

MINUTES OF REGULAR MEETING
MONTGOMERY COUNTY COMMISSION
MARCH 22, 2010

INFORMATION SESSION

Chairman Dean called the Meeting to Order at 8:00 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.

COMMENTS FROM SCHEDULED ATTENDEES, STAFF AND COMMISSIONERS

COMMENTS FROM ADMINISTRATOR MIMS

Administrator Mims briefed the Commission on scheduled attendees.

PRESENTATION BY COUNTY ATTORNEY TYRONE C. MEANS

County Attorney Tyrone C. Means briefed the Commission regarding a recommendation by Paul Brown, Community Corrections Executive Director, and the appointing authority of the Montgomery County Community Punishment & Correction Authority to create and fill a new position within, to be entitled "Administrator and Coordinator of Quality Assurance and Compliance". The position would be consistent with the job description created by City-County Personnel at Pay Grade A8, subject to ratification by the Authority's Board.

RECESS TO EXECUTIVE SESSION

County Attorney Means explained to the Commission that they needed to go into Executive Session to discuss a pending litigation matter. (Copies of Letter and Email from County Attorney Means regarding convening the Executive Session, Agenda Pages 12-1 and 12-2, are attached to these Minutes.) Vice Chairman Ingram made a motion to go into the Executive Session. The motion was seconded by Commissioner Williams and unanimously approved by the Commission. Chairman Dean recessed the Information Session to the Executive Session.

RECESS TO INFORMATION SESSION

Vice Chairman Ingram made a motion to recess the Executive Session. The motion was seconded by Commissioner Polizos and unanimously approved by the Commission. Chairman Dean recessed the Executive Session to the Information Session.

INFORMATION SESSION

DISCUSSION BY THE COMMISSION

The Commission discussed funding for the 2010 Buckmasters Expo. Administrator Mims stated that the Commission had given \$35,000 in 2008 and \$35,000 in 2009 to the Chamber of Commerce for the Expo.

COMMENTS FROM ADMINISTRATOR MIMS

Administrator Mims reviewed items on the agenda.

DISCUSSION BY THE COMMISSION

Commissioner Polizos requested a \$200 miscellaneous appropriation to the Alabama Cooperative Extension System, for the Legislature at Work Program from his account.

Chairman Dean and Vice Chairman Ingram requested a \$1,000 miscellaneous appropriation to the City of Montgomery, to be used by BONDS to Support Sprague-Ada-LaGrand Community Organization (SALCO) from each of their accounts.

Chairman Dean requested a \$350 miscellaneous appropriation to the City of Montgomery, for “Dream Team Event” from his account.

The Commission agreed to waive rules and add these appropriations to the agenda.

COMMENTS FROM ADMINISTRATOR MIMS

Administrator Mims briefed the Commission regarding a bid award for catering of the County Employee Appreciation Luncheon, tentatively scheduled for April 8, 2010. He stated that there was only one qualifying bidder whose cost was \$5,850.00. The Commission discussed funding for the luncheon.

PRESENTATION BY EAST MONTGOMERY BASEBALL & SOFTBALL, INC., COMMISSIONER RONALD SKIPPER AND ASSOCIATE COMMISSIONER DANNY MARTIN

East Montgomery Baseball & Softball, Inc. Commissioner Ronald Skipper and Associate Commissioner Danny Martin briefed the Commission regarding the East Montgomery Baseball and Softball Complex and requested a \$7,500 appropriation for the installation of field lighting for Angels Field. Vice Chairman Ingram asked Administrator Mims to contact James Chambliss and James Williams and ask them to meet with Danny Martin regarding grants for the lighting.

PRESENTATION BY DIRECTOR OF ELECTIONS TREY GRANGER

Director of Elections Trey Granger requested the Commission approve a Position Fill Request for a Customer Service Clerk. Vice Chairman Ingram asked Mr. Granger how many employees were at each Probate Satellite Office for 2008, 2009 and 2010, which Mr. Granger will provide at a later date. After discussion, the Commission agreed to discuss this request at the next meeting.

Mr. Granger informed the Commission that Bellingrath Community Center would possibly be available as a polling place for the 2010 Election and asked the Commission to revise the polling place realignment, which was approved at the last meeting, to reflect this change. After discussion, the Commission agreed to waive rules and place this item on the agenda.

