

MINUTES OF REGULAR MEETING
MONTGOMERY COUNTY COMMISSION
AUGUST 4, 2014

INFORMATION SESSION

Chairman Dean called the Meeting to Order at 8:08 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 ADMINISTRATOR MIMS

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

PRESENTATION BY PROBATE JUDGE STEVEN L. REED AND FRANK LITCHFIELD WITH SEAY, SEAY & LITCHFIELD

Frank Litchfield with Seay, Seay & Litchfield briefed the Commission regarding a Bid Award to Bear Brothers, Inc., for the West Probate/Revenue Offices restroom addition. Probate Judge Steven L. Reed requested that the Commission waive rules. After discussion, the Commission agreed to waive rules and add this item to the agenda.

PRESENTATION BY JUVENILE COURT ADMINISTRATOR BRUCE HOWELL AND FRANK LITCHFIELD WITH SEAY, SEAY & LITCHFIELD

Frank Litchfield with Seay, Seay & Litchfield briefed the Commission regarding a Change Order to the Agreement with Bear Brothers, Inc., regarding the Montgomery County Youth Facility renovation project. Juvenile Court Administrator Bruce Howell reviewed the items that are being added. Mr. Howell noted \$150,000 is available in the General Contingency Allowance which can fund these additional items that will cost \$93,507. Mr. Litchfield distributed a Montgomery County Youth Facility Anticipated Construction Phase Completion Dates Schedule for this project. After discussion, the Commission agreed to waive rules and add this item to the agenda. (Copy of Montgomery County Youth Facility Anticipated Construction Phase Completion Dates Schedule, Agenda Pages 12-1, is attached to these Minutes.)

PRESENTATION BY FRANK LITCHFIELD WITH SEAY, SEAY & LITCHFIELD

Frank Litchfield with Seay, Seay & Litchfield briefed the Commission regarding Amendment Number 1 to the Professional Services Agreement with Seay, Seay & Litchfield, P.C.,

concerning the Montgomery County Youth Facility renovation project. Commissioner Ingram requested to review the original contract. After discussion, the Commission agreed to place this item on the next agenda.

PRESENTATION BY GRIFFIN HARRIS AND PATRICK ADDISON WITH PH&J ARCHITECTS, INC. AND CHIEF INFORMATION AND TECHNOLOGY OFFICER LOU IALACCI

Griffin Harris and Patrick Addison with PH&J Architects, Inc. briefed the Commission regarding Bid Award for Alternate 2 (County Digital Signage System) concerning Annex I Third Floor renovations for the District Attorney's Office and Child Support Unit, PH&J Number: 1208-GVC. Commissioner Ingram stated that he thought it was an expensive accessory to purchase right now. Chief Information and Technology Officer Lou Ialacci stated that PH&J Architects have done a great job in working with the County. He noted that the Information Systems Department was not involved in conversations regarding the digital signage system on the front end. Mr. Ialacci distributed a Resolution, which the County adopted at their meeting on June 10, 2008, requiring that acquisition of hardware and software application programs be coordinated with the County's Information Systems Department. After discussion, the Commission agreed not to pursue Alternate 2 at this time. (Copy of Resolution, Agenda Page 13-1, is attached to these Minutes.)

PRESENTATION BY PROJECT MANAGER BERNARD LEE WITH ALL COLLABORATING TO SERVE COMMUNITY DEVELOPMENT CORPORATION

Project Manager Bernard Lee with All Collaborating to Serve Community Development Corporation briefed the Commission regarding the program. Vice Chairman Harris stated that the Commission could possibly help with grants for the program, but not with General Fund funding.

PRESENTATION BY CHIEF INFORMATION AND TECHNOLOGY OFFICER LOU IALACCI

Chief Information and Technology Officer Lou Ialacci presented a Technology Update for 2015 budgets. (Copy of Memorandum, Agenda Page 14-1 is attached to these Minutes.)

PRESENTATION BY COUNTY ENGINEER GEORGE C. SPEAKE AND ASSISTANT COUNTY ENGINEER JAMES KELLEY

County Engineer George C. Speake briefed the Commission regarding Engineering Budget Change Request Number 11 concerning the reallocation of funds to cover various near end of budget year insufficiencies. The Commission agreed to waive rules and add this item to the agenda.

Furthermore, Mr. Speake mentioned that the Butler Mill Road resurfacing project remains scheduled for the November 2014 ALDOT letting, and bid opening for resurfacing Dozier,

Goodwyn-Gibson, and parts of Felder Roads is to be conducted by purchasing on August 19, 2014.

PRESENTATION BY ADMINISTRATIVE ASSISTANT RHONDA CAPE WITH THE DISTRICT ATTORNEY'S OFFICE

Administrative Assistant Rhonda Cape with the District Attorney's Office briefed the Commission regarding a Position Fill Requests for Case Manager I, Position Number 438045004, District Attorney's Office (Worthless Check Unit) and Office Runner, Position Number 408080024. After discussion, the Commission agreed to waive rules and add these items to the agenda.

COMMENTS FROM ADMINISTRATOR MIMS

Administrator Mims briefed the Commission regarding a Bid Award for inmate uniforms, Bid No. 52200-14B-011 for the Detention Facility. After discussion, the Commission agreed to waive rules and add this item to the agenda.

Administrator Mims briefed the Commission regarding a Grant Application to the Alabama Historic Commission for the 2015 Capital Enhancements Grant concerning renovations to the Greil Mansion. After discussion, the Commission agreed to waive rules and add this item to the agenda.

PRESENTATION BY PARKS AND RECREATION DIRECTOR ROB SPIVERY

Parks and Recreation Director Rob Spivery updated the Commission regarding the youth initiative program, which was aimed at reaching as many youths as possible and providing them with activities during the summer.

COMMENTS FROM ADMINISTRATOR MIMS

Administrator Mims informed the Commission that Examiners of Public Accounts Audit Manager Teresa Dekle and Examiner Dixie Broadwater will conduct the annual Audit Exit Conference immediately following the adjournment of the Commission meeting. He noted that the Open Meetings Law allows the Examiners of Public Accounts to meet privately with the County Commission, Code of Alabama Section 36-25A-2, Paragraph 6-3-b-2.

PRESENTATION BY DISTRICT ATTORNEY DARYL BAILEY AND VOLUNTEER TAMARA MARTIN

District Attorney Daryl Bailey introduced Tamara Martin who is a volunteer at the One Place Family Justice Center. Ms. Martin introduced Willow, a trained service dog assigned to the One Place Family Justice Center to be used in courtrooms to help comfort witnesses who are testifying. The Commission expressed appreciation to Ms. Martin and Willow for their service to the citizens of Montgomery County.

DISCUSSION BY THE COMMISSION

Commissioner Ingram noted that the Contract with Crosby Drinkard, LLC, would be expiring soon. After discussion, the Commission agreed to place this item on the next agenda.

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 Bishop Frederick A. Hardy, Sr., of Faith Full Gospel Baptist Church at the Request of Commissioner Walker.

The Pledge of Allegiance was led by Commissioner Williams.

County Administrator Mims called Roll to Establish Quorum and the following Commissioners were present: Chairman Dean, Vice Chairman Harris and Members Ingram, 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 July 21, 2014. The motion was seconded by Commissioner Ingram and unanimously approved by the Commission.

CONSENT AGENDA

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

Vice Chairman Harris made a motion to approve the Accounts Payable and Payroll Checks, as presented by Administrator Mims. The motion was seconded by Commissioner Walker and unanimously approved by the Commission. (Copies of Accounts Payable Checks and Payroll Checks Authorization, Consent Agenda Pages 1 through 9, are attached to these Minutes.)

NEW BUSINESS

COUNTY COMMISSION – APPROVED BANK DEPOSITORIES FOR THE REMAINDER OF THE 2014 CALENDAR YEAR

Administrator Mims presented the following memorandum:

July 17, 2014

MEMORANDUM

TO: Montgomery County Commission

FROM: Donald L. Mims
County Administrator

SUBJECT: Updated List of Bank Depositories

Recently, it came to my attention that Trustmark National Bank was not included in our approved list of bank depositories.

I am requesting that the Commission approve the attached updated list of bank depositories for the remainder for the 2014 Calendar Year.

Attachment

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. (Copy of Memorandum, Agenda Page 1-2, is attached to these Minutes.)

COUNTY COMMISSION – APPROVED MISCELLANEOUS APPROPRIATIONS
REPROGRAMMING REQUESTS

Administrator Mims requested approval of the following miscellaneous appropriations reprogramming requests:

August 4, 2014

MEMORANDUM

TO: Montgomery County Commission

FROM: Donald L. Mims, County Administrator

SUBJECT: Miscellaneous Appropriations Reprogramming Requests

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

C-2014-93: Montgomery County Recreation Department, Cleveland Avenue YMCA,
for Youth Program - \$750; (Harris)

- NC-2014-102: BOE, Floyd Middle Magnet School, for Football Program - \$1,000; (Harris)
- NC-2014-103: City of Montgomery, to be used by BONDS to Support Freeport Estates Homeowners Association, with Funding to Promote the Community Enhancement and Beautification Programs/Projects - \$500; (Ingram)
- NC-2014-104: Montgomery County Recreation Department, for Pine Level Park's Summer Activities - \$1,300; (Ingram)
- NC-2014-105: City of Montgomery, to be used by BONDS to Belle Meade/Spring Park Neighborhood, for the "National "Night Out" Event - \$500; (Ingram)

End of Memorandum

During the County Commission Meeting this date, Chairman Dean requested that the following Miscellaneous Appropriations Reprogramming Requests be added and his fellow Commissioners concurred:

- NC-2014-106: City of Montgomery Parks and Recreation Department, for Hayneville Road Community Center, for Back-to-School Luncheon - \$700; (Dean)
- NC-2014-107: City of Montgomery Parks and Recreation Department, for Old Selma Road Community Center for Back-to-School Luncheon - \$700; (Dean)
- NC-2014-108: City of Montgomery Parks and Recreation Department, for McIntyre Community Center, for Back-to-School Luncheon - \$700; (Dean)
- NC-2014-109: City of Montgomery Recreation Department, for Goodwyn Community Center and Park, for Back-to-School Luncheon - \$700; (Dean)
- NC-2014-110: City of Montgomery, to be used by BONDS to Twin Gates Community Organization, with Funding for their Back-to-School Activities - \$1,000; (Dean)

Commissioner Ingram made a motion to approve the requests. The motion was seconded by Commissioner Williams and unanimously approved by the Commission.

VARIOUS DEPARTMENTS – APPROVED TRAVEL/TRAINING REQUESTS (13)

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

DEPARTMENT

1. Finance Department
2. Youth Facility
3. Risk Management
4. Appraisal Department
5. Community Corrections

TRAVEL/TRAINING REQUESTS

Request Numbers 7 and 8
Request Numbers 17, 18, and 19
Request Number 17
Request Numbers 16, 17, 18, 19, and 20
Request Numbers 17 and 19

Commissioner Ingram 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 3-1 through 3-13, 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:

VARIOUS DEPARTMENTS – APPROVED BUDGET CHANGE REQUESTS (6)

Administrator Mims recommended the following Budget Change Requests for approval by the Commission:

DEPARTMENT

1. Appraisal Department
2. Engineering Department
3. Probate Judge's Office
4. Probate Judge's Office (Elections)
5. Support Services
6. Information Systems

BUDGET CHANGE REQUESTS

Request Number 2
Request Number 11
Request Number 11
Request Number 12
Request Number 2
Request Number 3

Commissioner Ingram made a motion to approve the requests. The motion was seconded by Commissioner Williams and unanimously approved by the Commission. (Copies of Budget Change Requests, Memoranda, and Agreement, Agenda Pages 4-1 through 4-11, are attached to these Minutes.)

COUNTY COMMISSION – APPROVED BID AWARD FOR WEST PROBATE/REVENUE OFFICE RESTROOM ADDITION

Administrator Mims presented the following memorandum from Frank E. Litchfield, III, of Seay, Seay & Litchfield, P.C.:

MEMORANDUM

DATE: 31 July 2014

TO: Mr. Donnie Mims

FROM: Frank E. Litchfield, III

SUBJECT: West Probate Office Toilet Additions

The County took bids on July 22, 2014 for the West Probate Toilet Addition. The work includes (2) ADA (H.C.) toilets and dual water fountains for public use.

Bear Brothers, Inc. bid was \$107,850.00.

Also bidding was:

Stallings & Sons	\$111,486.00
Norris Builders	\$128,994.00

We recommend and request that the Commission accept Bear Brothers, Inc. bid of \$107,850.00.

Thank you,

Frank E. Litchfield, III

End of Memorandum

Commissioner Williams made a motion to approve bid award to Bear Brothers, Inc., for West Probate/Revenue Office restroom addition. The motion was seconded by Vice Chairman Harris and unanimously approved by the Commission.

