treated for said injuries at Baptist Hospital in Montgomery, Alabama. A copy of the hospital lien for Yutarra L. Friendly is attached hereto as Exhibit "B." Thereafter, Yutarra L. Friendly has treated

at Health Star Chiropractic in Montgomery, Alabama for said injuries, and is still in treatment. It is unknown as to the full extent of Yutarra L. Friendly's injuries at this time.

4. Quantaries A. Gray sustained injuries from said incident. Upon information and belief, Quantaries A. Gray's known injuries include injuries to the back, abdomen and general soreness throughout the body. Upon information and belief, Quantaries A. Gray was treated for said injuries at Baptist Hospital in Montgomery, Alabama. A copy of the hospital lien for Quantaries A. Gray is attached hereto as Exhibit "C." It is unknown as to the full extent of Quantaries A. Gray's injuries at this time.

5. Zyquarius L. Ross sustained injuries from said incident. Upon information and belief Zyquarius L. Ross' known injuries include injuries to the back, abdomen, both legs and general soreness throughout the body. Upon information and belief, Zyquarius L. Ross was treated for said injuries at Baptist Hospital in Montgomery, Alabama. A copy of the hospital lien for Zyquarius L. Ross is attached hereto as Exhibit "D." It is unknown as to the full extent of Zyquarius L. Ross' injuries at this time.

6. Upon information and belief at this time, the above referenced injuries were caused by the negligence and wantonness of by the City of Montgomery, Alabama and/or Montgomery County, Alabama in failing to properly maintain the tree which fell onto the vehicle occupied by Yutarra L. Friendly, Quantaries A. Gray and Zyquarius L. Ross. Said negligence and wantonness caused injuries and damages to Yutarra L. Friendly, Quantaries A. Gray and Zyquarius L. Ross

7. Based on current information, Yutarra L. Friendly, Quantaries A. Gray and Zyquarius L. Ross will have damages for past medical bills, future medical bills, past, present

and future pain/suffering, mental anguish and anxiety and loss of enjoyment of life. Yutarra L. Friendly will have damages for property damage and loss of use of her vehicle. The amount of medical bills related to this incident, known at this time, are included in the Baptist Hospital Liens attached hereto as Exhibit "B," "C, and "D".

8 At all times relevant to this claim, upon information and belief, personnel, employees, agents and/or assigns of the City of Montgomery, Alabama and/or Montgomery County, Alabama were in charge of, and were in control of, the maintenance of the tree which fell onto the vehicle occupied by Yutarra L. Friendly, Quantaries A. Gray and Zyquarius L. Ross

9. Based on the foregoing, Yutarra L. Friendly, Individually and on behalf of Quantaries A. Gray and Zyquarius L. Ross as Mother and Next of Kin, demand compensatory and punitive damages from the City of Montgomery, Alabama and Montgomery County, Alabama. The extent of said damages is not yet fully known, and will be determined at a later time. Yutarra L. Friendly, Individually and on behalf of Quantaries A. Gray and Zyquarius L. Ross as Mother and Next of Kin hereby demands the statutory maximum damages as allowed under Alabama law.

VERIFICATION

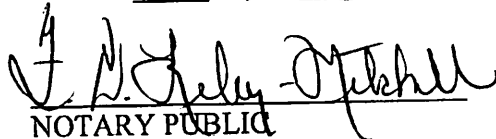
**STATE OF ALABAMA
COUNT OF MONTGOMERY**

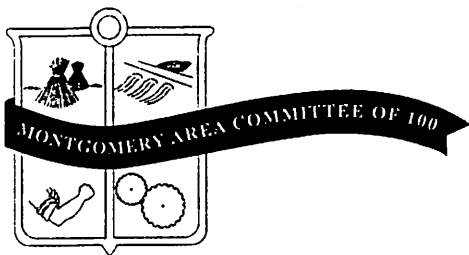
PERSONALLY APPEARED BEFORE ME, YUTARRA L. FRIENDLY,
INDIVIDUALLY, AND AS MOTHER, NEXT OF KIN AND ON OF BEHALF OF
QUANTARIES A. GRAY AND ZYQUARIUS L. ROSS, MINORS, THE UNDERSIGNED
AUTHORITY IN AND FOR SAID STATE AND COUNTY, DID DEPOSE AND SAY AND
THAT SHE HAS READ THE ABOVE NOTICE AND THE CONTENTS THEREOF, AND
THAT THE ALLEGATIONS AND AVERMENTS THEREIN ARE TRUE AND CORRECT
TO THE BEST OF HER PRESENT KNOWLEDGE.


YUTARRA L. FRIENDLY

My Commission Expires: Feb. 22, 2017

Sworn to and subscribed to before me
This the 10 day of 2, 2015.


NOTARY PUBLIC



Montgomery Area Committee of 100, Inc.
P. O. Box 79
Montgomery, AL 36101

Invoice

Honorable Elton Dean
 Montgomery County Commission
 P O Box 1667
 Montgomery, AL 36102

Date	Invoice #
11/4/2015	1310

Item Code	Description	Amount
Guest Fee	Guest Fee	100.00
We appreciate your prompt payment. Please remit upon receipt to: Montgomery Area Committee of 100 P. O. Box 79 Montgomery, AL 36101-0079		Total \$100.00



THE CIRCUIT COURT OF MONTGOMERY COUNTY

TIFFANY B. MCCORD, ESQ.
Circuit Clerk
Montgomery County, Alabama
(334) 832-1260

PHIELPS-PRICE JUSTICE CENTER
251 South Lawrence Street
P.O. Box 1667
Montgomery, Alabama 36102-1667

October 29, 2015

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

Dear Mr. Mims:

This summer the Circuit Clerk's office was able to complete a scanning project which included scanning all juvenile case files in order to accommodate the new office set-up at the Montgomery Youth Facility. I am pleased to inform the County Commission that our staff was successful in scanning 100% of all juvenile case files in just two Saturdays.

However, the number of the boxes previously represented to the Commission along with the actual number of clerks who participated exceeded the proposed budget. The total amount spent for the scanning project was \$9,000. Therefore, I am requesting an additional funding of \$1,600 to cover this expense.

As always, we appreciate your support and look forward to a favorable response to this request.

Best Regards,

A handwritten signature in black ink that reads "Tiffany B. McCord" followed by a stylized flourish.

Tiffany B. McCord
Montgomery County Circuit Clerk

STATE OF ALABAMA
MONTGOMERY COUNTY

CONTRACTURAL AGREEMENT

CONTRACT NO. 52200-15B-032

THIS CONTRACTURAL AGREEMENT made and entered into on the 21st day of December, 2015, by and between Acme Supply Co., Ltd. of Glen Cove, New York and Montgomery County Commission, Montgomery, Alabama.

WITNESSETH

WHEREAS, Acme Supply Co., Ltd. agrees to furnish Inmate Uniforms for the Montgomery County Detention Facility in accordance with all the provisions of Invitation to Bid No.52200-15B-032 as issued by the Montgomery County Commission on August 28, 2015 (hereinafter referred to as the Invitation to Bid), a copy of which is attached hereto.

WHEREAS, In Consideration thereof, Acme Supply Co., Ltd. and Montgomery County Commission agree as follows:

1. All terms and conditions of the Invitation to Bid are incorporated herein by this reference.
2. That the Contract will begin on December 21, 2015 and will end on December 20, 2016 with an option to renew for two (2) years, in one (1) year periods, providing funds are available by the Montgomery County Commission.
3. That prices shall remain firm for a one (1) year period. At the end of each one (1) year period, a price increase may be allowed but shall not exceed 5% per year.
4. That Montgomery County Commission and Acme Supply Co., Ltd. may terminate this agreement with a sixty (60) day written notice by either party.
5. That Acme Supply Co., Ltd. will furnish Inmate Uniforms at prices stipulated in Invitation to Bid No. 52200-15B-032.
6. That Acme Supply Co., Ltd. shall at all times be in compliance with all specifications and special provisions of the Invitation to Bid.

7. That during the contract period, Acme Supply Co., Ltd. shall pay for fabric lab testing to certify compliance with specifications if required by the Montgomery County Detention Facility.
8. If a Dispute arises out of or relates to this Agreement or its breach, the parties shall endeavor to settle the dispute first through direct discussions and negotiations. If the dispute cannot be settled through direct discussions or negotiations, the parties shall endeavor to settle the dispute by non-binding mediation. The location of the mediation shall be Montgomery, Alabama. Either party may terminate the mediation at any time after the session, but the decision to terminate must be delivered in person to the other party and the mediator. Engaging in mediation is a condition precedent to any other form of binding dispute resolution. If the parties cannot agree on a mutual resolution then any disputes not resolved by mediation shall be decided in the Circuit Court of Montgomery County, Alabama and governed by the laws of the State of Alabama between the Montgomery County Commission and Acme Supply Co., Ltd.
9. By signing this contract, the contracting parties affirm, for the duration of the agreement, that they will not violate federal immigration law or knowingly employ, hire for employment, or continue to employ an unauthorized alien within the state of Alabama. Furthermore, a contracting party found to be in violation of this provision shall be deemed in breach of the agreement and shall be responsible for all damages resulting therefrom.

IN WITNESS WHEREOF, the undersigned have executed this Contract as of the 7th day of December, 2015.

WITNESS:

ACME SUPPLY CO., LTD

BY: _____

TITLE: _____

WITNESS:

MONTGOMERY COUNTY COMMISSION

BY: _____

TITLE: _____

Purchasing Department

[illegible]

Notes:

Abstract for bid- Inmate Uniforms

**Purchasing Department
Montgomery County Commission**

ABSTRACT FOR BIDS: BIDS MAILED																	
INVITATION TO BID NO: 52200-15B-032																	
DATE ISSUED: 08/28/2015																	
DATE OPENED: 09/17/2015																	
REQUESTING DEPARTMENT: Sheriff- Detention Facility																	
TERMS OF PAYMENT / DISCOUNT:																	
ITEM NO.	DESCRIPTION OF ITEM	Units	QTY	45-60 Days		ARO		BID # 6		BID # 7		BID # 8		BID # 9		BID # 10	
				UNIT PRICE	EXTENDED AMOUNT	UNIT PRICE	EXTENDED AMOUNT	UNIT PRICE	EXTENDED AMOUNT	UNIT PRICE	EXTENDED AMOUNT	UNIT PRICE	EXTENDED AMOUNT	UNIT PRICE	EXTENDED AMOUNT	UNIT PRICE	EXTENDED AMOUNT
	Made In USA																
1	Shirt: Lt. Blue S-2XL		25	\$6.98	\$ 174.50												
2	Shirt: Lt. Blue 3XL - XL		25	\$8.28	\$ 207.00												
3	Shirt: Lt. Blue 8XL		25	\$9.20	\$ 230.00												
4	Shirt: Lt. Blue 10 XL		25	\$9.95	\$ 248.75												
5	Shirt: Orange, Red, Navy, Dk. Green, Lt. Blue and Black and white striped 12XL		25	\$10.82	\$ 270.50												
6	Shirt: Orange, Red, Navy, Dk. Green, Lt. Blue and Black and white striped 14XL		25	\$13.25	\$ 331.25												
7	Trousers: Lt. Blue S-2XL		25	\$7.31	\$ 182.75												
8	Trousers: Lt. Blue 3XL-6XL		25	\$8.82	\$ 220.50												
9	Trousers: Lt. Blue 8XL		25	\$10.28	\$ 257.00												
10	Trousers: Lt. Blue 10XL		25	\$11.03	\$ 275.75												
11	Trousers: Orange, Red, Navy, Dk. Green, Lt. Blue and Black and white striped 12XL		25	\$11.90	\$ 297.50												
12	Trousers: Orange, Red, Navy, Dk. Green, Lt. Blue and Black and white striped 14XL		25	\$12.98	\$ 324.50												
13	Coveralls: Orange, Red, Navy, Dk. Green, Lt. Blue and Black and white Striped S-2XL		25	\$15.95	\$ 398.75												
			25	\$14.39	\$ 359.75												
			25	\$17.77	\$ 444.25												

Notes:

10-5

Purchasing Department

[illegible]