Mr. Granger informed the Commission that Probate Judge Reese McKinney, Jr., recommended that a working committee be formed to fully evaluate the polling place conditions and to use the upcoming elections this summer to critically evaluate not only the limitation of many of the current locations, but together explore the full implementation of the restructuring of Montgomery County's Polling Places. Vice Chairman Ingram asked that Chief David Miles with South Montgomery Volunteer Fire Department be added to this committee. The Commission agreed to place this item on the next agenda.

PRESENTATION BY CIRCUIT JUDGE WILL O'REAR

Circuit Judge Will O'Rear briefed the Commission regarding a grant opportunity for the Juvenile Court to expand the Mental Health Court and requested that the Commission approve a Memorandum of Agreement with Auburn Montgomery Center for Government and Public Affairs for Grant-Writing Services. After discussion, the Commission agreed to waive rules and place this item on the agenda.

PRESENTATION BY DISTRICT ATTORNEY ELLEN BROOKS

District Attorney Ellen Brooks informed the Commission that the One Place Family Justice Center received a \$25,000 grant.

Ms. Brooks introduced Mr. Steve Searcy, Executive Director for One Place Family Justice Center, to the Commission. The Commission congratulated Mr. Searcy on his new position.

COMMENTS FROM ADMINISTRATOR MIMS

Administrator Mims presented Budget Change Request Number 19, County Commission Appropriations, in the amount of \$30,000 for the purchase of a Fuel Storage and Delivery System at the K-9 Facility. After discussion, the Commission agreed to waive rules and add this item to the 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 Risk Manager Scott Kramer, at the request of Vice Chairman Ingram.

The Pledge of Allegiance was led by Commissioner Polizos.

County Administrator Mims called Roll to Establish Quorum, and the following Commissioners were present: Chairman Dean, Vice Chairman Ingram and Members Polizos, Williams and Wilson. Also present were County Attorney Tyrone C. Means, and County Engineer George C. Speake.

Vice Chairman Ingram made a motion to approve the Minutes of the Regular Meeting of March 8, 2010. The motion was seconded by Mr. Polizos and unanimously approved by the Commission.

CONSENT AGENDA

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

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

RESOLUTION

COUNTY COMMISSION – ADOPTED RESOLUTION CONGRATULATING THE UNIVERSITY OF ALABAMA ON WINNING THE 2010 BCS NATIONAL FOOTBALL CHAMPIONSHIP

The Administrator requested adoption of the following Resolution:

RESOLUTION

WHEREAS, in 1892, the University of Alabama established the school's first football team and played its first game on November 11th of that same year; winning 56–0 against a team composed of players from local Birmingham-area high schools; and

WHEREAS, on January 1, 1926, the University of Alabama played its first bowl game and earned an upset 20–19 Rose Bowl victory over Washington, culminating the program's first undefeated and untied season. The game is commonly referred to as "the game that changed the South" and earned Alabama its first national championship and nationwide recognition; and

WHEREAS, since that time, the University of Alabama has amassed the sixth-most victories in Division I with 813 wins; has won 26 conference championships - four Southern Conference and 22 SEC championships; and has made an NCAA-record 57 postseason bowl appearances; and

WHEREAS; on January 3, 2007, Nick Saban left the NFL's Miami Dolphins and accepted an offer as head coach of the Crimson Tide; and

WHEREAS, in 2008, during only his second year as head coach of the Tide, Coach Saban took his team to a perfect 12-0 regular season record. Coach Saban finished the regular season undefeated for the first time in his career as a head coach, as he led the team to its first undefeated regular season since 1994; and

WHEREAS, the 2009 Alabama Crimson Tide football team, led by Coach Saban, finished with a 12–0 regular season and defeated the University of Florida to clinch the SEC Championship; and

WHEREAS, on January 7, 2010, number-one ranked University of Alabama, under the leadership of Coach Nick Saban, traveled to Pasadena's Rose Bowl to face number two-ranked University of Texas in the 2010 BCS National Championship Game. Alabama's Heisman Trophy Winner, running back Mark Ingram, rushed for 116 yards and two touchdowns in the Tide's 37–21 win over the Texas Longhorns, and thus secured the University of Alabama's thirteenth national championship title.

NOW THEREFORE, BE IT RESOLVED that the Montgomery County Commission does hereby thank Coach Nick Saban and the University of Alabama Players and Coaching Staff for the sacrifices made on and off the field that are required to perform at the national championship level and does hereby congratulate the Crimson Tide on winning the 2010 BCS National Football Championship. Roll Tide!