COUNTY COMMISSION – APPROVED CHANGE ORDER TO THE AGREEMENT WITH BEAR BROTHERS, INC., REGARDING THE MONTGOMERY COUNTY YOUTH FACILITY RENOVATION PROJECT

Administrator Mims presented the following letter from Frank E. Litchfield, III, of Seay, Seay & Litchfield, P.C.:

August 4, 2014

Mr. Elton Dean
Montgomery County Commission
101 S. Lawrence St.
Montgomery, AL 36104

RE: Montgomery County Youth Facility – August 4th, 2014 Commission Meeting

Dear Mr. Dean,

We request Commission approval and authorization to proceed with the changes in work by the General Contingency Allowance. The total amount available in the General Contingency Allowance fund is \$150,000.00. We request approval of \$93,507.00 to proceed with the changes in work per the attached spread sheet items. The above work does not include overhead and profit from Bear Brothers, Inc., since the original amount of the General Contingency Allowance already includes their overhead and profit.

The consideration of the Authorization is very much appreciated.

Sincerely,

Frank E. Litchfield, III

Cc: Donnie Mims

Authorized By:

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

End of Memorandum

Commissioner Williams made a motion to approve proceeding with the changes (Change Order) in the amount of \$93,507.00, as requested, with Bear Brothers, Inc., regarding the Montgomery County Youth Facility Renovation Project. The motion was seconded by Vice Chairman Harris and unanimously approved by the Commission. (Copy of Spreadsheet, Agenda Page 6-2, is attached to these Minutes.)

COUNTY COMMISSION – APPROVED GRANT APPLICATION TO THE ALABAMA
HISTORIC COMMISSION FOR THE 2015 CAPITAL ENHANCEMENTS GRANT
REGARDING RENOVATIONS TO THE GREIL MANSION

Administrator Mims presented the following memorandum from Community Development Director of CARPDC Sara Byard:

MEMORANDUM

TO: Montgomery County Commissioners

FROM: Sara Byard, Community Development Director

DATE: July 29, 2014

RE: 2015 Alabama Historic Commission Capital Enhancements Grant
WAIVE RULES ITEM for August 4th Commission Agenda

The Alabama Historic Commission has announced the grant program named above which will provide grants of up to \$10,000 to make repairs to historic buildings. I met with Mr. Donnie Mims regarding this opportunity and he suggested that the Commission consider applying for a \$10,000 grant to supplement the County's costs to renovate the Greil Mansion, which is to be used for the new public defender's office. No matching funds are required.

The grant requires a letter of support from the Alabama House and Senate member where the project is located, which are John Knight and Quinton Ross respectively. Please be advised that either one may contact you regarding this project.

The grant application deadline is August 15th and thus rules would have to be waived in order for the Commission to take action authorizing the Chairman to submit the application. Please consider taking this action and let me know if you have any questions. Thank you.

End of Memorandum

Vice Chairman Harris made a motion to approve the grant application. The motion was seconded by Commissioner Walker and unanimously approved by the Commission.

DISTRICT ATTORNEY'S OFFICE (WORTHLESS CHECK UNIT) – APPROVED
POSITION FILL REQUEST FOR CASE MANAGER I, POSITION NUMBER 438045004

Administrator Mims presented the following letter from Chief Administrator of the District Attorney's Office Rhonda B. Cape:

July 14, 2014

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

RE: Position Fill Request

Dear Chairman Dean:

Attached is a position fill request for the Worthless Check Unit in the District Attorney's Office.

An opening has been created due to the resignation of a Case Manager I. This position is responsible for working files that produce revenue for our office and it is vital that we fill it as quickly as possible.

The Worthless Check Unit is self-funded; there is no expense to the County.

We ask the Commission to approve this position fill request. Thank you for your help in this matter.

Sincerely,

/s/ Rhonda B. Cape
Chief Administrator

cc: Donnie Mims, County Administrator

End of Letter

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

DETENTION FACILITY – APPROVED BID AWARD FOR INMATE UNIFORMS, BID NO. 52200-14B-011

Administrator Mims presented the following memorandum from Buyer II Tammy Turner:

MEMORANDUM

TO: Donald L. Mims, Administrator
FROM: Tammy Turner, Buyer II
DATE: July 8, 2014
RE: Contract 52200-14B-011 Inmate Uniforms
For The Montgomery County Detention Facility

Request approval of award on the above referenced bid to the low bid of Robinson Textiles, in the amount of \$1,156.75, based on unit pricing of 25 each, be placed on a future agenda. (copy of spread sheet attached)

This will result on a one (1) year contract, with the option to renew for two (2) years, in one year periods. A price escalation may be allowed but shall not exceed 5% per year.

Coordination of award made with Sheriff D.T. Marshall.

Attachment

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 Spreadsheets and Agreement, Agenda Pages 9-2 through 9-5, are attached to these Minutes.)

DISTRICT ATTORNEY'S OFFICE – APPROVED POSITION FILL REQUEST FOR OFFICE RUNNER, POSITION NUMBER 408080024

Administrator Mims presented a letter from District Attorney Daryl D. Bailey:

July 28, 2014

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

RE: Position Fill Request

I am requesting approval to fill an open position in the District Attorney's Office.

An opening has been created because of the resignation of our Office Runner. Among other things, this person is responsible for receiving, collecting and delivering documents to staff members and to individuals and agencies outside of the District Attorney's Office. My staff is not centrally located but is housed in six different buildings which makes this position critical in the daily operations of the office especially with the time sensitivity of items we process. The temporary location of staff and Grand Jury at 1Dexter Plaza has highlighted even more the importance of this position.

This position is funded in the current budget.

Thank you for your favorable consideration in this matter.

Sincerely,

/s/ Daryl D. Bailey
District Attorney

cc: Donnie Mims, County Administrator

End of Letter

Vice Chairman Harris made a motion to approve the request. The motion was seconded by Commissioner Walker and unanimously approved by the Commission. (Copy of Position Fill Request, Agenda Page 10-2, is attached to these Minutes.)

COUNTY COMMISSION – APPROVED AMENDMENT NUMBER 1 TO PROFESSIONAL SERVICES AGREEMENT WITH SEAY, SEAY & LITCHFIELD, P.C., REGARDING MONTGOMERY COUNTY YOUTH FACILITY RENOVATION

Administrator Mims requested approval of Amendment Number 1 to Professional Services Agreement with Seay, Seay & Litchfield, P.C. regarding Montgomery County Youth Facility Renovation.

Commissioner Ingram made a motion to approve the request. The motion was seconded by Commissioner Williams and unanimously approved by the Commission. (Copy of Amendment Number 1, Agenda Page 11-1, is attached to these Minutes.)

COMMENTS BY COMMISSIONERS AND ATTENDEES

District Attorney Daryl Bailey and volunteer Tamara Martin introduced Willow, a specially-trained black Labrador, which is being used by the District Attorney's Office and One Place Family Justice Center. District Attorney Bailey explained that Willow helps the children and adults that come to the center have a sense of calm and has also gone to the Grand Jury Court to help witnesses stay calm while testifying. Ms. Martin stated that Willow is valued at \$25,000 and has helped approximately 50 people so far. She noted that Willow is the only dog used in courtrooms in the State of Alabama and at no cost to the County.

Probate Judge Steven Reed thanked the Commission for waiving rules and approving the restroom construction in the West Probate Office. He said that he wanted to recognize several of his staff members who are celebrating 30 years with the county. He introduced Ruth Gallagher who was hired on August 2, 1984 and did a brief presentation of events from 1984. Judge Reed then presented her with an award and thanked her for her years of service with the Probate Office. Vice Chairman Harris stated that Ms. Gallagher was there for him when he first started his practice and has been there ever since, adding that he doesn't know what he would have done without her. Judge Reed then introduced Elizabeth Talley who was hired on October 24, 1984. After highlighting events of 1984, he also presented her with an award and thanked her for her dedication of 30 years with the Probate Office. Ms. Talley thanked Judge Reed. Judge Reed thanked the Commission for allowing him to recognize those employees. He stated that during the employee appreciation luncheon, the employees should get a little more appreciation. He stated that he hopes more can be done next year to show appreciation for employees' years of service. He then wished them well in their future endeavors for those employees moving on.

Commissioner Ingram told the audience good morning. He told the audience that as summer comes to a close and the students go back to school, we need to keep them in our prayers. He thanked the Superintendent of Montgomery County Parks and Recreation James Williams for the summer program. He stated that it is very important to get parent and child involvement and help keep the kids out of trouble. He added that the program gets better every year. He added that the Montgomery Public School Superintendent is also doing a great job. He told the Elections Director Daniel Baxter, that he is doing a great job. He then thanked Probate Judge Reed for his presentation and thanked the employees for all that they do, wishing Ms. Talley all the best for the next chapter in her life. He informed the audience that the Commission is

working on the budget and that there will be a lot of trimming. He thanked everyone for keeping the current budget down. He also thanked the Commissioners and Administrator Donnie Mims for all they do. He wished everyone a good week.

Commissioner Williams said good morning and that it was good to see everyone. He noted that the summer is coming to a close and is thankful that the children had a safe summer and had something to do. He explained that the Commission does the best they can with the budget.

Commissioner Walker wished the audience a good morning and thanked Bishop Harding for praying over the Commission and thanked his wife Selena for being at the meeting. She acknowledged her longtime friend, Felicia Barrow, who was in the audience and said that it was good to have her at today's meeting. She noted that her two youngest children, Margaret and Eli were also in the audience this morning. Commissioner Walker stated that both her kids have their new tennis shoes on, which were purchased tax free and thanked the City and County for providing a tax free week. She told everyone to have a good week.

Chairman Dean acknowledged that school is starting back and stated that he would like for Administrator Mims and DiDi Henry to investigate how much it would cost to replace the playground at Southlawn Elementary. He explained that the playground was vandalized and lit on fire over the weekend. He said that he appreciates Willow and the District Attorney's Office. He thanked Commissioner Walker for the people she invited to today's meeting, to show what the County is doing, and noted that the County needs to be more progressive in what they are doing. He informed the audience that the City Parks and Recreation provided 22,000 meals over the summer and added that we could double it. He thanked Probate Judge Reed for his creativity and said that Ms. Talley was always courteous when he went through the tag line. Chairman Dean applauded everyone for all that they do and stated that the Commission could not do what they do without them. He said that the Commission should always appreciate what they do and wants to continue showing that, no matter what the cost. He said that the Commission is doing the budget, and they will spend the money wisely; hopefully, will be something in the gift bag for the employees who are always doing their job.

Vice Chairman Harris told the audience good morning and congratulated Ms. Gallagher and Ms. Talley for their years of service with the County. He stated that it has been an extraordinary summer and part of that is because of the County's Youth Summer Work Program. He stated that he would like to see it grow and partner with local businesses, adding that he has never seen so many opportunities in working with the youth. He announced that the YMCA had a pilot program in which over 300 kids participated and that he spoke with a group of 6 to 10 year olds. He stated that he couldn't believe how attentive and responsive they were. He said that if we catch the youth at this age and educated them, it will pay huge dividends. He added that it did not take a whole lot of money for the County's Youth Summer Work Program. He explained that the City is starting with 4th graders and that it will have a great impact on youth violence. He told the audience that the Commission is doing the budget with all the employees in mind.

Commissioner Ingram commended County Engineer George Speake on his great review and commended Mr. Speake's staff for the great job that they are doing.

Chairman Dean stated that he believes everyone enjoyed the Tax Free Holiday which started nine years ago when he spoke to Councilman Cook about how people were going to Georgia to purchase things tax free, They agreed that Montgomery had to do something about it, so Chairman Dean stated that he brought it before the Commission and Councilman Cook brought it before the City, and now everyone is loving it.

RECESS TO INFORMATION SESSION

Chairman Dean recessed the Formal Session to the Information Session.

INFORMATION SESSION

COMMENTS FROM SCHEDULED ATTENDEES, STAFF AND COMMISSIONERS

PRESENTATION BY ATTORNEY CONNIE WALKER WITH HASKELL SLAUGHTER & GALLION AND REVENUE MANAGER TERRI HENDERSON

Attorney Connie Walker with Haskell Slaughter & Gallion and Revenue Manager Terri Henderson briefed the Commission regarding the amended Taxpayers Bill of Rights. Ms. Henderson noted that the proposed amendments include multiple important revisions that are needed to bring the Montgomery County Taxpayers Bill of Rights up to date since it was last amended by the Montgomery County Commission on February 13, 2012. It was noted that many of these revisions are necessary to satisfy the requirements of Act No. 2014-146 ("Taxpayer Fairness Act") and the Alabama Tax Tribunal established based on this new law which will apply to sales, use and lodging taxpayer appeals effective October 1, 2014. After discussion, the Commission agreed to place this Resolution on the next agenda.