Notes:

Abstract for bid- Inmate Uniforms

10-7

Abstract for bid- Inmate Uniforms

O. D. Taragin & Bros, LLC -Vendor charge a separate price for all Black & White Striped Shirts, Trousers, Coveralls

**Purchasing Department
Montgomery County Commission**

ABSTRACT FOR BIDS:																	
INVITATION TO BID NO: 52200-15B-032, Inmate Uniforms																	
DATE ISSUED: 08/28/2015																	
DATE OPENED: 09/17/2015																	
REQUESTING DEPARTMENT: Sheriff- Detention Facility																	
TERMS OF PAYMENT / DISCOUNT:																	
DELIVERY DATE:																	
ITEM NO.	DESCRIPTION OF ITEM	Units	30 to 45 days ARO			per request			BID # 2		BID # 3		BID # 4		BID # 5		
			UNIT PRICE	EXTENDED AMOUNT		UNIT PRICE	EXTENDED AMOUNT		UNIT PRICE	EXTENDED AMOUNT		UNIT PRICE	EXTENDED AMOUNT		UNIT PRICE	EXTENDED AMOUNT	
	Imported																
1	Shirt: Lt. Blue S-2XL		25	\$3.99	\$ 99.75		\$5.50	\$137.50		\$5.72	\$143.00		\$5.20	\$130.00		\$5.17	\$ 129.25
2	Shirt: Lt. Blue 3XL - XL		25	\$4.39	\$ 109.75		\$5.50	\$137.50		\$6.18	\$154.50		\$5.40	\$135.00		\$6.99	\$ 174.75
3	Shirt: Lt. Blue 8XL		25	\$4.85	\$ 121.25		\$5.50	\$137.50		\$6.54	\$163.50		\$7.83	\$195.75		\$8.20	\$ 205.00
4	Shirt: Lt. Blue 10 XL		25	\$5.60	\$ 140.00		\$5.50	\$137.50		\$6.72	\$168.00		\$7.83	\$195.75		\$9.40	\$ 235.00
5	Shirt: Orange, Red, Navy, Dk. Green, Lt. Blue and Black and white Striped 12XL		25	\$6.60	\$ 165.00		\$5.50	\$137.50					\$8.34	\$208.50		\$10.81	\$ 270.25
6	Shirt: Orange, Red, Navy, Dk. Green, Lt. Blue and Black and white Striped 14XL		25	\$7.29	\$ 182.25		\$5.50	\$137.50					\$8.34	\$208.50		\$12.22	\$ 305.50
7	Trousers: Lt. Blue S-2XL		25	\$5.43	\$ 135.75		\$5.50	\$137.50		\$5.90	\$147.50		\$69.72	\$1,743.00		\$5.47	\$ 136.75
8	Trousers: Lt. Blue 3XL-6XL		25	\$5.97	\$ 149.25		\$5.50	\$137.50		\$6.54	\$163.50		\$84.00	\$2,100.00		\$7.29	\$ 182.25
9	Trousers: Lt. Blue 8XL		25	\$6.48	\$ 162.00		\$5.50	\$137.50		\$6.90	\$172.50		\$102.00	\$2,550.00		\$8.58	\$ 214.50
10	Trousers: Lt. Blue 10XL		25	\$6.60	\$ 165.00		\$5.50	\$137.50		\$6.90	\$172.50		\$102.00	\$2,550.00		\$9.89	\$ 247.25
11	Trousers: Orange, Red, Navy, Dk. Green, Lt. Blue and Black and white Striped 12XL		25	\$8.50	\$ 212.50		\$5.50	\$137.50					\$138.60	\$3,465.00		\$11.18	\$ 279.50
12	Trousers: Orange, Red, Navy, Dk. Green, Lt. Blue and Black and white Striped 14XL		25	\$9.00	\$ 225.00		\$5.50	\$137.50					\$138.60	\$3,465.00		\$12.46	\$ 311.50
13	Coveralls: Orange, Red, Navy, Dk. Green, Lt. Blue and Black and white Striped S-2XL		25	\$11.75	\$ 293.75		\$13.00	\$325.00		\$12.90	\$322.50		\$11.34	\$283.50		\$11.82	\$ 295.50

Notes:

**Purchasing Department
Montgomery County Commission**

ABSTRACT FOR BIDS: BIDS MAILED					BID # 6		BID # 7		BID # 8		BID # 9		BID # 10	
INVITATION TO BID NO: 52200-15B-032					O. D. Taragin & Bros., LLC 1400 Alceanna St. Baltimore, MD 21231 (410) 276-7570 Attn: Faghy Johnson		Nafeco 115 West Moulton Street Decatur, AL 35601-2100 NO BID		Goaltex 146 Split Rock Rd. Syosset, NY 11791 NO BID		Lawmen's & Shooters' Supply 77590 9th St. S.W. Beach, FL 32968 NO BID		Mac Uniform 22803rd Ave. North Birmingham, AL 35203 NO BID	
DATE ISSUED: 08/28/2015														
DATE OPENED: 09/17/2015														
REQUESTING DEPARTMENT: Sheriff- Detention Facility														
TERMS OF PAYMENT / DISCOUNT:					45-60 Days		ARO		EXTENDED		7-30 Days		ARO	
ITEM NO.	DESCRIPTION OF ITEM	Units	QTY		UNIT PRICE	EXTENDED AMOUNT	UNIT PRICE	EXTENDED AMOUNT	UNIT PRICE	EXTENDED AMOUNT	UNIT PRICE	EXTENDED AMOUNT	UNIT PRICE	EXTENDED AMOUNT
	Imported													
1	Shirt: Lt. Blue S-2XL													
2	Shirt: Lt. Blue 3XL - XL													
3	Shirt: Lt. Blue 8XL													
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5	Shirt: Orange, Red, Navy, Dk. Green, Lt. Blue and Black and white Striped 12XL													
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13	Coveralls: Orange, Red, Navy, Dk. Green, Lt. Blue and Black and white Striped S-2XL													

Notes:

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Purchasing Department

[illegible]

Notes:

Abstract for bid- Inmate Uniforms

10-10

10-11

Abstract for bid- Inmate Uniforms

10-11

**CITY - COUNTY OF MONTGOMERY
PERSONNEL DEPARTMENT**

PERSONNEL BOARD
JOHN L. BAKER, CHAIRMAN
BENITA FROEMMING
RANDALL B. JAMES

27 Madison Avenue
Montgomery, Alabama 36104

CARMEN DOUGLAS
PERSONNEL DIRECTOR
TELEPHONE: 334-625-2675
FAX: 334-625-2219

MEMORANDUM

TO: James M. Kelley, Assistant County Engineer *SAK*
THRU: Carmen Douglas, Personnel Director *CS*
FROM: Kaila Matney, Personnel Analyst
DATE: November 3, 2015
SUBJECT: Pay Evaluation Recommendation – County Traffic Control Supervisor

In response to your request, the Personnel Department has revised the job description for the County Traffic Control Supervisor classification and completed a pay evaluation. Based on our study, we recommend that the job be reallocated from pay grade A07 (\$40,664–\$60,775) to A08 (\$45,440–\$67,894).

If you agree with this recommendation, please sign and return this memo and the enclosed job description so we may present it to the County Commission and the Personnel Board for approvals. Please call Kaila Matney if you have any questions.

An Equal Opportunity Employer
www.montgomerypersonnel.com

COUNTY TRAFFIC CONTROL SUPERVISOR

FLSA: Exempt
Pay Grade: A08

#0577
11/3/2015

NATURE OF WORK: The fundamental reason this position exists is to supervise and manage both the county-wide traffic control program and the pesticide management program. Work involves supervising the fabrication, installation and maintenance of traffic control devices in the field and shop, and supervising the application of insecticides and herbicides on all public county right-of-ways. Work involves emergency standby duty. The essential functions are: supervises employees; exercises technical engineering judgment; oversees the construction and installation of traffic control signs and devices; oversees the application of pavement markings; oversees the pesticide application program; and performs administrative related duties. Incumbents in this classification are supervised by the Assistant County Engineer.

ESSENTIAL FUNCTIONS: The following list was developed through a job analysis; however, it is not exhaustive and other duties may be required and assigned. A person with a disability which is covered by the ADA must be able to perform the essential functions of the job unaided or with the assistance of a reasonable accommodation. The list of essential functions is to be used as a starting point to determine essential functions for a specific position at a specific location at a specific time. The ADA was intended to be applied on a case-by-case basis with the understanding that one position may differ from another similar position. The performance of Anon-essential functions is not optional for employees not covered under the ADA.

ESSENTIAL FUNCTION: Supervises employees using time sheets, leave forms, and computer following departmental rules, regulations and guidelines and personnel rules and regulations in order to ensure effective performance of employees and consistent application of all policies and procedures.

- Makes daily schedules of work to be performed.

- Sets standards for satisfactory performance and ensures that work is carried out in accordance with performance standards.

- Monitors performance and provides feedback to staff on an ongoing basis.

- Counsels employees and documents actions as appropriate.

- Handles employee problems regarding traffic control devices and pesticide applications.

- Monitors and approves staff leave usage while ensuring adequate coverage is maintained.

- Conducts interviews for vacancies with the Assistant County Engineer, according to applicable departmental and personnel policies and procedures.

- Ensures employees have been trained in proper techniques and procedures.

- Recommends and/or initiates disciplinary actions to the Assistant County Engineer according to applicable departmental policies and personnel policies and procedures.

- Conducts meetings to discuss departmental changes and/or disseminate information.

ESSENTIAL FUNCTION: Exercises technical engineering judgment in the selection of traffic control devices and markings for newly constructed roads using a truck, ball bank indicator, and blueprints following Alabama and Federal Manual on Uniform Traffic Control Devices and departmental rules and regulations in order to establish no-passing zones, lay out roads

for striping and markings, and placement of signs and markings on existing roads.

Drives and measures road to determine where no-passing zones should begin and end on all county roads.

Determines kinds of signs needed for roads in accordance with Manuals for Uniform Traffic Control Devices in order to inform and guide the public through any situation or condition.

Interprets drawings and sketches in preparation for measuring, tracking, and painting newly paved streets.

Uses a ball bank indicator to determine if road merits posting of a curve symbol.

Reviews plans for signs and control devices.

Designs islands and turning lanes with painted arrows to provide a clear and obvious travel path.

Oversees the preparation and measurement of road for paint striping and pavement markings.

Inspects all signs on county roads for missing or damaged signs and prepares a list of signs to be replaced.

Inspects all county roads of worn lines for re-striping.

ESSENTIAL FUNCTION: Oversees the construction and installation of traffic control signs and devices for public right-of-ways using a sign truck, sign construction materials, sign installation materials, computer aided design system, printer, scanner, and telephone following State and Federal Manuals on Uniform Traffic Control Devices in order to ensure the safe and orderly flow of vehicles on county roadways.

Ensures that traffic control signs are fabricated, assembled, installed, maintained, and removed in accordance with Manual on Uniform Traffic Control Devices standards.

Ensures that signs are designed in accordance with accepted state and federal standards.

Ensures that signs are replaced to include warning, regulatory, street name and stop signs.

Ensures proper operation of computer equipment for accurate sign design.

Ensures that truck is loaded with supplies, materials and equipment for installing, repairing or replacing road signs.

ESSENTIAL FUNCTION: Oversees the application of pavement markings using a striping machine, striping truck, and other striping equipment, following State and Federal Manuals on Uniform Traffic Control Devices in order to ensure the safe and orderly flow of vehicles on county roadways.

Ensures that the highway paint striping truck and striping equipment are operated correctly.

Ensures that paint markings on road are in compliance with regulations.

Ensures that general maintenance is performed on paint striping truck to include rebuilding paint pumps and guns, electrical wiring problems, cleaning fittings, and replacing heat exchangers.

Facilitates the closure of roads or part of a road for construction or when road becomes unsafe for travel.

ESSENTIAL FUNCTION: Oversees the pesticide application program to include roadside vegetation management and mosquito control using various herbicides and insecticides, sprayer truck, and other application equipment following the regulations issued by the

Alabama Department of Agriculture and Industries, and the Alabama Department of Transportation Manual for Roadside Vegetation Management in order to initiate control over nuisance vegetation and mosquitoes in the county.