We hereby certify that the above
Resolution was adopted by the
Montgomery County Commission
on this, the 22nd day of March, 2010.

End of Resolution

Mr. Wilson made a motion to adopt the resolution. The motion was seconded by Mr. Polizos and unanimously approved by the Commission.

COUNTY COMMISSION – ADOPTED RESOLUTION PROCLAIMING APRIL 2010 AS
NATIONAL COUNTY GOVERNMENT MONTH

The Administrator requested adoption of the following Resolution:

RESOLUTION

WHEREAS, the nation's 3,068 counties provide a variety of essential public services to communities serving 300 million Americans; and

WHEREAS, Montgomery County and all counties take seriously their responsibility to protect and enhance the health, welfare and safety of its residents in sensible and cost-effective ways; and

WHEREAS, county governments are integral to America's health care system and are unique in their responsibility to both finance and deliver health services through public hospitals and clinics, local health departments, long-term care facilities, mental health services and substance abuse treatment, and coverage programs for the uninsured; and

WHEREAS, as employers, counties provide health insurance and benefits to nearly three million county employees and their retirees nationwide; and

WHEREAS, the National Association of Counties is the only national organization that represents county governments in the United States; and

WHEREAS, since 1991 the National Association of Counties has encouraged counties across the country to actively promote county government programs and services to raise public awareness and understanding about the roles and responsibilities of the nation's counties to meet the need of the community; and

WHEREAS; the National Association of Counties and the Montgomery County Commission are working together to continue the Partnership among all levels of government to better serve American communities;

NOW, THEREFORE, BE IT RESOLVED that the Montgomery County Commission does hereby proclaim April 2010 as

National County Government Month

and encourage all Montgomery County officials, employees, schools and residents to participate in county government celebration activities.

We hereby certify that the above Resolution was adopted by the Montgomery County Commission on this, the 22nd day of March, 2010.

End of Resolution

Mr. Williams made a motion to adopt the resolution. The motion was seconded by Mr. Polizos and unanimously approved by the Commission.

NEW BUSINESS

ENGINEERING DEPARTMENT – APPROVED AGREEMENT WITH THE STATE OF ALABAMA DEPARTMENT OF TRANSPORTATION REGARDING RESURFACING CLOVERFIELD ROAD, FEDERAL ROAD, AND WOODLEY ROAD AND ADOPTION OF RELATED RESOLUTION

The Administrator presented the following memorandum from County Engineer George C. Speake requesting approval of agreement with the State of Alabama Department of Transportation and adoption of related resolution:

MEMORANDUM

TO: Donald L. Mims, County Administrator

FROM: George C. Speake, County Engineer

DATE: March 12, 2010

RE: Approval of Agreement for Resurfacing Cloverfield Road, Federal Road, and Woodley Road Project No. STMNU-STPNU-CN10(216), MCP 51-65-10

Please place on the agenda of the next regular meeting of the Montgomery County Commission the approval of attached agreement between the State of Alabama Department of Transportation and Montgomery County concerning funding for Project No. STMNU-STPNU-CN10(216), MCP 51-65-10, Resurfacing Cloverfield Road, Federal Road, and Woodley Road.

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

End of Memorandum

Vice Chairman Ingram made a motion to approve the agreement and adopt the related resolution. The motion was seconded by Mr. Williams and unanimously approved by the Commission. (Copies of Letter, Agreement, and Resolution, Agenda Pages 1-2 through 1-13, are attached to these Minutes.)

Commissioner Williams asked in which districts the roads are located. Vice Chairman Ingram responded by saying that two are in District 1 and one is in District 5.

COUNTY COMMISSION – RECOGNIZED AND DENIED CLAIM FILED BY
ATTORNEY GREGORY BREEDLOVE ON BEHALF OF THE FAMILY OF MADISON
ELIZABETH SUTHERLAND

The Administrator presented an opinion from County Attorney Thomas T. Gallion, III, to recognize and deny claim filed by Attorney Gregory Breedlove on behalf of the family of Madison Elizabeth Sutherland.

Mr. Polizos made a motion to recognize and deny the claim filed by Attorney Gregory Breedlove on behalf of the family of Madison Elizabeth Sutherland. The motion was seconded by Mr. Williams and unanimously approved by the Commission. (Copies of Attorney Gallion's Opinion, Memorandum and Letter, Agenda Pages 2-1 and 2-4, are attached to these Minutes.)