PRESENTATION BY EXTENSION SERVICE COORDINATOR JIMMY SMITHERMAN

Extension Service Coordinator Jimmy Smitherman invited the Commission to a luncheon and presentation of the 2014 Annual Report for the Cooperative Extension Service. He reminded the Commission of the SAI Event which will be held August 21st and thanked them for helping fund it. Vice Chairman Harris indicated that he would be attending.

Administrator Mims noted that at the July 21, 2014 meeting, the Commission agreed to place a Public Hearing on the next agenda regarding proposed action to be taken by the Montgomery County Commission with regard to a Project Agreement with RLM Properties Group of Montgomery, LLC, d/b/a Truckworx Kenworth and consideration of a related resolution. In order to have the public hearing, a public notice must be published at least seven days prior to the meeting. Administrator Mims informed the Commission that the notice was published in the Friday, August 1, 2014 legal section of the Montgomery Advertiser. He stated that because the legal notice verbiage was not placed in a timely manner, the Commission would need to conduct the Public Hearing on Monday, August 18, 2014, consider the Project Agreement and consider adoption of the related resolution at that time. The Commission agreed.

PRESENTATION BY FINANCE DIRECTOR SHERRILL THOMAS

Finance Director Sherrill Thomas briefed the Commission regarding a Resolution authorizing a one-time lump sum payment to eligible county retirees and beneficiaries, as per provisions of Section 2 of Act 429 of the Regular Session of the 2014 Legislature. After discussion, the Commission agreed to place this item on the next agenda.

COMMENTS FROM ADMINISTRATOR MIMS

Administrator Mims presented a Bid Award for internet service, Bid No. 51965-14B-014, for Information Systems. After discussion, the Commission agreed to place this item on the next agenda.

Administrator Mims presented a Resolution requested by the American Cancer Fund for Children recognizing September as Childhood Cancer Awareness Month in Montgomery County. After discussion, the Commission agreed to place this item on the next agenda.

Administrator Mims briefed the Commission regarding Revised Amendment Number 2 to the Contract with Pictometry International Corporation for Pictometry Connect Internet Application for the Appraisal Department. After discussion, the Commission agreed to place this item on the next agenda.

Administrator Mims briefed the Commission regarding a Position Fill Request for Juvenile Probation Officer I, Position Number 900304026 for the Youth Facility. After discussion, the Commission agreed to place this item on the next agenda.

Administrator Mims informed the Commission that since Haskell Slaughter Young & Gallion, LLC, discontinued the practice, the County's legal files will need to be retrieved and transferred to the County Commission Archives room. Administrator Mims noted that it would cost \$3,339 to retrieve and transfer the files. After discussion, the Commission agreed to place a Budget Change Request for this item on the next agenda.

Administrator Mims presented an email from Debra Warren with Montgomery Working Women Network Extended Day Program requesting funding in the amount of \$300,000. No action was taken by the Commission.

Administrator Mims presented a Schedule of Upcoming Bids/Contract Renewals for August and September, 2014.

COMMENTS FROM MANAGER OF PUBLIC AFFAIRS DIDI HENRY

Manager of Public Affairs DiDi Henry reviewed the Commission's upcoming calendar of events.

COMMENTS FROM ADMINISTRATOR MIMS

Administrator Mims informed the Commission that he would be on vacation Tuesday through Friday of this week.

DISCUSSION BY THE COMMISSION

Administrator Mims briefed the Commission concerning an opinion from County Attorney Tyrone C. Means, dated July 24, 2014, regarding the Bid Award for janitorial services. Also, attached was a letter from Administrator Mims to Attorney Means concerning this issue and Attorney Means' response dated July 31, 2014. (Copies of Opinion and Correspondence, Agenda Pages 15-1 through 15-13, are attached to these Minutes.)

After discussion, the Commission agreed to place the Bid Award for janitorial services on the next agenda.

ADJOURNMENT

Commissioner Ingram made a motion to adjourn the meeting of the Montgomery County Commission on August 4, 2014, at 11:19 a.m. The motion was seconded by Commissioner Walker and unanimously approved by the Commission.

08-04-14 Meeting

MONTGOMERY COUNTY COMMISSION

**THE FOLLOWING ACCOUNTS PAYABLE WERE AUDITED AND
ORDERED PAID**

CHECKS ARE DATED 07-18-14

Check Number	To	Check Number
245419		245492
Total Checks Paid		\$334,991.72

CHECK #	PAYEE	AMOUNT	DATE
245415	Water Works Board	\$ 363.95	07/10/14
245416	A Cut Above the Rest Training Facility	\$16,290.00	07/11/14
245417	Kid One Transport System, Inc.	\$ 7,500.00	07/11/14
245418	The Samaritan Counseling Center	\$ 5,000.00	07/11/14

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

08-04-14 Meeting

MONTGOMERY COUNTY COMMISSION

THE FOLLOWING ACCOUNTS PAYABLE WERE AUDITED AND
ORDERED PAID

CHECKS ARE DATED 07-18-14

Check Number	To	Check Number
245493		245586
Total Checks Paid		\$346,470.96

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

08-04-14 Meeting

MONTGOMERY COUNTY COMMISSION

**THE FOLLOWING ACCOUNTS PAYABLE WERE AUDITED AND
ORDERED PAID**

CHECKS ARE DATED 07-25-14

Check Number	To	Check Number
245587		245633
Total Checks Paid		\$940.00

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

Poll Workers – Cell Phone Stipend

08-04-14 Meeting

MONTGOMERY COUNTY COMMISSION

THE FOLLOWING ACCOUNTS PAYABLE WERE AUDITED AND
ORDERED PAID

CHECKS ARE DATED 07-25-14

Check Number	To	Check Number
245634		245676
Total Checks Paid		\$23,680.76

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

08-04-14 Meeting

MONTGOMERY COUNTY COMMISSION

THE FOLLOWING ACCOUNTS PAYABLE WERE AUDITED AND
ORDERED PAID

CHECKS ARE DATED 07-25-14

Check Number	To	Check Number
245677		246021
Total Checks Paid		\$36,900.00

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

Poll Workers

08-04-14 Meeting

MONTGOMERY COUNTY COMMISSION

**THE FOLLOWING ACCOUNTS PAYABLE WERE AUDITED AND
ORDERED PAID**

CHECKS ARE DATED 07-25-14

Check Number	To	Check Number
246022		246107
Total Checks Paid		\$667,777.90

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

08-04-14 Meeting

MONTGOMERY COUNTY COMMISSION

**THE FOLLOWING ACCOUNTS PAYABLE WERE AUDITED AND
ORDERED PAID**

CHECKS ARE DATED 08-01-14

Check Number	To	Check Number
246109		246173
Total Checks Paid		\$642,148.43

CHECK #	PAYEE	AMOUNT	DATE
246108	Montgomery County Health Dept.	\$ 97,187.25	07/24/14

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

08-04-14 Meeting

MONTGOMERY COUNTY COMMISSION

**THE FOLLOWING ACCOUNTS PAYABLE WERE AUDITED AND
ORDERED PAID**

CHECKS ARE DATED 08-01-14

Check Number	To	Check Number
246174		246248
Total Checks Paid		\$311,280.85

**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
07/25/14**

Payroll Check Number	120333	To	Payroll Check Number	120450	\$ 74,449.53
Direct Deposits					\$ 784,983.43
Payroll Check Number	120451	To	Payroll Check Number	120480	\$ 240,245.61
Direct Deposits					\$ 333,793.73
Federal Deposits					\$ 311,562.20
Total Payroll Paid					\$ 1,745,034.50

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

ELTON N. DEAN, SR., CHAIRMAN
DANIEL HARRIS JR., VICE CHAIRMAN
REED INGRAM
RONDA M. WALKER
JILES WILLIAMS JR.

A COUNTY OLDER THAN THE STATE

DONALD L. MIMS, ADMINISTRATOR
SHERRILL R. THOMAS, CPA, FINANCE DIRECTOR
(334) 832-1230
TDD (334) 265-3568
FAX (334) 832-2533

MONTGOMERY COUNTY COMMISSION
FINANCE DEPARTMENT
101 S. LAWRENCE STREET • P.O. BOX 1667
MONTGOMERY, ALABAMA 36102-1667

ESTABLISHED 1816

TO: DONALD L. MIMS, ADMINISTRATOR

FROM: SHERRILL R. THOMAS, FINANCE DIRECTOR 

DATE: July 16, 2014

RE: LIST OF BANK DEPOSITORIES

Following is a revised list of banks currently doing business in Montgomery County and should be designated depositories.

Aliant Bank
Amerifirst Bank
Auburn Bank
BB&T
BBVA Compass
Cadence Bank
Community Bank & Trust
First Tuskegee Bank
Hancock Bank
IberiaBank
PNC Bank
Regions Bank
Renasant Bank
River Bank & Trust
ServisFirst Bank
Sterling Bank
Trustmark National Bank
Wells Fargo Bank

Montgomery County Commission
Travel / Training Request Approval

Appendix C

Agenda

AUG - 4 2014

Request # 7

Date: July 22, 2014
To: Donald L. Mims, Administrator
From: Sherrill R. Thomas, Finance Director
Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Montgomery, AL
Departure Date: August 28, 2014 Return Date: August 28, 2014
Conference Leave (Days / Hours): 1 day
Purpose of Travel: Audits of State and Local Governments: What You Need To Know
Qualifies toward 40 hours of CPE required annually for CPA license.

Traveler (s) Name: 1. Mike Knighten 4. _____
2. _____ 5. _____
3. _____ 6. _____

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

Total (est.) Cost: \$220.00 Advance Registration Required: \$220.00
Department Name: Finance Department Fund Name: General

Additional Comments: _____

To: Sherrill R. Thomas, Finance Director
From: Donald L. Mims, Administrator

The above request is app. 08/04/14 reimbursement of actual and necessary expenses in the
approximate amount of \$220.00 and advance registration of \$220.00 is authorized.

<i>To be completed by the Finance Department</i>		
Fund Code:	<u>001-51110.265</u>	(ex: 000-00000-000)
Description:	<u>Registration & Training</u>	
Current Budget:	<u>\$3,000.00</u>	
Approved Requests:	<u>\$838.44</u>	
Budget Available:	<u>\$2,161.56</u>	
Current Requests:	<u>\$220.00</u>	
Budget Balance:	<u>\$1,941.56</u>	

Donald L. Mims, Administrator

Reviewed by: S. Thomas

Date: 7/23/2014

cc: Finance Director / Buyer

3-1

Revised October 12, 2005

Montgomery County Commission
Travel / Training Request Approval

Appendix C

Agenda

AUG - 4 2014

Request # 8

Date: July 22, 2014
To: Donald L. Mims, Administrator
From: Sherrill R. Thomas, Finance Director
Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Montgomery, AL
Departure Date: September 11, 2014 Return Date: September 11, 2014
Conference Leave (Days / Hours): 1 day
Purpose of Travel: 2014 Accounting & Auditing Update for the Real World
Qualifies toward 40 hours of CPE required annually for CPA license.

Traveler (s) Name: 1. Mike Knighten 4. _____
2. _____ 5. _____
3. _____ 6. _____

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

Total (est.) Cost: \$199.00 Advance Registration Required: \$199.00

Department Name: Finance Department Fund Name: General

Additional Comments: _____

To: Sherrill R. Thomas, Finance Director
From: Donald L. Mims, Administrator

The above request is app. 08/04/14 reimbursement of actual and necessary expenses in the
approximate amount of \$199.00 and advance registration of \$199.00 is authorized.

<i>To be completed by the Finance Department</i>		
Fund Code:	<u>001-51110.265</u>	(ex: 000-00000-000)
Description:	<u>Registration & Training</u>	
Current Budget:	<u>\$3,000.00</u>	
Approved Requests:	<u>\$838.44</u>	
Budget Available:	<u>\$2,161.56</u>	
Current Requests:	<u>\$419.00</u>	
Budget Balance:	<u>\$1,742.56</u>	

Donald L. Mims, Administrator

Reviewed by: S. Thomas

Date: 7/23/2014

cc: Finance Director / Buyer

3-2

Revised October 12, 2005

Montgomery County Commission
Travel / Training Request Approval

Appendix C

Agenda

AUG - 4 2014

Request # 17

Date: July 17, 2014

To: Donald L. Mims, Administrator

From: Bruce R. Howell

Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Family Court Jefferson county

Departure Date: August 5, 2014

Return Date: August 5, 2014

Conference Leave (Days / Hours): 1 day

Purpose of Travel: attend Probation strength based case planning training

Traveler (s) Name: 1. Ashlee London 4. Shannon Silva
2. Jeannie Tapley 5. Rhonda Wimbley
3. LaVennia Anthony 6. _____

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

Total (est.) Cost: \$0.00 Advance Registration Required: \$0.00

Department Name: Youth Facility Fund Name: 001-52603-265

Additional Comments: _____

To: Bruce R. Howell

From: Donald L. Mims, Administrator

The above request is app. 08/04/14 reimbursement of actual and necessary expenses in the
approximate amount of \$0.00 and advance registration of \$0.00 is authorized.