Develops application data forms to document herbicide and insecticide application.

Develops guidelines and routes for herbicide and insecticide application.

Reviews reports from subordinates to ensure proper application of herbicide and insecticide.

Calibrates equipment for spraying to include measures and adjust rate of flow to ensure proper application.

Handles complaints related to herbicide and insecticide application.

Attends continuing education classes to maintain herbicide and insecticide applicator licenses.

ESSENTIAL FUNCTION: Performs administrative related duties using inventory logs, supply order forms, computer, fax, telephone, printer, copier, and scanner, and Internet following departmental rules and regulations in order to maintain departmental records and inventory supplies and materials.

Researches and develops county contract for sign materials.

Researches State of Alabama material contracts for traffic control devices and pesticide chemicals using the Internet.

Contacts vendors to receive bids on needed materials.

Maintains material/supply inventory using computer spreadsheets and word processing documents.

Orders all road striping materials to include traffic paint, glass beads, thermoplastic, raised payment markers and adhesive, equipment and parts for striping and installing pavement markings.

Orders all signs and related materials to include sign faces, blanks, post, sheeting, film, equipment and parts for making and installing signs and other related hardware.

Orders all insecticides, equipment and parts for the mosquito control program.

Orders all herbicides, equipment and parts for the roadside vegetation management program.

Receives material invoices for products received, checks and add to inventory reports before forwarding to county purchasing for processing.

Provides price estimates for signs that are ordered from other departments within the county.

Maintains a daily project diary of work to include description of work, date completed and personnel performing the duties.

Maintains daily files of traffic control, insecticide and herbicide route data to include quality, type, size, color, code description, brand name, percent of chemical used, road name, date, time of application, equipment mileage, hours and personnel performing duties.

KNOWLEDGE, SKILLS, AND ABILITIES: Knowledge of State and Federal Manuals on Uniform Traffic Control Devices to ensure proper signage and pavement markings for county roads.

Knowledge of the methods and practices used in preparing traffic signs and marking streets for traffic control purposes as needed to supervise the installation and construction of signs and pavement markings.

Knowledge of the materials used in preparing traffic signs and marking streets for traffic

control purposes such as signs, computer aided design programs, and stencils as needed to supervise the installation and construction of signs and pavement markings.

Knowledge of the equipment and tools used in preparing traffic signs and markings for traffic control purposes to include equipment operation and tool uses as needed to supervise the installation and construction of signs and pavement markings.

Knowledge of the standard designs and uses of traffic signs, and of the practices commonly employed to direct and control traffic by means of street striping and marking as needed to supervise the installation and construction of signs and pavement markings.

Knowledge of the hazards and safety precautions applicable to traffic maintenance work as needed to maintain a safe work environment.

Knowledge of engineering techniques to include examining curves in roads and determining the driving effects of natural road hazards as needed to set speed limits on roads, determine length of no-passing zones, and to prepare roads for striping and markings.

Knowledge of traffic laws and regulations involved in highway signing, markings and maintenance as needed to set speed limits, determine length of no-passing zones, and to prepare roads for striping and markings.

Knowledge of computer aided design hardware, software, and equipment as related to sign design as needed to fabricate traffic signs.

Knowledge of the geography of Montgomery County including location of roads as needed to travel to project sites.

Knowledge of Alabama Department of Agriculture and Industries= regulations regarding insecticide and herbicide applications as needed to ensure that chemicals are applied correctly in the county and to train others in the proper application of chemicals.

Knowledge of chemicals such as insecticides to include their purposes, their proper application, and their safety precautions as needed to develop treatment, recommend treatment, and answer questions from work crew regarding mosquito control applications.

Knowledge of chemicals such as herbicides to include their purposes, their proper application, and their safety precautions as needed to develop treatment, recommend treatment, and answer questions from work crew regarding roadside vegetation management.

Knowledge of spray equipment operation and maintenance, to include pumps, pressure gauges, fluid nozzles, flow rates, hand held sprayers as needed to operate mosquito spray and vegetation management equipment and perform minor repairs to equipment.

Knowledge of local, state, and federal laws, rules and regulations pertaining to employment to include procedures for reporting a work-related injury or illness, rules for overtime, laws pertaining to discrimination and harassment, and the American with Disabilities Act as needed to supervise subordinates.

Knowledge of the County of Montgomery Personnel Rules, Regulations and Procedures to include procedures for hiring, promotion, discipline, termination, and procedures for requesting and reporting annual, sick and compensatory leave as needed to supervise, and advise subordinates on current policies and procedures.

Ability to calculate and measure mosquito insecticides and other chemicals such as fertilizer, fungicide and herbicide in correct quantities, such as, ounces, quarts, pounds and gallons as needed to determine appropriate measurement for desired results.

Ability to calibrate vegetation management spray equipment as needed to apply appropriate amounts of chemicals.

Ability to communicate orally to include breaking down technical information, logical ordering of information, and being clear and concise as needed to explain relay project instructions to subordinate workers.

Ability to communicate in writing to include using Standard English grammar, punctuation and spelling as needed to complete forms, prepare correspondence, and construct signs.

Ability to read at a level to comprehend complex text such as State and Federal Manuals on Uniform Traffic Control Devices as needed to construct signs and stripe roads in compliance with the laws outlined in these manuals.

Ability to add, subtract, multiply and divide as needed to compute measurements to construct signs and stripe roads, set flow rates and to calibrate spray equipment.

Ability to plan assignments to include estimating the necessary time and resources, determining the appropriate strategy, and preparing a time line for project completion as needed to manage multiple assignments.

Ability to manage assignments to include utilizing staff and other resources, delegating tasks, setting standards for work, negotiating for materials, supplies and services as needed to ensure that assignments are completed on time and according to established standards.

Ability to coordinate and schedule the work of staff as needed to ensure the needs of the department are met.

Ability to instruct workers by demonstrating proper methods or short cuts, or by providing verbal instruction as needed to improve and enhance the skills and performance of workers.

Ability to supervise subordinate employees to include establishing and applying standards for performance in a fair and impartial manner, distinguishing between effective and ineffective procedures and job performance, sharing appropriate information, providing progressive discipline

Ability to interpret and implement instructions by management as needed to ensure work is being performed correctly and in a timely manner or to correct deficiencies in performance.

Ability to set an example for and gain respect of co-workers and the public through actions, appearance and demonstrated knowledge of traffic signs and pavement marking policies, procedures, and practices.

Ability to deal firmly and tactfully with the general public to include knowing when to assert authority, using the appropriate tone of voice based on the circumstances, projecting a positive image of the department, recognizing when to dispense with the discussion and cool off as needed to resolve conflicts and provide/gather information.

Ability to establish and maintain effective working relationships with people of various socioeconomic backgrounds to include supervisors, and co-workers by assisting others with their work, recognizing the rights and privacy of others, and using courtesy and tact when communicating with others, as needed to maintain a pleasant and productive work environment.

Ability to operate a computer to include using menus, functions of different programs available, and retrieving and saving information as needed to enter and retrieve data, complete forms, prepare correspondence, and construct traffic signs.

Ability to operate automotive vehicles as needed to inspect county roads and signage.

Ability to work independently with limited supervision to include weighing consequences of

actions or decisions, making decisions within predetermined limits, responding to emergencies, time management, and prioritizing work as needed to resolve problems, sort traffic sign projects for the department, and maintaining departmental productivity.

Ability to train others to include explaining steps, breaking down jobs into distinct elements, recognizing when others do not understand and adjusting explanation, observing and critiquing others' work, demonstrating how to complete a job, and determining most effective training method to use with individuals.

Ability to adjust to on-site obstacles such as implementing a traffic control plan through a construction work zone as needed to complete scheduled projects.

Ability to exercise professional engineering judgment such as surveying roads to select appropriate traffic control devices and markings.

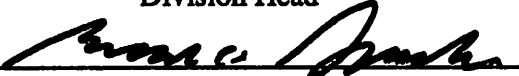
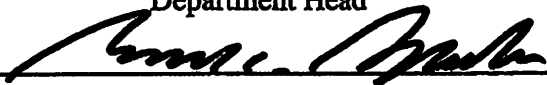
Ability to understand and follow oral and written instructions as needed to complete assignments accurately.

WORKING CONDITIONS: Work is performed in a variety of weather conditions with exposure to the elements and traveling over rough, uneven, or rocky surfaces. Work is performed using hazardous chemicals such as paint, sign & striping materials, herbicide, pesticides, insecticides, and other solutions. Work will require some overtime, night, and weekend hours during peak seasons as well as prior to and/or after special city events.

PHYSICAL ABILITIES: Physical ability to work in varied weather conditions to include heat, cold, rain, stormy and dusty environments. Physical ability to stand, stoop, bend, crouch, crawl, and walk on uneven surfaces and height while performing work or visually inspecting equipment.

SPECIAL REQUIREMENTS: Must possess and maintain a valid Alabama driver's license and an insurable driving record. Must have, or be able to obtain within six months of hire date, and maintain a valid Alabama Commercial Applicator License (Categories: Right of Way [ROW], Ground [GRND], and Public Health Pest Control [PH]). Must be able to be on-call 24 hours.

MINIMUM QUALIFICATIONS: High school diploma or GED and five years of experience the construction, installation, and maintenance of traffic control devices and the application of a pesticide management program, including one year of lead worker or supervisory experience.

APPROVALS:	
Supervisor 	Date 11/5/15
Division Head 	Date 11/5/15
Department Head 	Date 11/5/15
Appointing Authority	Date

Z:\STAFF FOLDERS\Kaila\County\Active\County Sign Shop--Org Structure Review 8-2015\0577 County Traffic Control Supervisor\0577 County Traffic Control Supervisor REVISED.doc

ELTON N. DEAN, SR.
CHAIRMAN

DANIEL HARRIS, JR.
VICE CHAIRMAN

ANDREW D. HALL
RONDA M. WALKER
JILES WILLIAMS, JR.

A COUNTY OLDER THAN THE STATE

MONTGOMERY COUNTY COMMISSION
Engineering Department
P.O. BOX 1667
MONTGOMERY, ALABAMA 36102-1667

ESTABLISHED 1816

GEORGE C. SPEAKE, PE, PLS
COUNTY ENGINEER
JAMES M. KELLEY, PE
ASSISTANT COUNTY ENGINEER
(334) 832-1310
FAX (334) 832-7190
www.mc-ala.org

August 14, 2015

Mrs. Carmen Douglas
Personnel Director
City-County of Montgomery Personnel Department
27 Madison Avenue
Montgomery, AL 36104

Attn: Ms. Kaila Matney

Dear Mrs. Douglas,

The Engineering Department recently had a position fill request approved for a Traffic Control Technician I that will require the job description to be updated. Ms. Kaila Matney with your office has been in contact with me regarding the evaluation of this position. As part of this process, I would also like to request that Personnel do an evaluation of the entire structure of the Sign Shop organization. Specifically, the pay grade of the Traffic Control Supervisor position and the possible addition of another Traffic Control Technician III position. I have attached a copy of the organizational chart of our department for your use.