COUNTY COMMISSION – APPROVED MISCELLANEOUS APPROPRIATIONS
REPROGRAMMING REQUESTS

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

March 22, 2010

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) to:

- C-2010-64: Montgomery County Recreation Department, Tukabatchee Area Council, Boy Scouts of America, for Underprivileged Youth Programs - \$250
- NC-2010-84: BOE, Forest Avenue Academic Magnet Elementary School, for Purchase of a Smart Board and other Equipment - \$2,000
- NC-2010-85: BOE, Jefferson Davis High School, for Transportation to the National Health Occupations Students of America Competition - \$1,000
- NC-2010-86: BOE, Vaughn Road Elementary School, for Principal's Discretionary Fund - \$1,000

NC-2010-87: BOE, Bear Exploration Center for Mathematics, Science and Technology, for Principal's Discretionary Fund - \$1,000

NC-2010-88: BOE, Dannelly Elementary School, for Principal's Discretionary Fund - \$1,000

NC-2010-89: BOE, Forest Avenue Academic Magnet School, for Principal's Discretionary Fund - \$1,000

NC-2010-90: BOE, Brewbaker Primary School, for Principal's Discretionary Fund - \$1,000

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-2010-91: Alabama Cooperative Extension System, for the Legislature at Work Program - \$200

NC-2010-92: City of Montgomery, to be used by BONDS to Support Sprague-Ada-LaGrand Community Organization (SALCO) - \$2,000

NC-2010-93: City of Montgomery, for "Dream Team Event" - \$350

Vice Chairman Ingram made a motion to approve the requests. The motion was seconded by Mr. Polizos and unanimously approved by the Commission.

The following item was voted on separately in conjunction with Bid Award for Catering of Employee Luncheon, Bid Number 51100-10B-009 listed below:

NC-2010-94: Montgomery County Commission, for Catering of Employee Luncheon - \$5,000

After waving rules by the Commission, Vice Chairman Ingram made a motion to approve the miscellaneous appropriation. The motion was seconded by Mr. Williams and unanimously approved by the Commission.

COUNTY COMMISSION – APPROVED BID AWARD FOR CATERING OF EMPLOYEE LUNCHEON, BID NUMBER 51100-10B-009

The Administrator presented the following memorandum from Assistant Director of Support Services Pat Silas, requesting approval of Bid Award for Catering of Employee Luncheon:

MEMORANDUM

TO: Donald L. Mims, Administrator

FROM: Pat Silas, Assistant Director of Support Services

DATE: March 17, 2010

SUBJECT: Bid No. 51100-10B-009,
Catering of Employee Luncheon

Request approval of award on the above referenced Invitation to Bid to the only qualifying bidder, Farmers Market Café, for the amount of \$9.75 per person, be placed on the agenda for the County Commission meeting on March 22, 2010. (copy of spread sheet attached)

The bid was for an approximate number of 600 people to attend the luncheon but this could change to more or less.

Coordination of award made with you and DiDi Henry.

Your approval is appreciated.

Attachment

End of Memorandum

Vice Chairman Ingram made a motion to table the request. The motion was seconded by Mr. Polizos.

Vice Chairman Ingram stated that the County would host a larger Christmas Luncheon since there is always more participation. He explained that since many of the bids did not meet the bid specifications, the acceptable bid was twice as much money.

Commissioner Williams stated that Montgomery Employees are the Commission's greatest asset and if money was available the Commission would have the Employee Luncheon. He said the Commission should go out of their way for the employees and that nine to ten dollars each for lunch is not much but a way to say thank you.

Chairman Dean expressed his appreciation for the employees. He told his fellow Commissioner's that he does not agree with tabling this item and stated that a date has already been set for the luncheon. He added that he would give \$1,000 of his discretionary money toward the luncheon and an additional \$1,000 to cover Commissioner William's part, since he did not have any discretionary money available.

Vice Chairman Ingram withdrew the motion to table this item and added \$1,000 of his discretionary money to help fund the luncheon. Commissioners Polizos and Wilson also added \$1,000 of their discretionary money to help fund the event.

Vice Chairman Ingram stated that the balance would come from the Contingency Fund.

Mr. Wilson made a motion to approve the Bid Award for Catering of Employee Luncheon to the lowest responsible bidder. The motion was seconded by Vice Chairman Ingram and unanimously approved by the Commission. (Copy of Spreadsheet, Agenda Page 4-2, is attached to these Minutes.)