To be completed by the Finance Department		
Fund Code:	<u>001-52603.265</u>	(ex: 000-00000-000)
Description:	<u>Registration & Training</u>	
Current Budget:	<u>\$15,000.00</u>	
Approved Requests:	<u>\$2,277.63</u>	
Budget Available:	<u>\$12,722.37</u>	
Current Requests:	<u>\$0.00</u>	
Budget Balance:	<u>\$12,722.37</u>	

Donald L. Mims, Administrator

Reviewed by: S. Thomas

Date: 7/21/2014

cc: Finance Director / Buyer

3-3

Revised October 12, 2008

Montgomery County Commission
Travel / Training Request Approval

Appendix C

Agenda

AUG - 4 2014

Request # 18

Date: July 17, 2014
To: Donald L. Mims, Administrator
From: Bruce R. Howell
Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Birmingham, Al.
Departure Date: August 28, 2014 Return Date: August 29, 2014
Conference Leave (Days / Hours): 2 days
Purpose of Travel: 13th annual socialwork conference

Traveler (s) Name: 1. Natalie Mason 4. _____
2. _____ 5. _____
3. _____ 6. _____

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

Total (est.) Cost: \$385.00 Advance Registration Required: _____

Department Name: Youth Facility Fund Name: 001-52603-265

Additional Comments: _____

To: Bruce R. Howell
From: Donald L. Mims, Administrator

The above request is app. 08/04/14 reimbursement of actual and necessary expenses in the
approximate amount of \$385.00 and advance registration of \$0.00 is authorized.

<i>To be completed by the Finance Department</i>	
Fund Code:	<u>001-52603.265</u> (ex: 000-00000-000)
Description:	<u>Registration & Training</u>
Current Budget:	<u>\$15,000.00</u>
Approved Requests:	<u>\$2,277.63</u>
Budget Available:	<u>\$12,722.37</u>
Current Requests:	<u>\$385.00</u>
Budget Balance:	<u>\$12,337.37</u>

Donald L. Mims, Administrator

Reviewed by: S. Thomas

Date: 7/21/2014

cc: Finance Director / Buyer

3-4

Montgomery County Commission
Travel / Training Request Approval

Appendix C

Agenda

AUG - 4 2014

Request # 19

Date: July 17, 2014
To: Donald L. Mims, Administrator
From: Bruce R. Howell
Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Orange Beach, Al.
Departure Date: September 23, 2014 Return Date: September 26, 2014

Conference Leave (Days / Hours): 4 days

Purpose of Travel: Attend Annual Juvenile Probation Officers Institute - (14 total)
Ashlee London, Shannon Silva, Jamie Burnett
Tyrone Anderson, Amanda Ashurst, Wade Morgan, Ann Sikes, Jeannie Tapley

Traveler (s) Name: 1. Preston Frazier 4. Sherunda Anthony
2. LaWanda Davidson 5. Ray Williams
3. Jimmy Rogers 6. Bruce Howell

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

Total (est.) Cost: \$7,350.00 Advance Registration Required: _____

Department Name: Youth Facility Fund Name: 001-52603-265

Additional Comments: _____

To: Bruce R. Howell
From: Donald L. Mims, Administrator

The above request is app. 08/04/14 reimbursement of actual and necessary expenses in the
approximate amount of \$7,350.00 and advance registration of \$0.00 is authorized.

<i>To be completed by the Finance Department</i>	
Fund Code:	<u>001-52603.265</u> (ex: 000-00000-000)
Description:	<u>Registration & Training</u>
Current Budget:	<u>\$15,000.00</u>
Approved Requests:	<u>\$2,277.63</u>
Budget Available:	<u>\$12,722.37</u>
Current Requests:	<u>\$7,735.00</u>
Budget Balance:	<u>\$4,987.37</u>

Donald L. Mims, Administrator

Reviewed by: S. Thomas

Date: 7/21/2014

cc: Finance Director / Buyer

3-5

Revised October 12, 2007

Montgomery County Commission
Travel / Training Request Approval

Appendix C

Agenda

AUG - 4 2014

Request # 17

Date: July 30, 2014
To: Donald L. Mims, Administrator
From: Scott Kramer
Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Coeur d'Alene, Idaho
Departure Date: October 8, 2014 Return Date: October 10, 2014
Conference Leave (Days / Hours): 3 Days
Purpose of Travel: States' Annual Meeting

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: \$0.00 Advance Registration Required: \$0.00

Department Name: Risk Management Fund Name: Liability

Additional Comments: All expenses are paid by States

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

The above request is app. 08/04/14 reimbursement of actual and necessary expenses in the
approximate amount of \$0.00 and advance registration of \$0.00 is authorized.

To be completed by the Finance Department

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>\$10,025.78</u>	
Budget Available:	<u>\$4,974.22</u>	
Current Requests:	<u>\$0.00</u>	
Budget Balance:	<u>\$4,974.22</u>	

Donald L. Mims, Administrator

Reviewed by: S. Thomas

Date: 7/30/2014

cc: Finance Director / Buyer

3-6

Montgomery County Commission
Travel / Training Request Approval

Appendix C

Agenda

AUG - 4 2014

Request # 16

Date: July 22, 2014
To: Donald L. Mims, Administrator
From: Clay Henley, Chief Appraiser
Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Montgomery, AL
Departure Date: September 10, 2014 Return Date: September 12, 2014
Conference Leave (Days / Hours): 3 days
Purpose of Travel: AL IV Introduction to Property Tax Administration

Traveler (s) Name: 1. Pam Trammer 4. _____
2. La'Nitra Wilson 5. _____
3. _____ 6. _____

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

Total (est.) Cost: \$400.00 Advance Registration Required: \$400.00

Department Name: Appraisal Fund Name: Reappraisal

Additional Comments: _____

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

The above request is app. 08/04/14 reimbursement of actual and necessary expenses in the
approximate amount of \$400.00 and advance registration of \$400.00 is authorized.

<i>To be completed by the Finance Department</i>	
Fund Code:	<u>120-51985.265</u> (ex: 000-00000-000)
Description:	<u>Registration & Training</u>
Current Budget:	<u>\$30,000.00</u>
Approved Requests:	<u>\$20,874.09</u>
Budget Available:	<u>\$9,125.91</u>
Current Requests:	<u>\$400.00</u>
Budget Balance:	<u>\$8,725.91</u>

Donald L. Mims, Administrator

Reviewed by: S. Thomas

Date: 7/24/2014

cc: Finance Director / Buyer

3-7

Revised October 12, 2005

Montgomery County Commission
Travel / Training Request Approval

Appendix C

Request # 17

Agenda

AUG - 4 2014

Date: July 22, 2014

To: Donald L. Mims, Administrator

From: Clay Henley, Chief Appraiser

Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Montgomery, AL

Departure Date: September 15, 2014 Return Date: September 19, 2014

Conference Leave (Days / Hours): 5 days

Purpose of Travel: IAAO 101: Fundamentals of Real Property Appraisal

Traveler (s) Name: 1. Brenda Ayers 4. _____
2. _____ 5. _____
3. _____ 6. _____

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

Total (est.) Cost: \$550.00 Advance Registration Required: \$550.00

Department Name: Appraisal Fund Name: Reappraisal

Additional Comments: _____

To: Clay Henley, Chief Appraiser

From: Donald L. Mims, Administrator

The above request is app. 08/04/14 reimbursement of actual and necessary expenses in the
approximate amount of \$550.00 and advance registration of \$550.00 is authorized.

To be completed by the Finance Department

Fund Code: 120-51985.265 (ex: 000-00000-000)

Description: Registration & Training

Current Budget: \$30,000.00

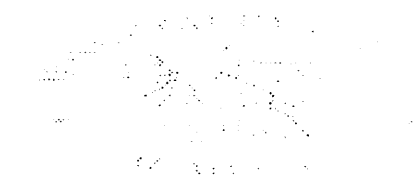
Approved Requests: \$20,874.09

Budget Available: \$9,125.91

Current Requests: \$950.00

Budget Balance: \$8,175.91

Donald L. Mims, Administrator



Reviewed by: S. Thomas

Date: 7/24/2014

cc: Finance Director / Buyer

3-8

Revised October 12, 2005

Montgomery County Commission
Travel / Training Request Approval

Appendix C

Agenda

AUG - 4 2014

Request # 18

Date: July 22, 2014
To: Donald L. Mims, Administrator
From: Clay Henley, Chief Appraiser
Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Hoover, AL
Departure Date: September 17, 2014 Return Date: September 19, 2014
Conference Leave (Days / Hours): 3 days
Purpose of Travel: AL III: Basic Mapping

Traveler (s) Name: 1. Faith (DeDe) Wilson 4. _____
2. LaNitra Wilson 5. _____
3. _____ 6. _____

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

Total (est.) Cost: \$1,023.04 Advance Registration Required: \$450.00

Department Name: Appraisal Fund Name: Reappraisal

Additional Comments: Mileage \$103.04 Meals-\$150.00 Lodging-\$320.00

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

The above request is app. 08/04/14 reimbursement of actual and necessary expenses in the
approximate amount of \$1,023.04 and advance registration of \$450.00 is authorized.

To be completed by the Finance Department

Fund Code:	<u>120-51985.265</u>	(ex: 000-000000-000)
Description:	<u>Registration & Training</u>	
Current Budget:	<u>\$30,000.00</u>	
Approved Requests:	<u>\$20,874.09</u>	
Budget Available:	<u>\$9,125.91</u>	
Current Requests:	<u>\$1,973.04</u>	
Budget Balance:	<u>\$7,152.87</u>	

Donald L. Mims, Administrator

Reviewed by: S. Thomas

Date: 7/24/2014

cc: Finance Director / Buyer

3-9

Revised October 12, 2005

Montgomery County Commission
Travel / Training Request Approval

Appendix C

Request # 19

Agenda

AUG - 4 2014

Date: July 22, 2014
To: Donald L. Mims, Administrator
From: Clay Henley, Chief Appraiser
Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Montgomery, AL
Departure Date: September 29, 2014 Return Date: October 3, 2014
Conference Leave (Days / Hours): 5 days
Purpose of Travel: AL IIb: Appraisal Manual (Commercial)

Traveler (s) Name: 1. Tammy Linton 4. _____
2. Tracy Powell 5. _____
3. _____ 6. _____

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

Total (est.) Cost: \$450.00 Advance Registration Required: \$450.00

Department Name: Appraisal Fund Name: Reappraisal

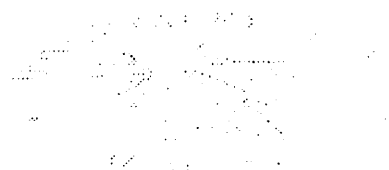
Additional Comments: _____

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

The above request is app. 08/04/14 reimbursement of actual and necessary expenses in the
approximate amount of \$450.00 and advance registration of \$450.00 is authorized.

<i>To be completed by the Finance Department</i>	
Fund Code:	<u>120-51985.265</u> (ex: 000-00000-000)
Description:	<u>Registration & Training</u>
Current Budget:	<u>\$30,000.00</u>
Approved Requests:	<u>\$20,874.09</u>
Budget Available:	<u>\$9,125.91</u>
Current Requests:	<u>\$2,423.04</u>
Budget Balance:	<u>\$6,702.87</u>

Donald L. Mims, Administrator



Reviewed by: S. Thomas

Date: 7/24/2014

cc: Finance Director / Buyer

3-10

Revised October 13, 2005

Montgomery County Commission
Travel / Training Request Approval

Appendix C

Agenda

AUG - 4 2014

Request # 20

Date: July 22, 2014
To: Donald L. Mims, Administrator
From: Clay Henley, Chief Appraiser
Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Gulf Shores, AL
Departure Date: September 8, 2014 Return Date: September 12, 2014
Conference Leave (Days / Hours): 5 days
Purpose of Travel: Personal Property Audits

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

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

Total (est.) Cost: \$1,065.04 Advance Registration Required: \$200.00
Department Name: Appraisal Fund Name: Reappraisal
Additional Comments: Mileage-\$215.04 Meals-\$150.00 Lodging-\$500.00

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

The above request is app. 08/04/14 reimbursement of actual and necessary expenses in the
approximate amount of \$1,065.04 and advance registration of \$200.00 is authorized.