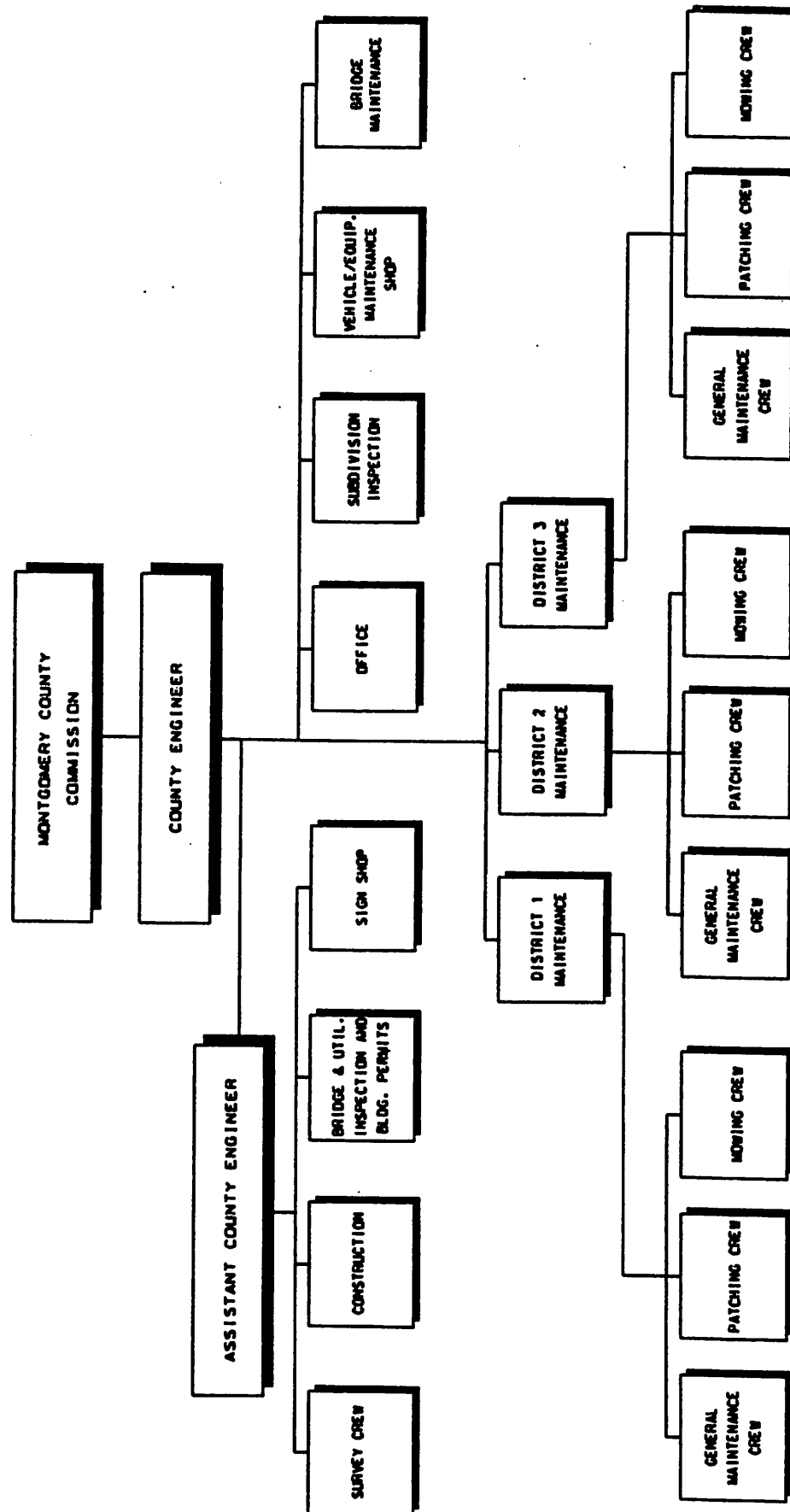
This is for your information, review and further handling. If you should have any question, please let me know.

Sincerely,


James M. Kelley
Assistant County Engineer

JMK/jmk
Attachment
C: Danise Nettles
File

MONTGOMERY COUNTY ENGINEERING DEPARTMENT ORGANIZATIONAL CHART



FEBRUARY 12, 2003

11-11

ORIGINAL

POSITION FILL REQUEST

COMPLETED ACTION DATES

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

DEPARTMENT HEAD: Derrick Cunningham, Sheriff

SUPERVISOR: W. Robinson, Colonel

- | | |
|----------|----------------|
| 1. _____ | dept request |
| 2. _____ | admin review |
| 3. _____ | pers dept |
| 4. _____ | cert to admin |
| 5. _____ | dept selection |
| 6. _____ | final review |

1. Position Title Corrections Officer Trainee / Corrections Officer

Position Number 021

Proposed Effective Date November 23, 2015

Type of Appointment (☒) Permanent () Temporary

Recruiting

- () Promotional Register () Transfer
(☒) Open Competitive Register () Reemployment

Pay Grade Corrections Officer Trainee \$30,096 Grade (PCT)

Corrections Officer \$31,344 - \$46,832 (PC1)

Derrick Cunningham

Date November 2, 2015

Department Head *mca*

2. Administrative Review

- () Approved
() Disapproved

Funding Authority

3. Certification

Promotional	_____	Candidates
Open-Competitive	_____	Candidates
Transfer	_____	Candidates

Date _____

Personnel Director

4. Selectee:

Date _____

Appointing Authority

5. () Manpower data entered by _____

Date _____

() Payroll entered by _____

Date _____

ORIGINAL

POSITION FILL REQUEST

COMPLETED ACTION DATES	
1. _____	dept request
2. _____	admin review
3. _____	pers dept
4. _____	cert to admin
5. _____	dept selection
6. _____	final review

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

DEPARTMENT HEAD: Derrick Cunningham, Sheriff

SUPERVISOR: W. Robinson, Colonel

1. Position Title Corrections Officer Trainee / Corrections Officer

Position Number 033

Proposed Effective Date November 23, 2015

Type of Appointment (☒) Permanent () Temporary

Recruiting

() Promotional Register () Transfer

(☒) Open Competitive Register () Reemployment

Pay Grade Corrections Officer Trainee \$30,096 Grade (PCT)

Corrections Officer \$31,344 - \$46,832 (PC1)

Derrick Cunningham Date November 5, 2015

Department Head MCC

2. Administrative Review

() Approved

() Disapproved

Funding Authority

3. Certification

Promotional	_____	Candidates
Open-Competitive	_____	Candidates
Transfer	_____	Candidates

Personnel Director

Date _____

4. Selectee: _____

Appointing Authority

Date _____

5. () Manpower data entered by _____ Date _____

() Payroll entered by _____ Date _____

ORIGINAL

POSITION FILL REQUEST

COMPLETED ACTION DATES	
1. _____	dept request
2. _____	admin review
3. _____	pers dept
4. _____	cert to admin
5. _____	dept selection
6. _____	final review

DEPARTMENT: Montgomery County Sheriff's Office

DEPARTMENT HEAD: Derrick Cunningham, Sheriff

SUPERVISOR: Kevin Murphy, Chief Deputy

1. Position Title Deputy Sheriff Corporal

Position Number 166 Replacement of Kevin Smith

Proposed Effective Date November 9, 2015

Type of Appointment ☒ Permanent () Temporary

Recruiting ☒ Promotional Register () Transfer
☐ Open Competitive Register () Reemployment

Pay Grade PS2-4 \$40,575 - 54,816

Derrick Cunningham Pay step to be based upon City and County of Montgomery Personal
Board Rules and Regulations Rule VI Section 10 (A-Promotions)
Date November 3, 2015

Department Head

2. Administrative Review
() Approved
() Disapproved

Funding Authority

3. Certification
Promotional _____ Candidates
Open-Competitive _____ Candidates
Transfer _____ Candidates

Personnel Director Date _____

4. Selectee: _____

Appointing Authority Date _____

5. () Manpower data entered by _____ Date _____
() Payroll entered by _____ Date _____

ORIGINAL

POSITION FILL REQUEST

COMPLETED ACTION DATES

DEPARTMENT: Montgomery County Sheriff's Office

DEPARTMENT HEAD: Derrick Cunningham, Sheriff

SUPERVISOR: Kevin Murphy, Chief Deputy

- | | |
|----------|----------------|
| 1. _____ | dept request |
| 2. _____ | admin review |
| 3. _____ | pers dept |
| 4. _____ | cert to admin |
| 5. _____ | dept selection |
| 6. _____ | final review |

1. Position Title Deputy Sheriff Trainee/Deputy Sheriff

Position Number TBD

Proposed Effective Date November 9, 2015

Type of Appointment ☒ Permanent () Temporary

Recruiting

Promotional Register () Transfer
X Open Competitive Register () Reemployment

Pay Grade Deputy Sheriff Trainee \$38,236 Grade PST

Deputy Sheriff \$39,456 - 51,661 Grade PS1-5

Derrick Cunningham

pm

Date November 3, 2015

Department Head

2. Administrative Review

() Approved
() Disapproved

Funding Authority

3. Certification

Promotional _____ Candidates
Open-Competitive _____ Candidates
Transfer _____ Candidates

Date _____

Personnel Director

4. Selectee:

Date _____

Appointing Authority

5. () Manpower data entered by _____

() Payroll entered by _____

Date _____
Date _____

ORIGINAL

POSITION FILL REQUEST

COMPLETED ACTION DATES

1. ___ dept request
2. ___ admin review
3. ___ pers dept
4. ___ cert to admin
5. ___ dept selection
6. ___ final review

DEPARTMENT Montgomery County Youth Facility

DEPARTMENT HEAD: Bruce R. Howell, Court Administrator

SUPERVISOR: Brandi Alexander, Detention Director

1. POSITION TITLE: Juvenile Detention Officer - to replace W. Hart

POSITION NUMBER: 900300004

PROPOSED EFFECTIVE DATE: 12/7/2015

TYPE OF APPOINTMENT: (X) Permanent () Temporary

RECRUITING:

() PROMOTIONAL REGISTER () TRANSFER

(X) OPEN COMPETITIVE REGISTER () REEMPLOYMENT

PAY GRADE: PC1 (\$31,344/\$1,205.52/\$15.0690)



Department Head

11/6/2015
Date

2. ADMINISTRATIVE REVIEW

- () APPROVED
() DISAPPROVED

Funding Authority

3. CERTIFICATION

Promotional	_____	Candidates
Open-Competitive	_____	Candidates
Transfer	_____	Candidates

Personnel Director

Date

4. SELECTEE:

Appointing Authority

Date

5. () Manpower data entered by

Date

() Payroll entered by

Date

ORIGINAL

POSITION FILL REQUEST

DEPARTMENT Montgomery County Youth Facility

DEPARTMENT HEAD: Bruce R. Howell, Court Administrator

SUPERVISOR: Brandi Alexander, Detention Director

COMPLETED ACTION DATES

1. ___ dept request
2. ___ admin review
3. ___ pers dept
4. ___ cert to admin
5. ___ dept selection
6. ___ final review

1. POSITION TITLE: Juvenile Detention Officer - to replace F. Clemons

POSITION NUMBER: 910300003 Relief - Part-Time

PROPOSED EFFECTIVE DATE: 12/7/2015

TYPE OF APPOINTMENT: ☐ Permanent ☒ Temporary

RECRUITING:

☐ PROMOTIONAL REGISTER ☐ TRANSFER

☒ OPEN COMPETITIVE REGISTER ☐ REEMPLOYMENT

PAY GRADE: PC1 (\$31,344/\$1,205.52/\$15.0690)



Department Head

11/6/2015

Date

2. ADMINISTRATIVE REVIEW

- ☐ APPROVED
☐ DISAPPROVED

Funding Authority

3. CERTIFICATION

Promotional	_____	Candidates
Open-Competitive	_____	Candidates
Transfer	_____	Candidates

Personnel Director

Date

4. SELECTEE:

Appointing Authority

Date

5. ☐ Manpower data entered by

Date

☐ Payroll entered by

Date

Montgomery County Commission
Travel / Training Request Approval

Appendix C

AGENDA

DEC - 7 2015

Request # 6

Date: November 18, 2015
To: Donald L. Mims, Administrator
From: Daniel Harris, Jr., Vice Chairman
Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Prattville, AL
Departure Date: January 27, 2016 Return Date: January 28, 2016
Conference Leave (Days / Hours): 2 Days
Purpose of Travel: Legislative & Governmental Relations

Traveler (s) Name: 1. Daniel Harris, Jr. 4. _____
2. _____ 5. _____
3. _____ 6. _____

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

Total (est.) Cost: \$217.60 Advance Registration Required: \$190.00

Department Name: County Commission Fund Name: General

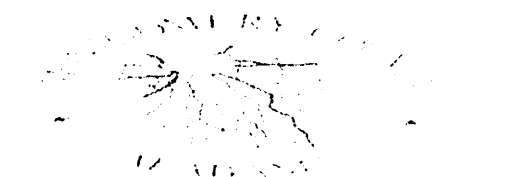
Additional Comments: Registration - \$190.00
Mileage - \$27.60

To: Daniel Harris, Jr., Vice Chairman
From: Donald L. Mims, Administrator

The above request is app. 12/7/15 reimbursement of actual and necessary expenses in the
approximate amount of \$217.60 and advance registration of \$190.00 is authorized.