ENGINEERING DEPARTMENT – APPROVED BID AWARD FOR UNIFORM RENTAL SERVICE, BID NUMBER 51901-10C-008

The Administrator presented the following memorandum from Assistant Director of Support Services Pat Silas requesting approval of Bid Award for Uniform Rental Service:

MEMORANDUM

TO: Donald L. Mims, Administrator

FROM: Pat Silas, Assistant Director of Support Services

DATE: March 16, 2010

SUBJECT: Bid No. 51901-10C-008,
Uniform Rental Service

Request approval of award on the above referenced Invitation to Bid to the low bid of G & K Services, for the amount of \$74.37, based on a per week unit pricing, be placed on the agenda for the County Commission meeting on March 22, 2010. (copy of spread sheet attached)

This will be a three (3) year contract with all pricing remaining the same for this contract period.

Coordination of award made with Mr. George Speake, County Engineer, and Mr. Paul St. John, Director of Support Services.

Your approval is appreciated.

Attachment

End of Memorandum

Mr. Polizos made a motion to approve the request. The motion was seconded by Mr. Williams and unanimously approved by the Commission. (Copies of Spreadsheet, Agenda Pages 5-2 and 5-3, is attached to these Minutes.)

PROBATE JUDGE'S OFFICE (ELECTION CENTER) – APPROVED BID AWARD FOR DELIVERY OF ELECTION SYSTEM EQUIPMENT

The Administrator presented the following memorandum from Assistant Director of Support Services Pat Silas requesting approval of Bid Award for Delivery of Election System Equipment:

MEMORANDUM

TO: Donald L. Mims, Administrator

FROM: Pat Silas, Assistant Director
Support Services

DATE: March 18, 2010

SUBJECT: Bid No. 51910-10C-007,
Delivery of Election System Equipment

Request approval of award on the above referenced Invitation to Bid to the low bid of Professional Movers and Storage, for the amount of \$232.00 per precinct, be placed on the agenda for the County Commission meeting on March 22, 2010. (copy of spread sheet attached)

The same price of \$232.00 per precinct will also apply for hours after 5:00 p.m. and on week-ends.

This will be a three (3) year contract with all pricing remaining the same during this contract period.

Coordination of award made with Mr. Justin Aday, Assistant Election Director.

Your approval is appreciated.

Attachment

End of Memorandum

Vice Chairman Ingram made a motion to approve the request. The motion was seconded by Mr. Polizos and unanimously approved by the Commission. (Copy of Spreadsheet, Agenda Page 6-2, is attached to these Minutes.)

COUNTY COMMISSION APPROPRIATIONS – APPROVED BUDGET CHANGE REQUEST NUMBER 18

The Administrator presented Budget Change Request Number 18, County Commission Appropriations.

Vice Chairman Ingram made a motion to approve the budget change request. The motion was seconded by Mr. Polizos and unanimously approved by the Commission. (Copy of Budget Change Request Number 18, Agenda Page 7-1, is attached to these Minutes.)

VARIOUS DEPARTMENTS – APPROVED TRAVEL/TRAINING REQUESTS (9)

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

<u>DEPARTMENT</u>	<u>TRAVEL/TRAINING REQUESTS</u>
1. County Commission	Request Numbers 13, 14 and 15
2. Tax & Audit Department	Request Number 4
3. Information Systems	Request Numbers 6 and 7
4. Sheriff's Office	Request Numbers 19 and 20
5. Detention Facility	Request Number 3

Mr. Williams made a motion to approve the travel/training requests. The motion was seconded by Mr. Polizos and unanimously approved by the Commission. (Copies of Travel/Training Requests, Agenda Pages 8-1 and 8-9, are attached to these Minutes.)

WAIVED AGENDA RULES

Chairman Dean requested that the following items be added to the agenda and his fellow Commissioners concurred:

COUNTY COMMISSION APPROPRIATIONS – APPROVED BUDGET CHANGE REQUEST NUMBER 19

The Administrator presented Budget Change Request Number 19, County Commission Appropriations.

Mr. Williams made a motion to approve the budget change request. The motion was seconded by Mr. Polizos and unanimously approved by the Commission. (Copy of Budget Change Request Number 19, Agenda Page 9-1, is attached to these Minutes.)