To be completed by the Finance Department

Fund Code:	<u>120-51985.265</u> (ex: 000-00000-000)
Description:	<u>Registration & Training</u>
Current Budget:	<u>\$30,000.00</u>
Approved Requests:	<u>\$20,874.09</u>
Budget Available:	<u>\$9,125.91</u>
Current Requests:	<u>\$3,488.08</u>
Budget Balance:	<u>\$5,637.83</u>

Donald L. Mims, Administrator

[Signature]

Reviewed by: S. Thomas

Date: 7/24/2014

cc: Finance Director / Buyer

3-11

Revised October 12, 2005

Montgomery County Commission
Travel / Training Request Approval

Appendix C

Agenda

AUG - 4 2014

Request # 17

Date: July 23, 2014
To: Donald L. Mims, Administrator
From: Paul Brown, Executive Director
Re: Travel / Training Request

Request approval to be granted for the following:

Destination: 15950 Mosley Road, Stapleton, AL 36578
Departure Date: August 7, 2014 Return Date: August 7, 2014
Conference Leave (Days / Hours): one day
Purpose of Travel: To attend the Apostc Law Enforcement Academy In Baldwin County

Traveler (s) Name: 1. J. R. Hornsby 4. _____
2. _____ 5. _____
3. _____ 6. _____

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

Total (est.) Cost: \$50.00 Advance Registration Required: \$0.00

Department Name: Community Correction Fund Name: Community Corrections

Additional Comments: \$50.00 is for lunch

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

The above request is app. 08/04/14 reimbursement of actual and necessary expenses in the
approximate amount of \$50.00 and advance registration of \$0.00 is authorized.

To be completed by the Finance Department

Fund Code:	<u>124-52960.265</u>	(ex: 000-00000-000)
Description:	<u>Registration & Training</u>	
Current Budget:	<u>\$12,500.00</u>	
Approved Requests:	<u>\$8,672.00</u>	
Budget Available:	<u>\$3,828.00</u>	
Current Requests:	<u>\$50.00</u>	
Budget Balance:	<u>\$3,778.00</u>	

Donald L. Mims, Administrator

Reviewed by: S. Thomas

Date: 7/28/2014

cc: Finance Director / Buyer

3-12

Revised October 13, 2006

Montgomery County Commission
Travel / Training Request Approval

Appendix C

Agenda

AUG - 4 2014

Request # 19

Date: July 28, 2014
To: Donald L. Mims, Administrator
From: Paul Brown, Executive Director
Re: Travel / Training Request

Request approval to be granted for the following:

Destination: 26715 Alabama Hwy 21 Talladega, AL 35160
Departure Date: August 25, 2014 Return Date: August 26, 2014
Conference Leave (Days / Hours): two days
Purpose of Travel: To attend the NCIC Certification Class

Traveler (s) Name: 1. Demetric Shipman 4. _____
2. _____ 5. _____
3. _____ 6. _____

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

Total (est.) Cost: \$250.00 Advance Registration Required: \$0.00
Department Name: Community Correction Fund Name: Community Corrections
Additional Comments: \$200.00 is for meals and lodging

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

The above request is app. 08/04/14 reimbursement of actual and necessary expenses in the
approximate amount of \$250.00 and advance registration of \$0.00 is authorized.

<i>To be completed by the Finance Department</i>	
Fund Code:	<u>124-52960.265</u> (ex: 000-00000-000)
Description:	<u>Registration & Training</u>
Current Budget:	<u>\$12,500.00</u>
Approved Requests:	<u>\$8,772.00</u>
Budget Available:	<u>\$3,728.00</u>
Current Requests:	<u>\$300.00</u>
Budget Balance:	<u>\$3,428.00</u>

Donald L. Mims, Administrator

Reviewed by: S. Thomas

Date: 7/28/2014

cc: Finance Director / Buyer

3-13

Revised October 12, 2005

MONTGOMERY COUNTY COMMISSION BUDGET CHANGE REQUEST

REQUEST NUMBER 2

DEPARTMENT:	Appraisal Department	REVIEWED:	S. Thomas	7/30/2014
DATE:	7/30/2014	Finance Director		Date
REQUESTED BY:	Clay Henley	APPROVED:		
Elected Official/Dept. Head		Administrator		Date

ACCOUNT NAME	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE (DECREASE)	REVISED BUDGET
Postage	120-51985-252	45,000	7,000	52,000
Office Supplies/Minor Equip	120-51985-211	95,000	(7,000)	88,000
TOTAL BUDGET CHANGE		140,000	0	140,000
TOTAL 2014 APPRAISAL BUDGET		2,951,661	0	2,951,661

To realign the budget to cover postage.

JANET BUSKEY
REVENUE COMMISSIONER

ALLYSON HOLLAND
CHIEF CLERK

CLAY HENLEY
CHIEF APPRAISER
APPRAISAL DEPARTMENT

MONTGOMERY COUNTY
REVENUE COMMISSIONER'S OFFICE

P.O. Box 1667
Montgomery, AL 36102-1667
Phone: (334) 832-1250 Fax: (334) 832-1644 website: www.mc-ala.org



August 4, 2014

MEMORANDUM

TO: Commissioner Elton Dean, Sr., Chairman
Montgomery County Commissioners

Cc: Janet Y. Buskey, Revenue Commissioner

FROM: Clay Henley, Chief Appraiser *CH*

SUBJECT: Budget Change Request

I respectfully request your approval of this budget change request to move \$7,000 from office supplies/minor equipment to postage. These funds will be used for postage needed to send out personal property rendition forms in September. The amount that was budgeted for postage this year has been depleted due to the cost of mailing out real property notices which was in excess of my projection.

CH

Attachments

Main Office
Downtown (Annex III)
101 S. Lawrence St
Montgomery, AL 36104

East Office
5447 Atlanta Hwy
Montgomery, AL 36109
(334) 272-9692

West Office
3075 Mobile Hwy
Montgomery, AL 36108
(334) 262-4546

Appraisal and Mapping
131 S Perry St
Montgomery, AL 36104
(334) 832-1303

4-2

MONTGOMERY COUNTY COMMISSION

BUDGET CHANGE REQUEST

REQUEST NUMBER 11

DEPARTMENT:	Engineering	REVIEWED:	S. Thomas	7/22/14
			Finance Director	Date
REQUESTED BY:	George C. Speake	APPROVED:		
Elected Official/Dept. Head	7/22/2014	Administrator		Date

ACCOUNT NAME	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE (DECREASE)	REVISED BUDGET
Fuels & Lubricants	111-53400-212	199,150	(3,000)	196,150
Repair & Main. Const. Equip.	111-53400-232	78,500	3,000	81,500
Fuels & Lubricants	111-53700-212	18,300	(2,000)	16,300
Rd. Bldg. Materials & Supplies	111-53700-213	14,000	2,000	16,000
TOTAL		309,950	0	309,950

JUSTIFICATION:

Internal transfers to cover insufficiencies

MONTGOMERY COUNTY COMMISSION

BUDGET CHANGE REQUEST

REQUEST NUMBER 11

DEPARTMENT: JUDGE OF PROBATE REVIEWED: S. Thomas 7/22/2014
Finance Director
 REQUESTED BY: JUDGE STEVEN L. REED APPROVED: _____
Elected Official/Dept. Head Date Administrator Date

ACCOUNT NAME	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE (DECREASE)	REVISED BUDGET
OFFICE SUPPLIES	001-51300-211	77,559	-449	77,110
TRAVEL REGISTRATION & TRAINING	001-51300-265	9,350	449	9,799
TOTAL		86,909	0	86,909

JUSTIFICATION:

We need \$449 more for the cost of Registration Fees

MONTGOMERY COUNTY COMMISSION

BUDGET CHANGE REQUEST

REQUEST NUMBER 12

DEPARTMENT:	JUDGE OF PROBATE	REVIEWED: S. Thomas	25-Jul-14
		Finance Director	Date
REQUESTED BY:	JUDGE STEVEN L. REED	APPROVED:	
Elected Official/Dept. Head	Date	Administrator	Date

ACCOUNT NAME	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE (DECREASE)	REVISED BUDGET
Voting Equipment Delivery	001-51911.183	22,000	4,800	26,800
Other Misc. Supplies	001-51911.219	110,000	(4,800)	105,200
TOTAL		132,000	0	132,000

JUSTIFICATION:

To realign the election administration budget to cover the cost of Voting Equipment Delivery.

MONTGOMERY COUNTY COMMISSION

BUDGET CHANGE REQUEST

REQUEST NUMBER 2

DEPARTMENT	Support Services	REVIEWED: S. Thomas	7/30/2014
DATE:	7/30/2014	Finance Director	Date
REQUESTED BY:	S. Thomas	APPROVED:	
Elected Official/Dept. Head		Administrator	Date

ACCOUNT NAME	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE (DECREASE)	REVISED BUDGET
Office Supplies	001-51901.211	8,800	500	9,300
Repair & Main. Motor Vehicle	001-51901.234	3,200	200	3,400
Repair & Main. Bldgs/Impr.	001-51901.231	180,312	(10,025)	170,287
Groundskeeping Maintenance	001-51901.208	30,880	(3,000)	27,880
Office Equipment/fixtures	001-51901.540	0	12,325	12,325
				0
				0
				0
				0
				0
				0
				0
				0
TOTAL		223,192	0	223,192

JUSTIFICATION:

To realign budget categories to cover estimated amounts needed to cover the remainder of the fiscal year and to provide for the purchase of office cubicles for the purchasing department.

Montgomery County Commission

Finance Department
P.O. Box 1667
Montgomery, Alabama 36102
Phone 334-832-1268
Fax 334-832-2533

Memo

To: Donald L. Mims, Administrator
From: Sherrill R. Thomas, Finance Director 
Date: 7/30/2014
Re: Purchasing Department Office

The County purchasing office "purchasing" is currently located in Annex I after relocating back there from Annex III in 2011. The functions of purchasing are integrated with the Finance Department and it is more efficient for purchasing to be located in Annex III.

The multi-purpose room located near Finance on the first floor of Annex III is available and suitable for purchasing. The room is already wired for the required machinery needs of the department and would only need office cubicles to make it functional. We have received a quote of \$12,324 for the cost of the cubicles.

I have analyzed the Support Services budget and prepared a budget change to realign the budget to cover the cost of the cubicles.

Your consideration of this request is appreciated.

MONTGOMERY COUNTY COMMISSION

BUDGET CHANGE REQUEST

REQUEST NUMBER 3

DEPARTMENT:	Information Systems	REVIEWED:	S. Thomas	
DATE:	7/29/2014		Finance Director	7/30/2014
REQUESTED BY:	Lou Ialacci	APPROVED:		Date
Elected Official/Dept. Head		Administrator		Date

ACCOUNT NAME	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE (DECREASE)	REVISED BUDGET
Repair & Maint DP Equip	001-51965-235	349,100	(30,000)	319,100
Repair & Maint Software	001-51965-240	414,200	30,000	444,200
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
TOTAL		763,300	0	763,300

JUSTIFICATION:

To purchase New World Systems Financial software eSuite module with maintenance.

Montgomery County Commission

P.O. Box 1667
Montgomery, Alabama 36102
Phone 334-832-1268
Fax 334-832-2533

Memo

To: Donnie Mims
From: Lou Ialacci and Sherrill Thomas
Date: July 30, 2014
Re: eSuite Software System

In 2009 the County purchased and implemented New World Systems public sector software for Financial and Payroll Management. Another New World module that was considered at that time that works with these products is eSuite. We recently presented information on a time and attendance program that included eSuite as an integral component of the overall project.

The eSuite is an independent module that can provide immediate benefits for employees with secure 24/7 access to view and/or submit change requests for personal information. Additionally, this will allow them to print pay stubs and other forms that are now printed by the finance department. The County will realize a savings with less time on administrative duties and paperwork.

New World Systems has provided a quote of \$61,100 for the purchase and training cost of the eSuite software. The Information System department repair and maintenance software budget can cover the cost of the purchase with the realignment on the attached budget change.

We are requesting that you include this information on the August 4, 2014 work session agenda for discussion.

Thank you for your consideration of this request.

July 28, 2014

ADDITIONAL SOFTWARE LICENSE AGREEMENT

Mr. Lou Ialacci
Information Systems Director
Montgomery County
100 South Lawrence Street
Montgomery, AL 36104

Dear Mr. Ialacci:

New World Systems is pleased to license you additional software per your request.

The attached forms (Exhibit AA and Proposal Summary dated 7/28/2014) are to be reviewed and approved by you and/or your authorized representative. They describe the additional software and services you have requested along with the related fees.

Other than for the purposes of internal review, we ask that you treat our fees as confidential information. This is due to the competitive nature of our business.

The General Terms and Conditions from our original License Agreement are incorporated and continue to apply. Any taxes or fees imposed from the course of this Agreement are the responsibility of the Customer.

We thank you for your continued business with New World Systems. We look forward to working on this project with you.

ACKNOWLEDGED AND AGREED TO BY:

NEW WORLD SYSTEMS CORPORATION
(New World)

By: _____
Larry D. Leinweber, President

MONTGOMERY COUNTY, AL
(Customer)

By: _____
Authorized Signature Title

The "Effective Date" of this Agreement is the latter of the two dates in the above signature block.