To be completed by the Finance Department		
Fund Code:	<u>001-51100.265</u>	(ex: 000-00000-000)
Description:	<u>Registration & Training</u>	
Current Budget:	<u>\$22,500.00</u>	
Approved Requests:	<u>\$2,013.20</u>	
Budget Available:	<u>\$20,486.80</u>	
Current Requests:	<u>\$217.60</u>	
Budget Balance:	<u>\$20,269.20</u>	

Donald L. Mims, Administrator



Reviewed by: S. Thomas

Date: 11/19/2015

cc: Finance Director / Buyer

Montgomery County Commission
Travel / Training Request Approval

Appendix C

AGENDA

Request # 7

DEC - 7 2015

Date: November 30, 2015
To: Donald L. Mims, Administrator
From: Donald L. Mims, Administrator
Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Embassy Suites, Tuscaloosa, Alabama

Departure Date: February 3, 2016

Return Date: February 5, 2016

Conference Leave (Days / Hours): 3 Days

Purpose of Travel: GFOAA 32nd Annual Conference & Training

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

Check Mode of Transportation:

County Vehicle

X

Private Vehicle

Commercial Air

Other (Specify)

Total (est.) Cost: \$923.80

Advance Registration Required: \$295.00

Department Name: County Commission

Fund Name: General

Additional Comments: Registration - \$295.00 / Hotel - \$350.00 / Mileage - \$128.80 / Meals - \$150.00

To: Donald L. Mims, Administrator

From: Donald L. Mims, Administrator

The above request is app. 12/7/15 reimbursement of actual and necessary expenses in the approximate amount of \$923.80 and advance registration of \$295.00 is authorized.

<i>To be completed by the Finance Department</i>	
Fund Code:	<u>001-51100.265</u> (ex: 000-00000-000)
Description:	<u>Registration & Training</u>
Current Budget:	<u>\$22,500.00</u>
Approved Requests:	<u>\$2,013.20</u>
Budget Available:	<u>\$20,486.80</u>
Current Requests:	<u>\$1,141.40</u>
Budget Balance:	<u>\$19,345.40</u>

Donald L. Mims, Administrator

Reviewed by: S. Thomas

Date: 11/30/2015

cc: Finance Director / Buyer

Montgomery County Commission
Travel / Training Request Approval

Appendix C

AGENDA

DEC - 7 2015

Request # 1

Date: November 30, 2015
To: Donald L. Mims, Administrator
From: Steven L. Reed
Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Montgomery, AL
Departure Date: January 10, 2016 Return Date: January 13, 2016
Conference Leave (Days / Hours): 4 Days
Purpose of Travel: to attend Alabama Probate Judges Association 2016 Winter Conference

Traveler (s) Name: 1. Judge Steven L. Reed 4. Ruth Gallagher
2. William Flowers, III 5. _____
3. Malcolm Richard 6. _____

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

Total (est.) Cost: \$1,650.00 Advance Registration Required: \$1,650.00

Department Name: Probate Fund Name: 001-51300-265

Additional Comments: _____

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

The above request is app. 12/7/15 reimbursement of actual and necessary expenses in the
approximate amount of \$1,650.00 and advance registration of \$1,650.00 is authorized.

<i>To be completed by the Finance Department</i>	
Fund Code:	<u>001-51300.265</u> (ex: 000-00000-000)
Description:	<u>Registration & Training</u>
Current Budget:	<u>\$14,000.00</u>
Approved Requests:	<u>\$2,222.03</u>
Budget Available:	<u>\$11,777.97</u>
Current Requests:	<u>\$1,650.00</u>
Budget Balance:	<u>\$10,127.97</u>

Donald L. Mims, Administrator

Reviewed by: S. Thomas

Date: 11/30/2015

cc: Finance Director / Buyer

Montgomery County Commission
Travel / Training Request Approval

Appendix C

Request # 8

AGENDA

DEC - 7 2015

Date: November 23, 2015
To: Donald L. Mims, Administrator
From: Sheriff Derrick Cunningham
Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Washington, DC
Departure Date: Fri., February 5, 2016 Return Date: Thurs., February 11, 2016
Conference Leave (Days / Hours): 6 Days
Purpose of Travel: Attend 2016 NSA Winter Conference

Traveler (s) Name: 1. Sheriff Cunningham 4. _____
2. _____ 5. _____
3. _____ 6. _____

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

Total (est.) Cost: \$1,100.00 Advance Registration Required: \$495.00

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

Additional Comments: Sheriff Cunningham is riding with another Sheriff from Alabama to DC & back
so Sheriff Cunningham will pay gas for other Sheriff's vehicle and will have
food expenses also

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

The above request is app. 12/7/15 reimbursement of actual and necessary expenses in the
approximate amount of \$1,100.00 and advance registration of \$495.00 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 & Training</u>
Current Budget:	<u>\$25,000.00</u>
Approved Requests:	<u>\$6,787.00</u>
Budget Available:	<u>\$18,213.00</u>
Current Requests:	<u>\$1,100.00</u>
Budget Balance:	<u>\$17,113.00</u>

Donald L. Mims, Administrator

Reviewed by: S. Thomas

Date: 11/24/2015

cc: Finance Director / Buyer

Montgomery County Commission
Travel / Training Request Approval

Appendix C

AGENDA

DEC - 7 2015

Request # 4

Date: November 30, 2015
To: Donald L. Mims, Administrator
From: Wanda J. Robinson, Director
Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Montgomery, AL
Departure Date: January 19, 2015 Return Date: January 19, 2015
Conference Leave (Days / Hours): 1 Day
Purpose of Travel: Leadership Skills for Women

Traveler (s) Name: 1. Lieutenant Debra Nearer 4. Lieutenant Angel McCall
2. Captain Etta Matthews 5.
3. Colonel Wanda Robinson 6.

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

Total (est.) Cost: \$597.00 Advance Registration Required: \$597.00

Department Name: Sheriff (MCDF) Fund Name: General

Additional Comments:

To: Wanda J. Robinson, Director

From: Donald L. Mims, Administrator

The above request is app. 12/7/15 reimbursement of actual and necessary expenses in the
approximate amount of \$597.00 and advance registration of \$597.00 is authorized.

<i>To be completed by the Finance Department</i>	
Fund Code:	<u>001-52200-265</u> (ex: 000-00000-000)
Description:	<u>Registration & Training</u>
Current Budget:	<u>\$15,000.00</u>
Approved Requests:	<u>\$6,525.00</u>
Budget Available:	<u>\$8,475.00</u>
Current Requests:	<u>\$597.00</u>
Budget Balance:	<u>\$7,878.00</u>

Donald L. Mims, Administrator

Reviewed by: S. Thomas

Date: 11/30/2015

cc: Finance Director / Buyer

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Montgomery County Commission
Travel / Training Request Approval

Appendix C

AGENDA

DEC - 7 2015

Request # 4

Date: November 19, 2015
To: Donald L. Mims, Administrator
From: Scott Kramer, Risk Manager
Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Auburn, AI
Departure Date: January 27, 2015 Return Date: January 29, 2015
Conference Leave (Days / Hours): 3 Days
Purpose of Travel: to attend ACCMA Winter Conference
The Hotel at Auburn University and Dixon Conference Center

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

Check Mode of Transportation:

County Vehicle

☐
☒

Commercial Air

☐
☐

Private Vehicle

Other (Specify)

Total (est.) Cost: \$690.40 Advance Registration Required: \$195.00

Department Name: Risk Management Fund Name: Liability

Additional Comments: Registration- \$195.00 / Meals- \$150.00 / Hotel- \$281 / Mileage- \$64.40

To: Scott Kramer, Risk Management

From: Donald L. Mims, Administrator

The above request is app. 12/7/15 reimbursement of actual and necessary expenses in the
approximate amount of \$690.40 and advance registration of \$195.00 is authorized.

<i>To be completed by the Finance Department</i>	
Fund Code:	<u>007-51100.265</u> (ex: 000-00000-000)
Description:	<u>Registration & Training</u>
Current Budget:	<u>\$15,000.00</u>
Approved Requests:	<u>\$339.00</u>
Budget Available:	<u>\$14,661.00</u>
Current Requests:	<u>\$690.40</u>
Budget Balance:	<u>\$13,970.60</u>

Donald L. Mims, Administrator

Reviewed by: S. Thomas

Date: 11/20/2015

cc: Finance Director / Buyer

15-6

December 7, 2015 - Minutes of Regular Meeting
Montgomery County Commission

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16-2

MONTGOMERY COUNTY COMMISSION BUDGET CHANGE REQUEST

REQUEST NUMBER 19

DEPARTMENT:	County Comm Appropriation	REVIEWED: S. Thomas	12/9/2015
DATE:	12/7/2015	Finance Director	Date
REQUESTED BY:	Donald L. Mims	APPROVED:	
Elected Official/Dept. Head		Administrator	Date

ACCOUNT NAME	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE (DECREASE)	REVISED BUDGET
Montgomery Co. Board of Education- Robert E. Lee High School	001-58100.498	0	2,000	2,000
Donation Revenue	001-40000.47701	(214,000)	(2,000)	(216,000)
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
TOTAL		(214,000)	0	(214,000)

JUSTIFICATION:

Budget for an appropriation to the Montgomery Co. Board of Education for the Robert E. Lee High School Choral Department.

DEC - 7 2015

BUDGET FORM 5

MONTGOMERY COUNTY COMMISSION BUDGET CHANGE REQUEST

REQUEST NUMBER 20

DEPARTMENT:	County Comm Appropriation	REVIEWED:	S. Thomas	12/9/2015
DATE:	12/7/2015		Finance Director	Date
REQUESTED BY:	Donald L. Mims	APPROVED:		
Elected Official/Dept. Head		Administrator		Date

ACCOUNT NAME	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE (DECREASE)	REVISED BUDGET
Montgomery Co. Board of Education- Walter T. McKee Junior High	001-58100.498	0	1,000	1,000
Donation Revenue	001-40000.47701	(216,000)	(1,000)	(217,000)
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
TOTAL		(216,000)	0	(216,000)

JUSTIFICATION:

Budget for an appropriation to the Montgomery Co. Board of Education to purchase championship rings for the members of the Walter T. McKee Junior High School football team.

MONTGOMERY COUNTY COMMISSION BUDGET CHANGE REQUEST

REQUEST NUMBER 21

DEPARTMENT: County Comm Appropriation REVIEWED: S. Thomas 12/9/2015
DATE: 12/7/2015 Finance Director Date
REQUESTED BY: Donald L. Mims APPROVED: _____
Elected Official/Dept. Head Administrator Date

ACCOUNT NAME	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE (DECREASE)	REVISED BUDGET
Troy University	001-57600.450	0	20,000	20,000
Donation Revenue	001-40000.47701	(217,000)	(20,000)	(237,000)
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
TOTAL		(217,000)	0	(217,000)

JUSTIFICATION:
Budget for an appropriation to Troy University for facility upgrades at the Davis Theatre.