YOUTH FACILITY – APPROVED MEMORANDUM OF AGREEMENT WITH AUBURN MONTGOMERY CENTER FOR GOVERNMENT AND PUBLIC AFFAIRS FOR GRANT-WRITING SERVICES

The Administrator presented the following memorandum from Juvenile Court Administrator Bruce R. Howell requesting approval of Memorandum of Agreement with Auburn Montgomery Center for Government and Public Affairs:

MEMORANDUM

To: Mr. Donnie Mims

From: Bruce R. Howell

Date: 3/15/2010

Re: Memorandum of Agreement

Please place the attached memorandum of agreement from Auburn Montgomery on the next County Commission working agenda. This is a grant opportunity for the Juvenile Court to expand our Mental Health Court. Dr. Petee's office is working very closely with Judge Will O'Rear and Henry Parker at Mental Health to secure this grant. Thank you for your consideration in this matter.

End of Memorandum

Mr. Williams made a motion to approve the request. The motion was seconded by Vice Chairman Ingram and unanimously approved by the Commission. (Copies of Letter and Memorandum of Agreement, Agenda Pages 10-2 through 10-7, are attached to these Minutes.)

COMMUNITY CORRECTIONS – APPROVED AUTHORIZATION TO ESTABLISH AN ADMINISTRATOR AND COORDINATOR OF QUALITY ASSURANCE AND COMPLIANCE CLASSIFICATION AT PAY GRADE A08 AND RELATED POSITION FILL REQUEST SUBJECT TO RATIFICATION BY THE MONTGOMERY COUNTY COMMUNITY PUNISHMENT AND CORRECTIONS AUTHORITY BOARD

The Administrator requested a motion to accept the recommendation of Paul Brown, Executive Director, and the appointing authority of the Montgomery County Community Punishment and Corrections Authority to create and fill a new position within to be entitled "Administrator and Coordinator of Quality Assurance and Compliance" consistent with the job description created by City-County Personnel at Pay Grade: A8 subject to ratification by the Authority's Board.

Mr. Williams made a motion to approve the request. The motion was seconded by Vice Chairman Ingram and unanimously approved by the Commission. (Copy of Job Description, Agenda Pages 11-1 through 11-6, is attached to these Minutes.)

PROBATE JUDGE'S OFFICE (ELECTION CENTER) – APPROVED REVISION OF
POLLING PLACE REALIGNMENT FOR BELLINGRATH COMMUNITY CENTER

Director of Elections Center Trey Granger briefed the Commission regarding the proposed revision of Polling Place Realignment for Bellingrath Community Center.

The Administrator requested approval to revise the Polling Place Realignment for Bellingrath Community Center in that if Bellingrath Community Center is not destroyed, the consolidation will be delayed until January 1, 2011.

Chairman Dean stated that a representative from T.C.U. Consulting, LLC spoke to Bellingrath Community Center and said the Center will be available.

Mr. Williams made a motion to approve the revision of the Polling Place Realignment for Bellingrath Community Center. The motion was seconded by Mr. Polizos and unanimously approved by the Commission.

COMMENTS BY COMMISSIONERS AND ATTENDEES

Jimmy Smitherman of the Alabama Cooperative Extension Service thanked the Commission for their continued support. He mentioned that the Alabama State Master Gardeners Conference was held last weekend at the Renaissance Hotel and that it was a great success. He informed the Commission that 13 Montgomery County Youth will represent Montgomery in the National 4H show in November in Louisville, Kentucky.

Vice Chairman Ingram encouraged everyone to come and enjoy the Unity Games at AUM this Saturday, stating it is great fun and good entertainment for the whole family. He said he was glad to see Janet Treat, who works with the Volunteer Fire Departments, in the audience. He also stated that he had the pleasure of giving the welcoming address at the state Master Gardeners' Conference last week and thought that it was a significant boost to the tourism of our community. There were over 400 participants at the convention. He mentioned that it is a sad statistic that Montgomery Tri-County Area was recently ranked number one in the nation in a health survey on obesity. He stated that our health is in jeopardy and that everyone needs to get on some sort of exercise program.

Commissioner Polizos stated that it was good to see everyone today.

Both Commissioner Williams and Wilson expressed support for the Unity Games at AUM.

Chairman Dean asked Personnel Director Barbara Montoya about the registry listing for a Personnel Managers position and she told him that it was for the Housing Authority. He thanked everyone for coming and adjourned the formal session.