EXHIBIT AA
TOTAL COST SUMMARY AND PAYMENT SCHEDULE

I. Total Costs Summary: Licensed Standard Software and Implementation Services

<u>DESCRIPTION OF COST</u>	<u>COST</u>
A. LICENSED STANDARD SOFTWARE as further detailed in the Proposal Summary	\$46,500
B. IMPLEMENTATION AND TRAINING SERVICES as further described in the Proposal Summary	11,600
ONE TIME PROJECT COST:	<u>\$58,100</u>
C. TRAVEL EXPENSES (Estimate)	\$3,000

II. Payments for Licensed Standard Software and Implementation Services

<u>DESCRIPTION OF PAYMENT</u>	<u>COST</u>
A. ONE TIME PROJECT PAYMENTS:	
1. LICENSED STANDARD SOFTWARE	
a. Amount due upon the Effective Date (100%)	\$46,500
2. IMPLEMENTATION AND TRAINING SERVICES	
a. Amount due upon the Effective Date (50%)	5,800
b. Amount due upon Go-Live or 90 days after Effective Date whichever comes first (50%)	5,800
ONE TIME PROJECT PAYMENTS:	<u>\$58,100</u>
B. TRAVEL EXPENSES (Estimate)	\$3,000
1. 2 trips are anticipated, to be billed at actual cost for reasonable expenses incurred for airfare, rental car, lodging, tolls, mileage, and daily per diem expenses. All travel costs will be billed weekly for services provided in the previous calendar week.	

Montgomery County Youth Facility Renovation Project

SS&L

Revised on July 31, 2014

DATE	ITEM	CREDIT	CHANGE ORDER	CONT. ALLOWANCE (\$150K)	APPROVED by County Commission	WORK SCHEDULE completed
29-Apr-14	Laundry Room Pit					
29-Apr-14	Loading Dock Storefront	\$1,650		\$1,386	by County Commission	N/A
12-May-14	Vault Door Replacement for DA Conf.					
12-May-14	Record Storage Secure Door				by County Commission	demo completed
2-Jun-14	New Water Heaters				by County Commission	demo completed
23-Jun-14	Overflow Roof Drains (2) (updated cost)			\$40,500	by ABC, need County approval	present on July 28th, Aug 4th
24-Jun-14	Two Hour Rated Walls (MAXIMUM PRICE)			\$8,421		
24-Jun-14	Credit Proposals			\$6,200		
	Delete aluminum ladder at C wing	\$1,400				
	Delete new gates 277 & 278	\$3,200				
	Delete removal of ex. Tile in Baths 202 & 222	\$940				
	Delete "Smart Board" in Training RM 105	\$1,000				
23-Jun-14	Cell Blocks above cell doors			\$2,640		
24-Jun-14	View Windows in Cont. RM 136&166 (8" x 16")			\$3,210		
8-Jul-14	Shower Head Upgrade (19) & Circuits for the Oven			\$14,890		
8-Jul-14	Power to Camera Pole			\$1,486		
23-Jul-14	floor drains in the shower (updated cost)					
25-Jul-14	Repair settled joist above Corridor 88&71			\$3,939		
25-Jul-14	Credit on not painting gym ceiling	\$4,989		\$782		
25-Jul-14	Painting 16 cells in Wing C					
25-Jul-14	Painting rusted galv. metal equip. on the roof			\$3,920		
	possible credit			\$3,000		
	possible credit					
	possible credit					
	possible credit					
	from selling old copper from the ex. roof					
	from unit prices- P.T Wood Blocking	\$2,000				
	from unit prices- Replace ltwt concrete deck	\$18,000				
	from unit prices- Replace cementitious roof deck	\$2,550				
TOTAL		\$35,729	\$0	\$91,507		
			General Cont. Allowance Total	\$150,000		
			General Cont. Allowance Remaining	\$56,493		
			Builder's Hardware Cylinder Allowance	\$10,000		
			Landscaping Allowance	\$10,000		

ORIGINAL

SUPERVISOR: Rhonda Cape

POSITION NO:

438045004

PROPOSED EFFECTIVE DATE: 8/4/14

TYPE OF APPOINTMENT: ☒ **PERMANENT** ☐ **TEMPORARY**

(X) OPEN

() TRANSFER

() PROMOTION

(X) PROMOTION/TRANSFER

PAY GRADE: A03-01

SALARY RANGE: \$24,414-34,753

(x) 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.

(x) 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.

() APPROVED

() DISAPPROVED

2

Funding

3

SELECTEE:

Date:

Appointing Authority Signature – District Attorney Office

4

() Manpower data entered by:

Date:

() Payroll entered by:

Date:

**Purchasing Department
Montgomery County Commission**

ABSTRACT FOR BIDS:				BID # 1		BID # 2		BID # 3		BID # 4		BID # 5	
INVITATION TO BID NO. 52200-148-011				Robinson Textiles 152 W Walnut Street Gardena, CA 90248 (800)421-5582		Uniforms Mfg P O Box 12716 Scottsdale, AZ 85267 (480)368-9316		ICS Jail Supplies, Inc. P O Box 21056 Waco, TX 76702 (800)524-5427		Walter F Stephens 415 South Avenue Franklin, OH 45005			
DATE ISSUED June 10, 2014													
DATE OPENED June 30, 2014													
Detention Facility													
TERMS OF PAYMENT / DISCOUNT													
DELIVERY DATE:													
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
1	Shirt: Light Blue	Ea	25	\$4.30	\$107.50	\$4.42	\$110.50	\$5.89	\$147.25	\$7.25	\$181.25		
	Made in USA												
2	Trouser: Light Blue	Ea	25	\$5.30	\$132.50	\$5.66	\$141.50	\$6.26	\$156.50	\$7.95	\$198.75		
	Made in USA												
3	Coverall												
	Made in USA												
4	Stenciling	Ea	25	\$0.42	\$10.50	\$0.40	\$10.00	\$1.50	\$37.50	NO QUOTE	\$468.75		
5	Oversized Shirts	Ea	25	\$5.75	\$143.75	\$5.53	\$138.25	\$7.97	\$199.25	\$8.95	\$223.75		
6	Oversized Trouser	Ea	25	\$7.75	\$193.75	\$7.08	\$177.00	\$9.26	\$231.50	\$10.95	\$273.75		
7	Oversized Coveralls	Ea	25	\$12.00	\$300.00	\$14.90	\$372.50	\$18.30	\$457.50	\$25.95	\$648.75		
TOTAL BID AMOUNTS					\$1,156.75		\$1,247.75		\$1,565.75		\$1,995.00		

Notes:

40 BIDS MAILED OUT (UNIFORMS MADE IN USA)

Inmate Uniforms

STATE OF ALABAMA
MONTGOMERY COUNTY

CONTRACTURAL AGREEMENT

CONTRACT NO. 52200-14B-011

THIS CONTRACTUAL AGREEMENT made and entered into on the 1st day of September, 2014, by and between Robinson Textiles of Gardena, California, and Montgomery County Commission, Montgomery, Alabama.

WITNESSETH

WHEREAS, Robinson Textiles agrees to furnish Inmate Uniforms for the Montgomery County Detention Facility in accordance with all the provisions of Invitation to Bid No. 52200-14B-011 as advertised by the Montgomery County Commission on June 10, 2014 (hereinafter referred to as the Invitation to Bid), a copy of which is attached hereto.

WHEREAS, In Consideration thereof, Robinson Textiles 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 September 1, 2014 and will end on August 31, 2015 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 Robinson Textiles may terminate this agreement with a thirty (30) day written notice by either party.
5. That Robinson Textiles will furnish Inmate Uniforms at prices stipulated in Invitation to Bid No. 52200-14B-011

6. That Robinson Textiles shall at all times be in compliance with all specifications and special provisions of the Invitation to Bid.
7. That during the contract period, Robinson Textiles shall pay for fabric lab testing to certify compliance with specifications if requested 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 Robinson Textiles.

IN WITNESS WHEREOFF, the undersigned have executed this Contract as of the 1st day of September, 2014.

WITNESS:

ROBINSON TEXTILES

BY: _____

TITLE: _____

WITNESS:

MONTGOMERY COUNTY COMMISSION

BY: _____

TITLE: _____

Amendment to the Professional Services Agreement

Amendment Number: 001

TO: Montgomery County Commission
(Owner or Owner's Representative)

In accordance with the Agreement dated: June 27th, 2012

BETWEEN the Owner:

(Name and address)

The Montgomery County Commission
101 South Lawrence Street
Montgomery, Alabama 36104
Telephone Number: 334-832-1210

and the Architect:

(Name and address)

Seay, Seay & Litchfield, P.C.
1115 South Court Street
Montgomery, Alabama 36104
Telephone Number: 334-263-5162

for the Project:

(Name and address)

Montgomery County Youth Facility
1113 Air Base Blvd.
Montgomery, AL 36108

The Owner/Architect agreement is amended as follows:

1. The Owner and Architect agree that Basic Architectural Fees shall be calculated on the basis of the Total Construction Cost of \$7,914,085.27, which represents the sum of the construction plus applicable taxes, but not including Change Orders after the start of construction.

SUBMITTED BY:

(Signature)

Jim H. Seay, Jr., Chairman/Secretary

(Printed name and title)

July 11, 2014

(Date)

AGREED TO:

(Signature)

Elton Dean, Chairman

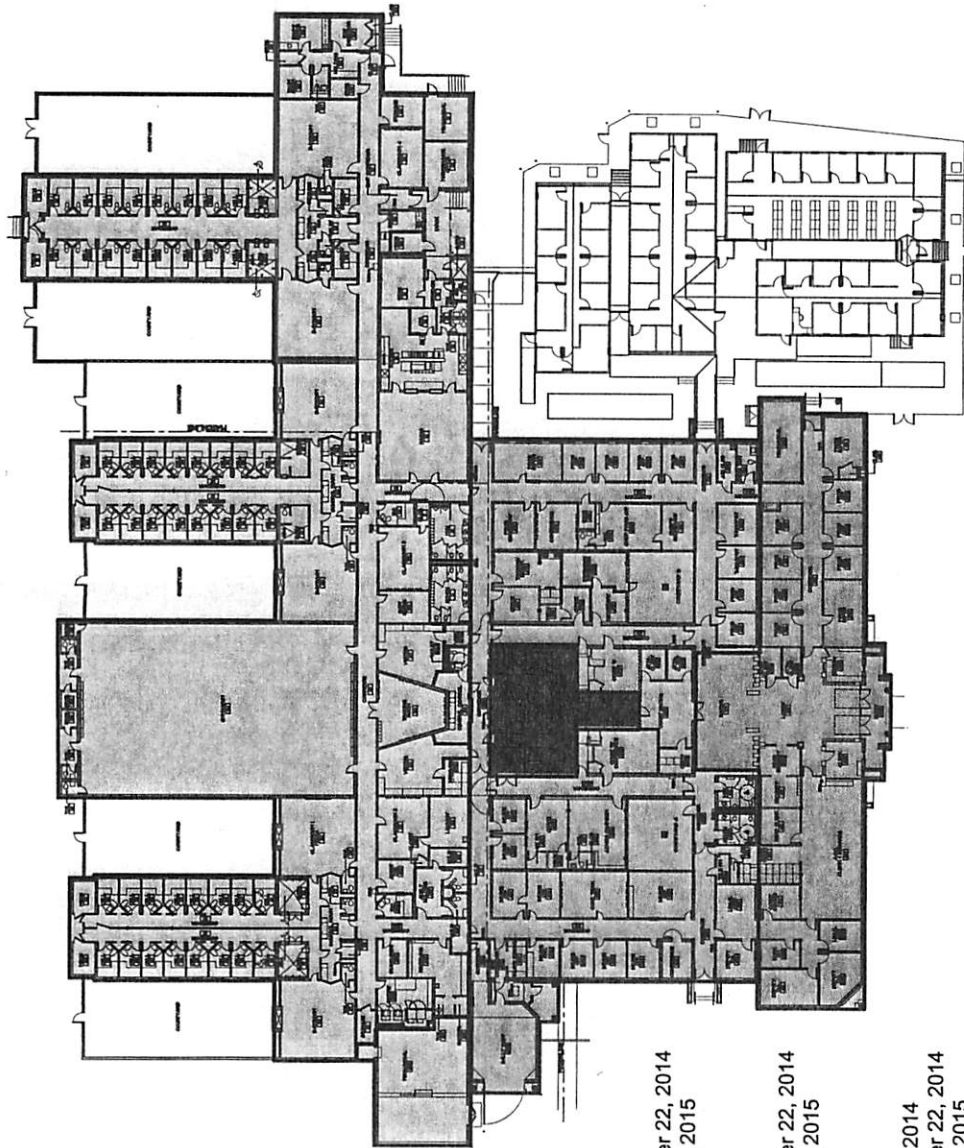
(Printed name and title)

July 11, 2014

(Date)

AUG - 4 2014

Montgomery County Youth Facility Anticipated Construction Phase Completion Dates



Detention
Complete: December 22, 2014
Move In: January 5, 2015

Intake / Probation
Complete: December 22, 2014
Move In: January 5, 2015

Court Room
Start: September 2, 2014
Complete: December 22, 2014
Move In: January 5, 2015

Phase 2
Start: January 5, 2015
Complete: May 15, 2015
Move In: June 1, 2015

RESOLUTION

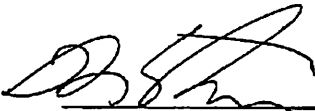
WHEREAS, the Montgomery Commission desires to preserve integrity and consistency in the technology utilized by the county and a comprehensive website presence for all Montgomery County governmental offices; and

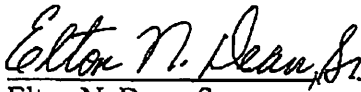
WHEREAS, the County's information systems department has been tasked with developing, maintaining, and overseeing the county's computer applications, networks, and website; and

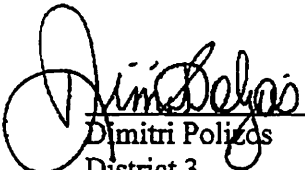
WHEREAS, in order to maximize the effectiveness of county resources, it is necessary for all county departments to coordinate the purchase of all equipment and all applications, as well as any website development and modification, through this department;

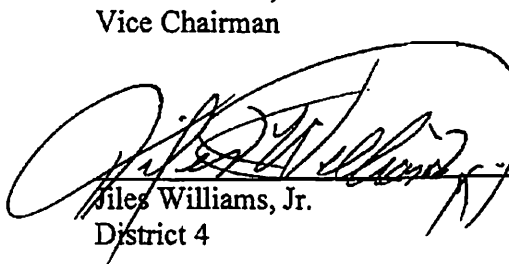
NOW, THEREFORE, BE IT RESOLVED that the Montgomery County Commission does hereby require that acquisition of hardware and software application programs to include website design and modifications be coordinated with the County's Information Systems Department.