AGENDA

DEC - 7 2015

Harold L. Boone, Sr.
HLBAssociates

207 Beachwood Lane,
Stone Mountain, Ga. 30087
HLba61@comcast.net
(334) 391-2985

INVOICE

Date: December 10, 2015
INVOICE # [100]

Minority Business Initiative

Montgomery County Commission
P.O. Box 1667
Montgomery, AL 36102

Qty	Description	Unit Price	Line Total
	Develop Minority Business Initiative Program for Montgomery County Commission, based on Promising and Best Practices.		
	(Professional Services)		
	15hrs @ \$125 per hour		\$1,875.00
	640 miles(two roundtrips from Atlanta to Montgomery) @57.5 p/m		\$368.00
	Make checks payable to : Harold L. Boone Thanks' for the opportunity to serve you!!		
Subtotal			
Total			\$2,243.00

Harold L.Boone, Sr. M. Ed., IOM
HLBAssociates
hlba61@comcast.net
(First in Service)



www.mc-ala.org/da

Daryl D. Bailey
District Attorney
Fifteenth Judicial Circuit of Alabama
251 South Lawrence Street
P.O. Box 1667
Montgomery, Alabama 36102-1667



(334)832-2550

AGENDA

DEC - 7 2015

December 4, 2015

Chairman Elton N. Dean, Sr.
Montgomery County Commission
Montgomery County Annex III
101 S. Lawrence St.
Montgomery, AL 36104

RE: Funding Requests

Dear Chairman Dean:

Thank you for speaking with me concerning personnel and related funding requests for my office. These requests are made due to a combination of a reduction in our state funding and other office revenues which are resulting in the loss of four state funded positions, and an increase in work load. I have detailed below the items discussed.

I am requesting the County Commission approve and fund a Legal Support Assistant position for my office. The salary and benefits total approximately \$46,603 per year.

I am also requesting the County Commission approve converting the Office Runner (A01) position to a Receptionist/Secretary position at pay grade A03. The difference between the pay grades is approximately \$5,000.

Finally, I request the County Commission match the City of Montgomery's funding of \$30,000 towards the salary of the Family Justice Center Director position for this fiscal year.

Again, thank you for your favorable consideration of these items. Please let me know if I can provide any additional information.

Sincerely,

Daryl D. Bailey
District Attorney

cc: Donnie Mims, County Administrator

[illegible]

22-2

ORIGINAL

DISTRICT ATTORNEY
POSITION FILL REQUEST

DEPARTMENT HEAD: Daryl D. Bailey

SUPERVISOR: Rhonda B. Cape

POSITION TITLE: Legal Support Assistant

POSITION NO: _____

PROPOSED EFFECTIVE DATE: 12/21/2015

TYPE OF APPOINTMENT: ☒ (X) PERMANENT ☐ () TEMPORARY

RECRUITING:

☒ (X) OPEN

☐ () TRANSFER

☐ () PROMOTION

☒ (X) PROMOTION/TRANSFER

PAY GRADE: A05

SALARY RANGE: \$32,318 – 48,286

Pay step to be based upon the following rules:

☐ () Promotions – If the rate in the previous position was less than the minimum rate established for the class of the new position, the rate of the pay shall be advanced to the minimum of the class of the new position. If the difference in pay ranges does not automatically result in an increase in the equivalent of a one-step increase in the rate of pay for an employee promoted, a one-step immediate increase within the pay range of the new classification may be given by the appointing authority.

*Merit dates do not change.

☐ () Transfers – If the rate of pay in the previous position falls within the pay range established for the class of the new position and does not correspond to a step in the salary plan, it shall be adjusted to the next higher step, but otherwise this rate of pay may remain unchanged on the recommendation of the administrative officer in accordance with this rule.

1 ADMINISTRATIVE REVIEW

☒ (X) APPROVED

☐ () DISAPPROVED

Q2 Morris 12/21/15
Funding

3 SELECTEE: _____

Date: _____

Appointing Authority Signature – District Attorney Office

4 ☐ () Manpower data entered by: _____

Date: _____

☐ () Payroll entered by: _____

Date: _____

revised 12/31/08

ORIGINAL

DISTRICT ATTORNEY
POSITION FILL REQUEST

DEPARTMENT HEAD: Daryl D. Bailey

SUPERVISOR: Rhonda B. Cape

POSITION TITLE: Receptionist/Secretary

POSITION NO: _____

PROPOSED EFFECTIVE DATE: 12/21/2015

TYPE OF APPOINTMENT: ☒ (X) PERMANENT ☐ () TEMPORARY

RECRUITING:

☒ (X) OPEN

☐ () TRANSFER

☐ () PROMOTION

☒ (X) PROMOTION/TRANSFER

PAY GRADE: A03

SALARY RANGE: \$25,630 – 38,294

Pay step to be based upon the following rules:

☐ () Promotions – If the rate in the previous position was less than the minimum rate established for the class of the new position, the rate of the pay shall be advanced to the minimum of the class of the new position. If the difference in pay ranges does not automatically result in an increase in the equivalent of a one-step increase in the rate of pay for an employee promoted, a one-step immediate increase within the pay range of the new classification may be given by the appointing authority.

*Merit dates do not change.

☐ () Transfers – If the rate of pay in the previous position falls within the pay range established for the class of the new position and does not correspond to a step in the salary plan, it shall be adjusted to the next higher step, but otherwise this rate of pay may remain unchanged on the recommendation of the administrative officer in accordance with this rule.

1 ADMINISTRATIVE REVIEW

☒ (✓) APPROVED

☐ () DISAPPROVED

D2 Min 12/21/15
Funding

3 SELECTEE: _____

Date: _____

Appointing Authority Signature – District Attorney Office

4 ☐ () Manpower data entered by: _____

Date: _____

☐ () Payroll entered by: _____

Date: _____

revised 12/31/08



12/6/2015

AGENDA

DEC - 7 2015

Montgomery Alabama County Commission

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HLBAssociates, Page | 1



23-1



12/6/2015

Montgomery Alabama County Commission

Minority Business Enterprise Initiative (MBE)

**A Proposal to Establish a MBE Program initiative to encourage
Minority Business participation in the County's procurement process.**

Submitted to:

To the Montgomery County Commission

Honorable Elton Dean Sr., Chairman District 2

Honorable Daniel Harris, Jr. Vice- Chair District 1

Honorable Ronda M. Walker- District 3

Honorable Jiles Williams, Jr. - District 4

Honorable Andrew D. Hall-District 5

Harold L. Boone, Sr. M.Ed., IOM

HLBAssociates

HLBAssociates, Page | 2



23-2



12/6/2015

This MBE initiative is proposed to encourage minority business participation in the County's procurement process. The Program has an aspirational **MBE participation goal of 10%**. This means we would like to see an annualized 10% participation by qualified minority businesses from the target sector submitting bids.

The County conducts its own MBE registration, and recognizes MBE certification by the Alabama Department of Economic and Community Affairs (ADECA) and Federal 8-A certification. Information concerning the Montgomery County Program and County registration process may be obtained by contacting the county administrator at 334-111-111, or email. The county administrator is the office of primary responsibility with the procurement division.

Eligibility Requirements for Certification by ADECA

In order to be eligible for minority or woman-owned certification, an applicant business must meet certain requirements that include, but are not limited to the following:

- A business must be at least 51 percent minority/woman-owned, controlled and operated on a daily basis
- Must have been in operation for at least one year prior to applying for minority business certification status
- Must have a legal presence (license) to operate in Alabama
- Majority owner(s) must be a legal resident of the United States by birth or naturalization
- Must be **socially disadvantaged** (defined as those individuals who have been subjected to racial or ethnic prejudice, sexual or cultural bias because of their identity as a member of a group without regard to their individual qualities)

HLBAAssociates, Page | 3



23-3



12/6/2015

- Must be **economically disadvantaged** (defined as those individuals whose ability to compete in the free enterprise system has been impaired due to diminished capital and credit opportunities)
- Must be a member(s) of an officially designated **socially disadvantaged group** such as African-American, Native American or Alaskan Native, Hispanic-American, Women, Asian-Pacific American, and Asian-Indian American

Who Buys For Montgomery County

Most purchases in excess of \$1,000 are either reviewed or conducted by the Purchasing Office.

How the County Buys:

HLBAAssociates, Page | 4



23-4



12/6/2015

- Small Purchases (up to \$4,999) - Only one quote is required. County Departments contact vendors directly by telephone or in writing. Purchase orders (POs) are required for purchases over \$1,000.

- Informal Quotes (from \$5,000 - \$24,999) - Three informal quotes are required, if possible and practicable. Most quotes are obtained by County Departments, and are submitted to Purchasing via requisition. Purchasing reviews the requisition, prepares and approves a PO, and forwards the PO to the Department. The Department normally places and coordinates the order with the vendor.

- Formal Procurement (\$25,000 and over) - Invitations To Bid [ITB], Requests For Proposals [RFP], and Request For Quotation [RFQ], are posted on the County online Bid Board, and should be advertised in one issue of a minority media outlet. The sealed Bids/Proposals/Quotes are received by Purchasing.

Bidder Check List

- Carefully read and understand the solicitation prior to submitting your bid, proposal, or quote. If you have questions, contact the Purchasing staff member listed in the solicitation.

- Comply with all the instructions and conditions. Improperly completed and/or incomplete bids, proposals, and quotes may be considered "non-responsive", and will be rejected.

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23-5



12/6/2015

- Your bid may require a bid bond or certified bid check of bond. A money order or cashier's check may be substituted for the certified bid check of bond.
- Ensure your bid is submitted to the Purchasing Office (Room B130) prior to the advertised bid closing time. If your bid is late, it cannot be accepted.

Price Information and Award Details

Most information relating to procurement is available upon request in accordance with the Alabama Public Information Act. Results of formal procurement solicitations will be mailed to all bidders at time of contract award. Bidders are invited to attend formal bid openings held by the Purchasing Office at the specified time and date.

Who to Contact

You may contact County Departments directly if you know the person you need to speak with, or you may contact the Purchasing Office. If you do not know the Department point of contact, Purchasing will direct you to the appropriate individual(s). We will always try to make your contact with the County mutually productive. Any inquiries or

HLBAssociates, Page | 6



23-6



12/6/2015

questions regarding these procedures may be directed to the address and phone numbers listed below.

Contact:

Vendor List

In order to be placed on our vendor list, you must fill out the standard Vendor List Application, obtainable from the Purchasing Office or the link below, indicating the types of commodities or service you provide.

VENDOR LIST APPLICATION

Alabama Marketplace

We strongly encourage you to register with the Montgomery County procurement office. County formal procurement solicitations are posted there. When you register, you provide your email address and the commodity and services codes applicable to your business. When we post solicitations, we automatically send an email to all those businesses registered with the codes that match the commodities/services required by our solicitation.

Resources:

The Montgomery Area Chamber of Commerce, in partnership with the Montgomery Alabama County Commission, can and will provide

HLBAAssociates, Page | 7



23-7



12/6/2015

procurement training for businesses that have never done business with a government entity along with businesses interested in doing business with a government entity without cost.

This program will provide procurement training, via partnerships, in the following areas:

- ***RFP (Request for Proposal) Review and Analysis – This training will provide contractors with assistance with understanding and reading bids specifications.***
- ***Proposal Preparation Assistance – Partnering contractor with companies and organization that can provide assistance with proposal preparation and review.***
- ***“How To” Seminars - Workshops focus in the area of financing your business, marketing, and small and minority business certifications.***
- ***Mentorship – Connecting general contractors with prime contractors in order to build working relationships and increase capacity.***





12/6/2015

NEXT STEPS:

1. Set-Workshop/forum to explain initiative with full participation of commission members.
2. Set-up pre-workshop publicity via:
 - WVAS 90.7 PSA spot announcing the event
 - Press release to Media outlets
 - Interview with Brad Harper Montgomery Advertiser Business section
 - Alabama Today noon spot
 - CVT Visions TV Communications spot
 - Use social media to reach targeted businesses
 - Set-up online registration on MCC website.



Dan Harris

From: Harold <hlba61@comcast.net>
Sent: Friday, September 25, 2015 6:52 AM
To: Dan Harris
Subject: Draft copy of MBE initiative

Good morning Commissioner,

Attached the draft document of the proposed MBE initiative. It's based on some programs around the country that are in place with promising and best practices. The document is embedded in this email because my computer crashed and I could not send it as an attachment. It's not a complex program, but rather an initiative to open more opportunities for qualified eligible targeted entrepreneurs to bid on county procurement opportunities. I'm available to discuss and answer any questions you might have.

All the Best!!!

Harold L.Boone, Sr. M. Ed. IOM

HLBAssociates

(334) 391-2985



Montgomery Alabama County Commission

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Montgomery Alabama County Commission

Minority Business Enterprise Initiative (MBE)

A Proposal to Establish a MBE Program initiative to encourage Minority Business participation in the County's procurement process.