RECESS TO INFORMATION SESSION

Chairman Dean recessed the Formal Session to the Information Session.

INFORMATION SESSION

RECESS TO EXECUTIVE SESSION

County Attorney Means explained to the Commission that they needed to go into Executive Session to discuss a pending litigation matter. (Copies of Letter and Email from County Attorney Means regarding convening the Executive Session, Agenda Pages 12-1 and 12-2, are attached to these Minutes.) Vice Chairman Ingram made a motion to go into the Executive Session. The motion was seconded by Commissioner Polizos and unanimously approved by the Commission. Chairman Dean recessed the Information Session to the Executive Session.

RECESS TO INFORMATION SESSION

Vice Chairman Ingram made a motion to recess the Executive Session. The motion was seconded by Commissioner Polizos and unanimously approved by the Commission. Chairman Dean recessed the Executive Session to the Information Session

INFORMATION SESSION

COMMENTS FROM SCHEDULED ATTENDEES, STAFF, AND COMMISSIONERS

PRESENTATION BY REVENUE COMMISSIONER JANET BUSKEY

Revenue Commissioner Janet Buskey briefed the Commission regarding the Delinquent Taxpayer Report she presented to the Commission. Chairman Dean asked Ms. Buskey to give the Commission an update once per month.

PRESENTATION BY REVENUE MANAGER LARRY CURVIN

Revenue Manager Larry Curvin briefed the Commission regarding Audit Collection Information.

Mr. Curvin informed the Commission about ways of improving the existing operating system and stated that he is working with Information Systems on a program that would reduce the amount of paperwork his employees are required to do, so that they would have more time to go out to check on delinquent sales taxes.

Vice Chairman Ingram informed the Commission that he, Larry Curvin, Deputy Administrator Mitchell, and Administrator Mims met with City/County Personnel and other City representatives regarding the Revenue Compliance Officer position. Vice Chairman Ingram requested that the job description for this new position be placed on the next agenda. The Commission agreed.

Vice Chairman Ingram inquired as to whether the Commission could receive a list of delinquent tax accounts. Attorney Means indicated no.

PRESENTATION BY JACKIE BUSHMAN, CEO AND LEWIS FIGH, CFO, PRESIDENT WITH BUCKMASTERS

Jackie Bushman, CEO and Lewis Figh, CFO, President with Buckmasters briefed the Commission regarding the 2010 Buckmasters Expo. Mr. Bushman stated that approximately 27,000 people attended the 2009 event and many vendors and visitors stayed in the hotels downtown. Mr. Bushman requested an appropriation from the Commission to help fund this year's event. The Commission thanked Mr. Bushman and Mr. Figh for visiting.

PRESENTATION BY YOUTH FACILITY PROBATION SUPERVISOR BEVERLY WISE

Youth Facility Probation Supervisor Beverly Wise briefed the Commission regarding a Position Fill Request for a Groundskeeper. After discussion, the Commission agreed to place this item on the next agenda.

PRESENTATION BY COUNTY ENGINEER GEORGE C. SPEAKE

County Engineer George C. Speake presented and reviewed with the Commission the Montgomery Job Corps Plat Number 1, pertaining to the Job Corps property owned by the County on Air Base Boulevard, which should have been recorded in 1996. Mr. Speake requested that Chairman Dean sign this plat and that Administrator Mims attest the Chairman's signature, so that the plat could be recorded. The Commission concurred.

PRESENTATION BY FINANCE DIRECTOR SHERRILL THOMAS

Finance Director Sherrill Thomas briefed the Commission regarding a Regions Bank account that was opened in December 2005 for the deposit of \$2,050,936 in loan proceeds for the purchase of HAVA compliant voting machines, accessories and related maintenance. Ms. Thomas recommended that the account be closed and transfer the balance to the County General Fund checking account. The Commission concurred.

DISCUSSION BY THE COMMISSION

Vice Chairman Ingram recommended that Dr. Keivan Deravi of Auburn University Montgomery meet with the Commission regarding the economic outlook of the county and the Commission concurred.

Vice Chairman Ingram requested that Ken Upchurch with T.C.U. Consulting Services, LLC meet with the Commission at the next meeting to report on the remaining expenditures yet to be paid on various building projects.

Chairman Dean expressed concern regarding the budgetary shortfall of the Montgomery County Public School Board.