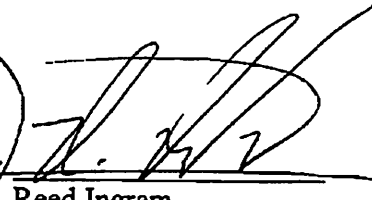
We hereby certify that the above
Resolution was adopted by the
Montgomery County Commission on
this, the 10th day of June, 2008.


Todd Strange
Chairman

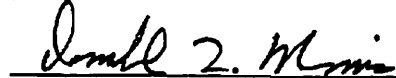

Elton N. Dean, Sr.
Vice Chairman


Dimitri Polyzos
District 3


Miles Williams, Jr.
District 4

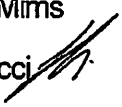

Reed Ingram
District 5

Attest:


Donald L. Mims, Administrator

Interoffice Memo

To: Donnie Mims

From: Lou Ialacci 

Cc: Tammy Nix

Date: July 29, 2014

RE: Technology Update for FY15 Budgets

Please include this memo on the August 4, 2014 Information Meeting agenda. This contains the same information I sent to you and the Commissioners in an email on Monday, July 28, 2014. The large technical projects listed are being discussed for next fiscal year. I will discuss them and answer any questions I can when it is my time to address the Commission.

1. **Youth Facility-** software and hardware requirements to replace old systems no longer provided by AOC- estimated cost \$84,472.
2. **Tax and Audit-** New City/County sales tax and business license software system- County portion could be as much as \$350,000.
3. **Sheriff's Office-** update to their Computer Aided Dispatch (CAD) system. The cost is estimated at \$130,000 to \$150,000.
4. **County Wide-** Update financial system to add eSuites – included as part of the time and attendance request - can be implemented quickly and independently - cost is \$65,000.
5. **County Wide-** Kronos time and attendance system (excluding the eSuites portion) cost is \$393,628.
6. **Other-** digital signage system, first phase basic installation in only Annex I - cost of \$126,800.

There may be additional projects or ideas being considered by Elected Officials and/or Department Heads that have not been brought to my attention.

Thank you for your support.

ELTON N. DEAN, SR.
CHAIRMAN

DANIEL HARRIS, JR.
VICE CHAIRMAN

REED INGRAM
RONDA M. WALKER
JILES WILLIAMS, JR.

A COUNTY OLDER THAN THE STATE

MONTGOMERY COUNTY COMMISSION

MONTGOMERY, ALABAMA 36102-1667

ESTABLISHED 1816

DONALD L. MIMS, CPA, MPA
ADMINISTRATOR

(334) 832-1210
FAX (334) 832-2533
TDD (334) 265-3568
www.mcc-ala.org

Agenda

AUG - 4 2014

August 1, 2014

MEMORANDUM

TO: Montgomery County Commission

FROM: Donald L. Mims *DLM*
County Administrator

SUBJECT: Legal Opinion regarding Janitorial Bids

Attached is County Attorney Tyrone C. Means' legal opinion regarding janitorial bids, dated July 24, 2014.

Also, attached is a letter from me to Attorney Means concerning this issue and his response dated July 31, 2014.

DLM/tn

Attachments

MEANS GILLIS LAW, LLC

ATTORNEYS AND COUNSELLORS AT LAW
ESTABLISHED IN 1981

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Sender's E-Mail Address
tcmeans@meansgillislaw.com

H. LEWIS GILLIS¹
TYRONE C. MEANS^{1,2,3}
KRISTEN J. GILLIS¹

July 24, 2014

ADMITTED
¹ ALABAMA
² GEORGIA
³ KANSAS

Donald Mims, County Administrator
Montgomery County Commission
PO Box 1667
Montgomery, Alabama 36102-1667

Re: Legal Opinion Regarding Janitorial Bids

Dear Donny:

County Attorney Gallion advises me that the Commission requested a legal opinion regarding the applicability of Code of Alabama § 41-16-20 to the janitorial bids. A copy of the Code section is attached.

QUESTION PRESENTED

Does Code of Alabama § 41-16-20 apply to bids tendered for janitorial services?

EXECUTIVE SUMMARY

Yes. Based upon a plain reading of Code of Alabama § 41-16-20, if any of the bidders fit the criteria for "preferred vendor" and fits, after inquiry, either a Priority No. 1, Priority No. 2 or Priority No. 3 vendor as defined by the said code section, then the section should be applied in determining who should be awarded the bid. Further, a "responsible and responsive" bidder who is also a "preferred vendor" with a bid no more than 5 percent greater than the bid of the lowest responsible bidder, the awarding authority, in this case the Montgomery County Commission, may award the bid accordingly.

THE FACTS AND ANALYSIS

Code of Alabama § 41-16-20 is applicable, Contracts not governed by Title 39 of Alabama Code involving a contract for services with a value greater than \$7,500.00 is to be let by free and open competitive bidding pursuant to the statute. See attached copy of Code of Alabama § 41-16-20.

The bidders, excluding Chano and Sons (a Tennessee based business), all appear to be Alabama-based companies. Based upon the documentation produced to me Priority No. 1 and Priority No. 2 would not apply. However, Priority No. 3 is likely applicable as each appears to be a business organized under the applicable laws of the state and presumably maintain an Alabama business license. Assuming that the bidders have an outlet or service center (place of business) for the services that they provide within the state, each would be deemed to have met a prong of the definition of a preferred vendor under the statute. Assuming for sake of argument that additionally, each of the companies have been in business for one year or more prior to the deadline of the date for the competitive bids, then they would qualify as Priority No. 3 organizations under the statute.

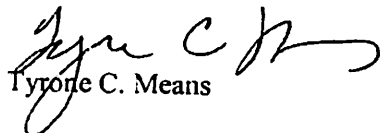
In that event, assuming that due diligence has applied to determine that each qualifies as a preferred vendor and the second or next bidder in line is a responsible and responsive bidder, then the bid may be awarded to the next bidder that has submitted a bid that is more than 5 percent greater than the bid of Chano and Sons. (assuming Chano and Sons is deemed a responsive and qualified bidder).

Accordingly, the county needs to do due diligence to determine if the next bidder in line is a responsible and responsive bidder, then the award can be awarded to the next lowest bidder.

If you have any questions, please advise.

Sincerely yours,

MEANS GILLIS LAW, LLC


Tyrone C. Means

TCM/egb

Enclosure: (code section 41-16-20)

MEANS GILLIS LAW, LLC

IS-3

Section 41-16-20

Contracts for which competitive bidding required; award to preferred vendor.

(a) With the exception of contracts for public works whose competitive bidding requirements are governed exclusively by Title 39, all contracts of whatever nature for labor, services, work, or for the purchase or lease of materials, equipment, supplies, other personal property or other nonprofessional services, involving fifteen thousand dollars (\$15,000) or more, made by or on behalf of any state department, board, bureau, commission, committee, institution, corporation, authority, or office shall, except as otherwise provided in this article, be let by free and open competitive bidding, on sealed bids, to the lowest responsible bidder.

(b) A "preferred vendor" shall be a person, firm, or corporation which is granted preference priority according to the following:

(1) **PRIORITY #1.** Produces or manufactures the product within the state.

(2) **PRIORITY #2.** Has an assembly plant or distribution facility for the product within the state.

(3) **PRIORITY #3.** Is organized for business under the applicable laws of the state as a corporation, partnership, or professional association and has maintained at least one retail outlet or service center for the product or service within the state for not less than one year prior to the deadline date for the competitive bid.

(c) In the event a bid is received for the product or service from a person, firm, or corporation deemed to be a responsible bidder and a preferred vendor where any state higher education institution, department, board, bureau, commission, committee, institution, corporation, authority, or office is the awarding authority and the bid is no more than five percent greater than the bid of the lowest responsible bidder, the awarding authority may award the contract to the preferred vendor.

(Acts 1957, No. 343, p. 452, §1; Acts 1961, No. 870, p. 1365; Acts 1976, No. 751, p. 1032, §1; Acts 1989, No. 89-687, p. 1351, §1; Acts 1994, No. 94-207, p. 270, §1; Acts 1997, No. 97-225, p. 348, §1; Act 2000-721, p. 1544, §1; Act 2009-763, p. 2310, §1; Act 2012-462, p. 1281, §1.)

Donald Mims

From: Ethel Bandy [egbandy@meansgillislaw.com]
Sent: Friday, July 25, 2014 10:30 AM
To: Donald Mims
Cc: Tyrone Means; egbandy@meansgillislaw.com
Subject: Legal Opinion Regarding Janitorial Bids
Attachments: Scan0029.pdf

Good Morning Mr. Mims,

The attached correspondence is being sent on behalf of Attorney Means, regarding the above style-matter.

If you have any questions, please contact Attorney Means.

Thank you,

**OUR OFFICE HAS MOVED 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**

Ethel G. Bandy
Receptionist/Medical Records Clerk

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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.

ELTON N. DEAN, SR.
CHAIRMAN

DANIEL HARRIS, JR.
VICE CHAIRMAN

REED INGRAM
RONDA M. WALKER
JILES WILLIAMS, JR.

A COUNTY OLDER THAN THE STATE

MONTGOMERY COUNTY COMMISSION

MONTGOMERY, ALABAMA 36102-1667



ESTABLISHED 1816

DONALD L. MIMS, CPA, MPA
ADMINISTRATOR

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July 29, 2014

Tyrone C. Means, County Attorney
Means Gillis Law, LLC
P.O. Box 5058
Montgomery, Alabama 36104

SUBJECT: Legal Opinion Regarding Janitorial Bids

Dear Attorney Means:

I received your legal opinion regarding janitorial bids dated July 24, 2014, in which you responded to the following question: "Does Code of Alabama §41-16-20 apply to bids tendered for janitorial services?" The Executive Summary stated "Yes. Based upon a plain reading Code of Alabama §41-16-20, if any of the bidders fit the criteria for 'preferred vendor' and fits, after inquiry, either a Priority No. 1, Priority No. 2 or Priority No. 3 vendor as defined by the said code section, then the section should be applied in determining who should be awarded the bid. Further, a 'responsible and responsive' bidder who is also a 'preferred vendor' with a bid no more than 5 percent greater than the bid of the lowest responsible bidder, the awarding authority, in this case the Montgomery County Commission, may award the bid accordingly."

During my years as County Administrator, I have attended many courses regarding the bid law. The "preferred vendor" as mentioned in Code of Alabama §41-16-20, is a provision of which I am not familiar. Prior to receiving your opinion, I contacted Association Counsel Mary E. Pons with the Association of County Commissions of Alabama, in which we discussed Code of Alabama §41-16-20. Following is her email response to me regarding the question: "You have asked me about a provision in Alabama's bid law that allows for a 5% preference for certain 'preferred vendors'. That provision is found in Ala. Code Section 41-16-20, which only applies to state agencies. Alabama's competitive bid law has different provisions for different governmental entities. Most state agencies fall under Article 2 of Title 41, Chapter 16, which is found at Ala. Code Section 41-16-20 et seq., while most local governments, including counties, fall under Article 3, which begins at Ala. Code Section 41-16-50. Section 41-16-50(a) includes a 'local preference' of 3% for local bidders in the awarding authority's jurisdiction. As an aside, the local boards of education 'pulled out' of the local government Article a few years ago, and those entities are now governed by the provisions of Title 16, Chapter 13B. Section 16-13B-1 has the identical 'preference' language as the law for other local governments. I have attached copies of both the state and county Code sections requiring bids and establishing preferences to show that the county is covered under Article 3, which does not include a provision for a 5% preference for preferred vendors. Instead, it provides for a 3% preference for local bidders. You

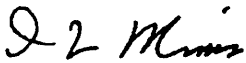
Tyrone C. Means
July 29, 2014
Page 2

might be interested to know that the Association worked on legislation several years ago which would have increased the local preference for local governments to 5%. The bill passed the legislature, but Governor Riley vetoed it! I hope this information is helpful but please let me know if you have any questions or need any additional information."