**Presented to: To the Montgomery County Commission
Honorable Elton Dean Sr., Chairman District 2
Honorable Daniel Harris, Jr. Vice- Chair District 1
Honorable Ronda M. Walker- District 3
Honorable Jiles Williams, Jr. - District 4
Honorable Andrew D. Hall-District 5**

**By
Harold L. Boone, Sr. M.Ed. IOM
HLBAssociates**

Minority Business Initiative (MBE)

Minority Business Enterprise (MBE) Program

The MBE Program initiative is proposed to encourage minority business participation in the County's procurement process. The Program has an aspirational **MBE participation goal of 25%**. The County conducts its own

MBE registration, and recognizes MBE certification by the Alabama Department of Economic and Community Affairs (ADECA) and Federal 8-A certification. Information concerning the Montgomery County Program and County registration process may be obtained by contacting the county administrator at 334-111-111, or emailxxxxxxxxxxxxxxxxxxxxxx. The county administrator is the office of primary responsibility with the procurement division.

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- Majority owner(s) must be a legal resident of the United States by birth or naturalization
- Must be **socially disadvantaged** (defined as those individuals who have been subjected to racial or ethnic prejudice, sexual or cultural bias because of their identity as a member of a group without regard to their individual qualities
- Must be **economically disadvantaged** (defined as those individuals whose ability to compete in the free enterprise system has been impaired due to diminished capital and credit opportunities)
- Must be a member(s) of an officially designated **socially disadvantaged group** such as African-American, Native American or Alaskan Native, Hispanic-American, Women, Asian-Pacific American, and Asian-Indian American

Who Buys For Montgomery County (Example)

Most purchases in excess of \$1,000 are either reviewed or conducted by the Purchasing Office.

How the County Buys (Example)

- Small Purchases (up to \$4,999) - Only one quote is required. County Departments contact vendors directly by telephone or in writing. Purchase orders (POs) are required for purchases over \$1,000.
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- Comply with all the instructions and conditions. Improperly completed and/or incomplete bids, proposals, and quotes may be considered "non-responsive", and will be rejected.
- Your bid may require a bid bond or certified bid check of bond. A money order or cashier's check may be substituted for the certified bid check of bond.
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Who to Contact

23-14

You may contact County Departments directly if you know the person you need to speak with, or you may contact the Purchasing Office. If you do not know the Department point of contact, Purchasing will direct you to the appropriate individual(s). We will always try to make your contact with the County mutually productive. Any inquiries or questions regarding these procedures may be directed to the address and phone numbers listed below.

Contact:

Vendor List

In order to be placed on our vendor list, you must fill out the standard Vendor List Application, obtainable from the Purchasing Office or the link below, indicating the types of commodities or service you provide. ***VENDOR LIST APPLICATION***

Alabama Marketplace

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hlba61@comcast.net

Florence Cauthen

From: Harold Boone <hlba61@comcast.net>
Sent: Thursday, October 08, 2015 11:31 AM
To: Florence Cauthen
Subject: How to Get Certified as a Veteran-Owned Business

Good afternoon ,

Below you will find the link for certifications for veterans. It has several links but the most important one is how to get certified.

All the Best!!

HB

Hlbaassociates

334 391-2985

How to Get Certified as a Veteran-Owned Business
<http://www.inc.com/guides/2010/05/veteran-owned-business-certification.html>

Sent from Mail for Windows 10

Florence Cauthen

From: Harold <hlba61@comcast.net>
Sent: Tuesday, November 10, 2015 10:36 AM
To: Florence Cauthen; Dan Harris
Cc: rsimmons@montgomerychamber.com; Mitchell, Temisha; Boone Sr, Harold
Subject: MBE Initiative

RESENT HAS A BOUNE BACK:

All please find the insert for the proposed MBE initiative. Mrs. Cauthen, this is the part that we spoke about at our last meeting. The Chamber's Business Resource Center will facilitate this training. Commissioner Harris if you can verify that November 16, is the next meeting for me to brief I would certainly appreciate that. Would like to bring some closure to this project as we have the solid structure for the county to proceed. Ron and Temisha thanks for all you do in supporting our MBE's and business development. Please let me know if you have any questions or concerns.

INSERT:

The Montgomery Area Chamber of Commerce, in partnership with the Montgomery Alabama County Commission, will provide procurement training for businesses that have never done business with a government entity along with businesses interested in doing business with a government entity.

This program will provide procurement training, via partnerships, in the following areas:

- **RFP (Request for Proposal) Review and Analysis** – This training will provide contractors with assistance with understanding and reading bids specifications.
- **Proposal Preparation Assistance** – Partnering contractor with companies and organization that can provide assistance with proposal preparation and review.
- **"How To" Seminars** - Workshops focus in the area of financing your business, marketing, and small and minority business certifications.
- **Mentorship** – Connecting general contractors with prime contractors in order to build working relationships and increase capacity.

ALL THE BEST!!!!!!

Harold L. Boone, Sr. M.Ed. IOM

HLBAAssociates

(334) 391-2985

Tammy Nix

From: Tyrone Means <tcmeans@meansgillislaw.com>
Sent: Saturday, December 05, 2015 2:41 PM
To: Florence Cauthen
Cc: Donald Mims; Tammy Nix; Ethel Bandy; Tyrone Means
Subject: December 4, 2015

AGENDA

DEC - 7 2015

December 4, 2015

Florence Cauthen

Re: MCC: Legal Guidance Regarding Raycom Media Camellia Bowl 2015 Sponsorship

Dear Florence:

Reference is made to your email dated November 24, 2015 requesting legal guidance that comports with Alabama Ethics Laws related to the contemplated Raycom Media Camellia Bowl sponsorship by Montgomery County.

As I understand from your email and our telephone conference of December 4, 2015, the county commission desires to:

- o welcome the Camellia Bowl to Montgomery;
- o encourage continued operation of the Camellia Bowl in future years;
- o encourage tourism to Montgomery during the Camellia Bowl and at other times; encourage hotel stays;
- o encourage restaurant visits;
- o encourage retail commerce;
- o encourage industrial development; and
- o promote the quality of life, jobs and education available to those who live in Montgomery or might want to locate in Montgomery.

To do so, the county commission intends to participate in the various pre-game hospitality events and of course, the game. These events may include a kick-off banquet, social functions and networking events and other special functions related to the Camellia Bowl event. The county would provide tickets and/or passes to the commissioners and designated county staff, as host/ambassadors whose goals will be to promote the various goals that the county has set for participation in all related events including the game and pre-game tailgating. The Camellia Bowl in exchange for the sponsorship will provide a bundle of commercials, print ads, signage, et cetera. There is also an annual golf event and there is an "ESPN VIP Bowl Gift Pack."

It is my opinion that based upon the goals set by the county it is permissible for the county commissioners and designated county employees to participate in welcoming the Camellia Bowl and providing other hospitality for this event as a means of achieving its goals. However, problematic amongst the sponsorship package items is how will the distribution of 100 game tickets be handles and how will the ESPN VIP Bowl Gift Packs be distributed.

That said, the 100 game day tickets must be distributed in a fashion such that the commissioners in making the distribution such that the individual commissions avoid impropriety or even the appearance of impropriety in making the distribution. There cannot even appear that the commissioners personally and individually had a hand in getting tickets to anyone or giving anyone what appears to be an advantageous manner.

The Ethics Commission in 2014 suggested a county employee lottery. Last year apparently the county commission decided to distribute the tickets to youth programs particularly the YMCA and/or Brantwood Children's Home and/or Carver High School. If the county chooses to either announce on a first come/first serve basis or some sort of lottery for county employees then that is likely permissible.

If the commission can fairly get the word out to any and all Montgomery County citizens then that is likely permissible. The suggestion that the tickets be distributed on a first come/first basis to encourage persons to come to the county hospitality tent is likely permissible so long as the county adequately advises the public of that opportunity and citizens have a fair chance or opportunity to participate. That may likely be achieved by announcing at all the future county commission meetings and doing a public service announcement of some sort in the media advising that the first 100 Montgomery county citizens shall be given a ticket to the game.

Distribution to the YMCAs or Brantwood Children's Home is permissible. If the tickets are to be distributed to high school students, then it is best to designate an equal amount of tickets to each high school in Montgomery County.

I have placed a call in to Hugh Evans who is general counsel for the Alabama Ethics Commission. The purpose of this call is to discuss the distribution of the ESPN VIP gift baskets. I am also researched the threshold for receiving gifts of value which is \$25.00. I confirmed that with Mr. Evans. It is my opinion that this is the most troubling aspect of the sponsorship. Mr. Evans asked that I email a request for guidance on the gift baskets.

If you have any questions, please feel free to let me know.

Sincerely yours,

MEANS GILLIS LAW, LLC

Tyrone C. Means

cc: Donald Mims
Tammy Nix

***Tyrone C. Means
Means Gillis Law, LLC
60 Commerce Street, Suite 200(36104)
P O Box 5058
Montgomery, AL 36103-5058
(334) 270 1033
(800) 626-9864
(334) 260 9396 (Fax)***

***tcmeans@meansgillislaw.com
www.meansgillislaw.com***

H. Lewis Gillis and Tyrone C. Means are Means Gillis Law. Seasoned attorneys with a staff of caring professionals, Attorneys Gillis and Means have collectively practiced for more than 75 years. Our legal expertise spans the civil litigation spectrum which includes cases of wrongful death, serious personal injury and product liability. We also extend our legal expertise to a variety of government agencies and high profile white-collar criminal defense cases. Our firm has handled some of the most challenging and notable plaintiff and defense cases tried in the southern United States for more than a quarter of a century. We take pride in representing both the mainstream and the underserved communities in our society. This message is privileged and confidential and may be protected by the attorney-client privilege, the attorney work product doctrine, or other law. These privileges are not waived.

Florence Cauthen

Subject: FW: Camellia Bowl

From: Henry Gillis [mailto:hlgillis@meansgillislaw.com]
Sent: Thursday, December 18, 2014 3:20 PM
To: Tammy Nix; DiDi Henry
Cc: Tommy Gallion; Tyrone Means; Kristen Gillis; Roselyn Simmons
Subject: Fwd: Camellia Bowl

FOR YOUR INFORMATION

----- Forwarded message -----

From: Henry Gillis <hlgillis@meansgillislaw.com>
Date: Thu, Dec 18, 2014 at 3:16 PM
Subject: Re: Camellia Bowl
To: "Davis, Julie" <Julie.Davis@ethics.alabama.gov>

Please report to Hugh that the County has taken the \$25.00 tickets and will contribute them to the YMCA and/or Brantwood Childrens' Home and/or Carver High School. We were not able to organize such that all county employees could get the word about the tickets in a timely manner so we choose to donate the same as stated. Again, thanks for your help.

On Thu, Dec 18, 2014 at 8:53 AM, Davis, Julie <Julie.Davis@ethics.alabama.gov> wrote:

I sure will! You have a wonderful one too, Mr. Gillis.

From: Henry Gillis [mailto:hlgillis@meansgillislaw.com]
Sent: Thursday, December 18, 2014 8:52 AM
To: Davis, Julie
Subject: Re: Camellia Bowl

Julie - Please let Hugh know that I thank him for his quick response to my inquiry. Also let him know that the Commissioners will proceed with a type of pooling of tickets and drawing or a first come distribution. I will let him know which and who is in charge of distribution. Again, thanks and I wish you and your family a Merry Christmas and Happy New Year.

On Wed, Dec 17, 2014 at 1:23 PM, Davis, Julie <Julie.Davis@ethics.alabama.gov> wrote:

Your message is ready to be sent with the following file or link attachments:

Gillis, Lewis, dec17, 2014

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

--

OUR OFFICE IS MOVING TO THE DOWNTOWN AREA.