After receiving this email, I forwarded it to the Examiners of Public Accounts and they agreed with her comments concerning this topic.

Should you have any questions regarding the information I have provided, I am willing to schedule a meeting with you and the State Examiners of Public Accounts.

Sincerely,



Donald L. Mims
County Administrator

DLM/tn

Attachment

cc: Thomas T. Gallion, III, County Attorney

Tammy Nix

From: Mary Pons <MPons@alabamacounties.org>
Sent: Thursday, July 24, 2014 9:58 AM
To: Donald Mims
Cc: Sallie Gowan; John Hamm
Subject: Preferred Vendor
Attachments: State and county law.docx

Donnie,

You have asked me about a provision in Alabama's bid law that allows for a 5% preference for certain "preferred vendors". That provision is found in Ala. Code Section 41-16-20, which only applies to state agencies.

Alabama's competitive bid law has different provisions for different governmental entities. Most state agencies fall under Article 2 of Title 41, Chapter 16, which is found at Ala. Code Section 41-16-20 et seq., while most local governments, including counties, fall under Article 3, which begins at Ala. Code Section 41-16-50. Section 41-16-50(a) includes a "local preference" of 3% for local bidders in the awarding authority's jurisdiction. As an aside, the local boards of education "pulled out" of the local government Article a few years ago, and those entities are now governed by the provisions of Title 16, Chapter 13B. Section 16-13B-1 has the identical "preference" language as the law for other local governments.

I have attached copies of both the state and county Code sections requiring bids and establishing preferences to show that the county is covered under Article 3, which does not include a provision for a 5% preference for preferred vendors. Instead, it provides for a 3% preference for local bidders.

You might be interested to know that the Association worked on legislation several years ago which would have increased the local preference for local governments to 5%. The bill passed the legislature but Governor Riley vetoed it!

I hope this information is helpful but please let me know if you have any questions or need any additional information.



Mary E. Pons
Association Counsel
Association of County Commissions of Alabama
334-263-7594 office • 334-263-7678 fax
www.alabamacounties.org

Title 41, Chapter 16, Article 2

Competitive Bidding on Public Contracts Generally.

Section 41-16-20 -- Contracts for which competitive bidding required; award to preferred vendor.

(a) With the exception of contracts for public works whose competitive bidding requirements are governed exclusively by Title 39, all contracts of whatever nature for labor, services, work, or for the purchase or lease of materials, equipment, supplies, other personal property or other nonprofessional services, involving fifteen thousand dollars (\$15,000) or more, made by or on behalf of any state department, board, bureau, commission, committee, institution, corporation, authority, or office shall, except as otherwise provided in this article, be let by free and open competitive bidding, on sealed bids, to the lowest responsible bidder.

(b) A "preferred vendor" shall be a person, firm, or corporation which is granted preference priority according to the following:

- (1) PRIORITY #1. Produces or manufactures the product within the state.
- (2) PRIORITY #2. Has an assembly plant or distribution facility for the product within the state.
- (3) PRIORITY #3. Is organized for business under the applicable laws of the state as a corporation, partnership, or professional association and has maintained at least one retail outlet or service center for the product or service within the state for not less than one year prior to the deadline date for the competitive bid.

(c) In the event a bid is received for the product or service from a person, firm, or corporation deemed to be a responsible bidder and a preferred vendor where any state higher education institution, department, board, bureau, commission, committee, institution, corporation, authority, or office is the awarding authority and the bid is no more than five percent greater than the bid of the lowest responsible bidder, the awarding authority may award the contract to the preferred vendor.

Title 41, Chapter 16, Article 3

Competitive Bidding on Contracts of Certain State and Local Agencies, etc.

Section 41-16-50 -- Contracts for which competitive bidding required.

(a) With the exception of contracts for public works whose competitive bidding requirements are governed exclusively by Title 39, all expenditure of funds of whatever nature for labor, services, work, or for the purchase of materials, equipment, supplies, or other personal property involving fifteen thousand dollars (\$15,000) or more, and the lease of materials, equipment, supplies, or other personal property where the lessee is, or becomes legally and contractually, bound under the terms of the lease, to pay a total amount of fifteen thousand dollars (\$15,000) or more, made by or on behalf of any state trade school, state junior college, state college, or university under the supervision and control of the State Board of Education, the district boards of education of independent school districts, the county commissions, the governing bodies of the municipalities of the state, and the governing boards of instrumentalities of counties and

municipalities, including waterworks boards, sewer boards, gas boards, and other like utility boards and commissions, except as hereinafter provided, shall be made under contractual agreement entered into by free and open competitive bidding, on sealed bids, to the lowest responsible bidder. Prior to advertising for bids for an item of personal property, where a county, a municipality, or an instrumentality thereof is the awarding authority, the awarding authority may establish a local preference zone consisting of either the legal boundaries or jurisdiction of the awarding authority, or the boundaries of the county in which the awarding authority is located, or the boundaries of the Core Based Statistical Area (CBSA) in which the awarding authority is located. If no such action is taken by the awarding authority, the boundaries of the local preference zone shall be deemed to be the same as the legal boundaries or jurisdiction of the awarding authority. In the event a bid is received for an item of personal property to be purchased or contracted for from a person, firm, or corporation deemed to be a responsible bidder, having a place of business within the local preference zone where the county, a municipality, or an instrumentality thereof is the awarding authority, and the bid is no more than three percent greater than the bid of the lowest responsible bidder, the awarding authority may award the contract to the resident responsible bidder. In the event only one bidder responds to the invitation to bid, the awarding authority may reject the bid and negotiate the purchase or contract, providing the negotiated price is lower than the bid price.

(b) The governing bodies of two or more contracting agencies, as enumerated in subsection (a), or the governing bodies of two or more counties, or the governing bodies of two or more city or county boards of education, may provide, by joint agreement, for the purchase of labor, services, or work, or for the purchase or lease of materials, equipment, supplies, or other personal property for use by their respective agencies. The agreement shall be entered into by similar ordinances, in the case of municipalities, or resolutions, in the case of other contracting agencies, adopted by each of the participating governing bodies, which shall set forth the categories of labor, services, or work, or for the purchase or lease of materials, equipment, supplies, or other personal property to be purchased, the manner of advertising for bids and the awarding of contracts, the method of payment by each participating contracting agency, and other matters deemed necessary to carry out the purposes of the agreement. Each contracting agency's share of expenditures for purchases under any agreement shall be appropriated and paid in the manner set forth in the agreement and in the same manner as for other expenses of the contracting agency. The contracting agencies entering into a joint agreement, as herein permitted, may designate a joint purchasing or bidding agent, and the agent shall comply with this article. Purchases, contracts, or agreements made pursuant to a joint purchasing or bidding agreement shall be subject to all terms and conditions of this article. In the event that utility services are no longer exempt from competitive bidding under this article, non-adjointing counties may not purchase utility services by joint agreement under authority granted by this subsection.

(c) The awarding authority may require bidders to furnish a bid bond for a particular bid solicitation if the bonding requirement applies to all bidders, is included in the written bid specifications, and if bonding is available for the services, equipment, or materials.

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TYRONE C. MEANS^{1,2,3}
KRISTEN J. GILLIS'

July 31, 2014

ADMITTED
¹ ALABAMA
² GEORGIA
³ KANSAS

VIA EMAIL AND U.S. MAIL

Donald L. Mims
County Administrator
Montgomery County Commission
Post Office Box 1667
Montgomery, Alabama 36102-1667

Re: Legal Opinion Regarding Janitorial Bids

Dear Donnie:

This is to acknowledge receipt of your correspondence dated July 29, 2014 regarding my legal opinion dated July 24, 2014.

Please know that my legal opinion was not exhaustive of matters that I thought that needed to be addressed regarding qualifying bidders. Additionally, the commission needs to satisfy itself that the lowest bidder is in fact a responsible bidder. Noting that previously his work has been confined to his home county in Tennessee, the county should have reasonable assurances that this vendor/bidder can fulfill the contractual needs of the county with his first time operating a good distance between where his base is and Montgomery. The county commission should assure itself that his business plan will work. Further, given that this is as I understood from the commission meeting, a fairly new contractor of janitorial services, without any local employees, on a job that has a day-to-day activity is stable enough to sustain the work over a three-year period.

I have further indicated that the database could not confirm that there was a business operating at the address provided. Particularly, the database could not tie the federal tax identification number to this vendor's place of business.

If indeed, the commission is satisfied that after exploring the logistical issues of this bidder operating from Tennessee, then all means it may qualify this bidder. I frankly found that the due diligence file was somewhat lacking if there was a review of the file. I did not see how the commission, in making a judgment call with reference to this bidder, as to whether or not this bidder was the lowest responsible bidder.

I cannot and will not substitute my judgment for the county. My only responsibility was to give legal advice and raise questions where applicable.

With respect to the issue of "preferred vendors", I have a lot of respect for your opinion, the opinion of the association's general counsel Mary Pons and, of course, the Examiners of Public Accounts. However, in doing my research before rendering my legal opinion, I first went to the law itself. Troubling was the fact that there were no definitions within the statutory language that made clear that county "commissions" were not included in making award based upon the preferred vendors provision. The statute specifically refers to "commissions".

Also lacking from my research were any court decisions that interpreted the statute to make it applicable to only state agencies. Neither did I find any attorney general's issues on the matter. If the Examiners of Public Accounts has issued any opinions with regard to the applicability of the "preferred vendors" statute, I could not locate such opinions.

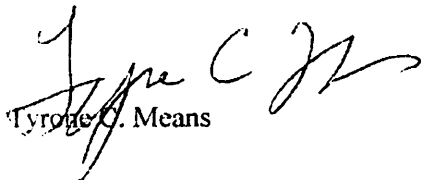
In Mary Pons' email, she opins that the statute is only applicable to state agencies, but she did not provide any guidance as to the basis of her findings (other than I assume what the customary interpretation has been in the past). While I understand that there is a possibility that the law has always been interpreted to only include state agencies. Without a clear-cut definition of "commissions", and without anything specifically saying that the application was limited to state agencies, I had no choice in rendering my opinion but to conclude that the State of Alabama has decided that Alabama-based companies ought to awarded a "preferred vendor" status when competing against foreign state bidders. Further, the "local preference" provision of the law, seems to indicate that even within the State of Alabama, a Montgomery-based bidder ought to receive preference in Montgomery County over a Birmingham-based business.

If the commission chooses to rely on the advice of Mary Pines or the opinion of the Examiners of Public Accounts based upon how the statute has been interpreted historically, I have no problem with their conclusion. However, absent some clear pronouncement that the statute only applies to state agencies, I would argue that the "preferred vendor" statute can readily be interpreted as applicable to a "commission" such as the Montgomery County Commission.

Thank you.

Sincerely yours.

MEANS GILLIS LAW, LLC


Tyrone C. Means

MEANS GILLIS LAW, LLC

15-12

Donald Mims

From: Ethel Bandy [egbandy@meansgillislaw.com]
Sent: Thursday, July 31, 2014 5:45 PM
To: Donald Mims
Cc: Tyrone Means; egbandy@meansgillislaw.com
Subject: Legal Opinion Regarding Janitorial Bids
Attachments: Scan0059.pdf

Hello Mr. Mims:

Please find attached correspondence from Attorney Means regarding the above referenced matter.

Should you have any questions, please feel free to contact Attorney Means.

Thank you,

**OUR OFFICE HAS MOVED TO THE DOWNTOWN AREA.
EFFECTIVE DECEMBER 1, 2013, OUR NEW PHYSICAL ADDRESS WILL BE:
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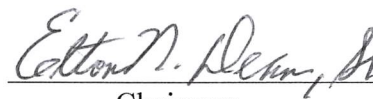
H. Lewis Gillis and Tyrone C. Means are Means Gillis Law. Seasoned attorneys with a staff of caring professionals. Attorneys Gillis and Means have collectively practiced for more than 75 years. Our legal expertise spans the civil litigation spectrum which includes cases of wrongful death, serious personal 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.

ADJOURNMENT

There being no further business to come before the Commission at this time, the meeting stood adjourned until Monday, August 18, 2014, at 8:00 in the morning.



Administrator



Chairman