EFFECTIVE DECEMBER 1, 2013, OUR NEW PHYSICAL ADDRESS WILL BE:

MEANS GILLIS LAW, LLC

60 COMMERCE STREET, SUITE 200, MONTGOMERY, AL 36104

PLEASE NOTE THAT OUR PHONE NUMBER WILL REMAIN 334-270-1033 & OUR MAILING ADDRESS WILL STILL BE P.O. BOX 5058 MONTGOMERY, AL 36103

H. Lewis Gillis, Esq.

Means Gillis Law, LLC

3121 Zelda Court
P.O. Box 5058
Montgomery, AL 36103-5058

(334) 270-1033 (OFFICE)

(334) 260-9396 (Fax)

hlgillis@meansgillislaw.com

www.meansgillislaw.com

H. Lewis Gillis and Tyrone C. Means are Means Gillis Law. Seasoned attorneys with a staff of caring professionals, Attorneys Gillis and Means have collectively practiced for more than 75 years. Our legal expertise spans the civil litigation spectrum which includes cases of wrongful death, serious personal injury and product liability. We also extend our legal expertise to a variety of government agencies and high profile white-collar criminal defense cases. Our firm has handled some of the most challenging and notable plaintiff and defense cases tried in the southern United States for more than a quarter of a century. We take pride in representing both the mainstream and the underserved communities in our society.

This message is privileged and confidential and may be protected by the attorney-client privilege, the attorney work product doctrine, or other law. These privileges are not waived.

MEANS GILLIS LAW, LLC

ATTORNEYS AND COUNSELLORS AT LAW
ESTABLISHED IN 1981

Post Office Box 5058
68 Commerce Street, Suite 200 • Montgomery, Alabama 36104-3530
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WWW.MEANSGILLISLAW.COM

H. LEWIS GILLIS¹
TYRONE C. MEANS^{2,3}
KRISTEN J. GILLIS¹

ADMITTED
¹ ALABAMA
² GEORGIA
³ KANSAS

December 15, 2014

Hon. Hugh Evans
General Counsel
Alabama Ethics Commission
101 Union Street, Suite 104
Montgomery, AL 36104

Re: Camellia Bowl / Montgomery County Commission

Dear Attorney Evans:

This letter comes as a request for an advisory opinion from you as General Counsel to the Alabama Ethics Commission.

BACKGROUND:

On December 20, 2014, Montgomery (Montgomery County), Alabama will serve as the host city for the First Annual Camellia Bowl. This event has a number of sponsors including Racom Media, City of Montgomery, Montgomery County Commission and others.

The Camellia Bowl Executive Director, Mr. Johnny Williams, has extended an invitation to attend this event to the Montgomery County Commissioners, Montgomery Probate Judge Steven Reed, Montgomery County Sheriff Derrick Cunningham, Revenue Commissioner Janet Buskey and her Chief Assistant, and other officials in Montgomery and the state of Alabama. These Montgomery County officials are being asked to act as ambassadors for the Camellia Bowl to promote the success of the game, to promote economic development for Montgomery County, and to meet and greet various Bowl officials, officials from Bowl participating schools and to be available for general media promotions at the game.

QUESTION(S):

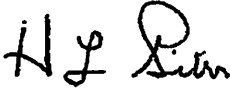
1. If the officials named accept the invitation to attend the Camellia Bowl in their official capacity as ambassadors for the Bowl, will this act of attending violate the Alabama Ethics Act?
2. If the officials accept the invitation and attend the Bowl as requested, will their participation be considered as an exception to having received a "thing of value" in

violation of the Alabama Ethics Act? (Section 36-25-1(34)(b)(14), Code of Alabama, 1975.

3. If the officials accept the invitation and attend the Bowl, will accepting the invitation be considered as "using their office for personal gain" in violation of the Alabama Ethics Act?

Your prompt response to these questions is very much appreciated. I can be reached at my office number (334-270-1033), my cell (334-301-4402), or by email at hlgillis@meansgillislaw.com.

Sincerely,
MEANS GILLIS LAW, LLC



H. Lewis Gillis

cc: Montgomery County Commission (D. Mims)



STATE OF ALABAMA ETHICS COMMISSION



MAILING ADDRESS
P.O. BOX 4840
MONTGOMERY, AL
36103-4840

STREET ADDRESS
RSA UNION
100 NORTH UNION STREET
SUITE 104
MONTGOMERY, AL 36104

COMMISSIONERS

Brig Gen (R) Edward F. Crowell (USAF), Chair
V. Larkin Martin, Vice-Chair
James Jerry Wood, Esq.
Stewart Hill Tankersley, M.D.
Anthony Humphries

John L. Carroll
Acting Director

VIA E-MAIL AT hlgillis@meansgillislaw.com AND U. S. MAIL

TELEPHONE (334) 242-2997
FAX (334) 242-0248
WEB SITE: www.ethics.alabama.gov

December 17, 2014

H. Lewis Gillis, Esquire
Means Gillis Law, LLC
60 Commerce Street, Suite 200
Montgomery, Alabama 36104-3530

Re: Montgomery County Commission/Camellia Bowl

Dear Mr. Gillis:

I received your December 15th letter, which was a follow-up to our meeting earlier in the day regarding the 2014 Camellia Bowl and what items the members of the Montgomery County Commission can accept in relation to that game.

Judge Carroll and I have spent quite a bit of time discussing your letter and the circumstances surrounding it. Before we render an informal opinion, we need to set out the following qualifiers:

- 1) As this is uncharted territory, any advice we give is based merely on the actions we would take if we were in the Commission members' shoes, and should not be interpreted as being a definitive answer; and
- 2) In addition to the above, this is merely our informal opinion, and does not carry the weight of law that a formal Advisory Opinion rendered by the Ethics Commission carries.

As you know, the 2010 amendments to the Alabama Ethics Law completely changed what is and what is not permissible for public officials and public employees to accept.

Tickets to a sporting event are absolutely prohibited, unless they are given to a faculty or staff member of the educational institution or are valued at \$25 or less. This is not the scenario we are looking at.

Having said that, the law does recognize that certain things may be given to public officials in situations where they are appearing, attending or otherwise performing functions related to their official position.

I would point out to you the following sections: 36-25-1(34)(b)(12) and (14). Those sections state as follows:

"b. The term, thing of value, does not include any of the following, provided that no particular course of action is required as a condition to the receipt thereof:

"12. Payment of or reimbursement for actual and necessary transportation and lodging expenses, as well as waiver of registration fees and similar costs, to facilitate the attendance of a public official or public employee, and the spouse of the public official or public employee, at an educational function or widely attended event of which the person is a primary sponsor. This exclusion applies only if the public official or public employee meaningfully participates in the event as a speaker or a panel participant, by presenting information related to his or her agency or matters pending before his or her agency, or by performing a ceremonial function appropriate to his or her official position; or if the public official's or public employee's attendance at the event is appropriate to the performance of his or her official duties or representative function.

"14. Hospitality, meals, and other food and beverages provided to a public official or public employee, and the spouse of the public official or public employee, as an integral part of an educational function, economic development function, work session, or widely attended event, such as a luncheon, banquet, or reception hosted by a civic club, chamber of commerce, charitable or educational organization, or trade or professional association."

Based on these sections, the County Commission members may attend the Camellia Bowl and may participate in the activities related to the Bowl, as long as they are serving in their official capacity as County Commissioners, thereby being a representative, ambassador, etc.

As you point out, the Bowl game could potentially also be an economic development opportunity.

Therefore, the answer to Question No. 1 is that if the Commissioners are attending in their official capacity, their attendance will not violate the Ethics Law. Likewise, Question No. 2 can be answered in the negative, as their activities would be permitted under exceptions (12) and/or (14). Question No. 3 is easily answered by stating that a public official or public employee may not accept anything, regardless of whether or not it is a thing of value, in exchange for official action. Therefore, as long as the officials attend in their official capacity as ambassadors of the County, and do not expect anything in return, they have not used their office for personal gain.

In the discussions I have had with both the County and yourself, it is my understanding that there is a very significant "package" that has been offered to the County and the County Commissioners. This includes parking passes, tickets to the game, hospitality associated with the game and other items.

A few of the things being offered bothered us.

First of all, it is my understanding that each County Commissioner was being offered 25 tickets to give to their constituents. We do not think this is a good idea, nor proper under the Alabama Ethics Law. This could be interpreted as influence-peddling or attempting to gain the support and/or vote of certain members of the community.

With the exception of their attendance and the tickets associated with their attendance, we feel that the better course of action is to take the package – the parking passes, the tickets to the game – and have some sort of "lottery" for lack of a better word, and allow the County employees to participate. This could be done on a first-come-first-served basis, names could be put into a hat, etc., something whereby the County employees might also be able to enjoy the Bowl game.

H. Lewis Gillis, Esquire
December 17, 2014
Page three

While the County Commissioners could participate in the drawing or whatever is devised, it is important to point out that the County Commissioners did give \$100,000 as a sponsorship to the Bowl game. However, it was not the County Commissioners' personal money. It was County money. Therefore, they should not receive any special benefit.

Based on this, we feel that it would be proper for the County Commission members to accept tickets to the game, as well as parking passes, plus the hospitality associated with the game, as they will be attending in their official capacity as a County Commissioner, and therefore an ambassador for Montgomery County.

We do not feel, however, that it is proper for the County Commissioners to personally accept all the items that are being offered as set out above.

I hope this satisfactorily answers your questions. Again, please bear in mind that this is our informal opinion and it is, indeed, uncharted territory in which we are treading.

Sincerely,



Hugh R. Evans, III
General Counsel

/jd

cc: John L. Carroll

1 HB66
2 77078-2
3 By Representative Grimes (N & P)
4 RFD: Montgomery County Legislation
5 First Read: 19-JUL-05

AGT No. 2005-283

↑
RECEIVED
JUL 26 2005
GOVERNOR'S
OFFICE

1
2 ENROLLED, An Act,

3 Relating to Montgomery County; to amend Act 430 of
4 the 1939 Regular Session (Acts 1939, p. 259), establishing a
5 Contingency Fund; to expand the Contingency Fund account from
6 \$7,000 to \$25,000.

7 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

8 Section 1. Section 1 and Section 4 of Act 430 of the
9 1939 Regular Session (Acts 1939, p. 259) are amended to read
10 as follows:

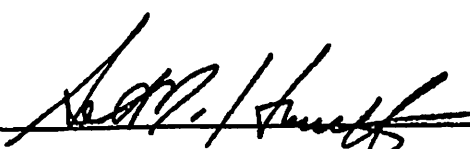
11 "Section 1. That the Board of Revenue or other
12 governing body of like jurisdiction of Montgomery County,
13 Alabama is hereby authorized and empowered to appropriate out
14 of any monies in the county treasury not otherwise
15 appropriated and to expend not exceeding the sum of
16 twenty-five thousand dollars (\$25,000) per annum plus such
17 amount so appropriated from previous fiscal years not
18 otherwise expended for any county purposes not otherwise
19 provided for by law, that in the Board's judgment is in the
20 interest of the county, the funds hereby authorized to be
21 created to be known as the 'Contingent Fund.'"

22 "Section 4. Under the provisions of Section 1 not
23 more than twenty-five thousand dollars (\$25,000) shall be
24 appropriated and expended in any one year and should any sum
25 or sums remain unexpended in the fund at the end of the year

1 that amount unexpended shall be appropriated for the next
2 succeeding year along with funds to be appropriated for that
3 succeeding year."

4 Section 2. Section 2 and Section 3 of Act 430 of the
5 1939 Regular Session (Acts 1939, p. 259) are expressly
6 repealed.

7 Section 3. This act shall become effective
8 immediately following its passage and approval by the
9 Governor, or its otherwise becoming law.

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Speaker of the House of Representatives

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6

President and Presiding Officer of the Senate

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9
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12
13
House of Representatives

I hereby certify that the within Act originated in
and was passed by the House 21-JUL-05.

Greg Pappas
Clerk

14
15
16
17
Senate

26-JUL-05

Passed

RECEIVED 07/28/05

TIME 3:40 p.m.


GOVERNOR

Alabama Secretary Of State

Act Num....: 2005-283
Bill Num....: H-66

Recv'd 07/29/05 11:22amSXH

ADJOURNMENT

There being no further business to come before the Commission at this time, the meeting stood adjourned until Monday, December 21, 2015, at 8:00 in the morning.

Donald Z. Minna
Administrator

Elton N. Hearn, Jr.
Chairman