PRESENTATION BY CASSANDRA CROSBY

Ms. Cassandra Crosby briefed the Commission regarding neighborhood issues at Merry Lakes Subdivision in Pike Road. Vice Chairman Ingram requested a \$1,000 appropriation from his account for the neighborhood through Bonds. The Commission agreed to place this item on the next agenda.

Mr. Crosby informed the Commission that two of the four Bills in legislation regarding Montgomery County could possibly pass.

PRESENTATION BY MANAGER OF PUBLIC AFFAIRS DIDI HENRY

Manager of Public Affairs DiDi Henry reviewed various upcoming events with the Commission. She asked if the Commission desired to sponsor a table for them to attend the Chamber of Commerce breakfast for the South Korean Ambassador and they concurred.

COMMENTS FROM ADMINISTRATOR MIMS

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

Administrator Mims presented a Professional Services Agreement with Gordon L. Davis, P.E., regarding inspection and report of the Montgomery County Parking Deck on Scott Street. After discussion, the Commission agreed to place this item on the next agenda.

Administrator Mims presented board member appointments to Catoma Volunteer Fire Protection Authority. The Commission agreed to place these appointments on the next agenda.

DISCUSSION BY THE COMMISSION

The Commission discussed the board reappointment for the Montgomery County Community Punishment and Correction Authority. Commissioner Polizos recommended that Attorney Robert E. L. Gilpin be appointed to the board. The Commission agreed to discuss this item at the next meeting.

Administrator Mims presented an email from Michael Briddell with the City of Montgomery regarding the final draft of the Hampstead Lease and an additional separate Agreement. Administrator Mims explained that both of these documents reflect the Lease originally approved by the County Commission.

Administrator Mims presented a Legal Opinion from County Attorney Tyrone C. Means regarding the Alabama Competitive Bid Law Local Preferences. After discussion, the Commission asked Attorney Means to draft a Resolution to make this a policy.

COMMENTS FROM COUNTY ATTORNEY TYRONE C. MEANS

County Attorney Tyrone C. Means stated that his firm had notified Bid Bridge that the County Commission had decided to forego the use of their company's reverse auction and gave several reasons why this would not be in the best interest of the County. The Commission concurred.

COMMENTS FROM ADMINISTRATOR MIMS

Administrator Mims informed the Commission that Ms. Janet Coggins with Montgomery County Junior Miss would like to meet with the Commission regarding funding for 2010. The Commission asked Administrator Mims to inform Ms. Coggins that they would consider helping this year and that she did not need to meet with them. Commissioner Polizos requested a \$1,500 miscellaneous appropriation for this program from his account. The Commission agreed to place this item on the next agenda.

COMMENTS FROM DEPUTY ADMINISTRATOR MITCHELL

Deputy Administrator Mitchell stated that Risk Manager Scott Kramer has implemented several health related programs for the Montgomery County Commission and its employees. He suggested that Jill Nolan with the Montgomery Advertiser do an article related to these programs. The Commission agreed.

DISCUSSION BY THE COMMISSION

Vice Chairman Ingram suggested the Commission look into renovating the 3rd Floor of Annex III for the Co-Op Extension Service to utilize for their offices. The Commission agreed for Ken Upchurch to look into the cost of renovating the area.

ADJOURNMENT

Commissioner Polizos made a motion to adjourn the meeting of the Montgomery County Commission on March 22, 2010, at 12:27 p.m. The motion was seconded by Commissioner Williams and unanimously approved by the Commission.

03-22-10 Meeting

MONTGOMERY COUNTY COMMISSION

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

CHECKS ARE DATED 03-12-10

Check Number	To	Check Number
205995		206153
Total Checks Paid		\$513,895.02

CHECK #	PAYEE	AMOUNT	DATE
205991	Harris Corporation	\$ 13,145.31	02/25/10
205992	Thomas Means & Gillis	\$ 4,100.07	02/25/10
205993	Wal-Mart Community	\$ 26.95	02/25/10
205994	Postmaster Bulk Mailing	\$ 5,500.30	03/02/10

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

03-22-10 Meeting

MONTGOMERY COUNTY COMMISSION

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

CHECKS ARE DATED 03-05-10

Check Number	To	Check Number
206154		206280
Total Checks Paid		\$671,736.03

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

03-22-10 Meeting

MONTGOMERY COUNTY COMMISSION

THE FOLLOWING ACCOUNTS PAYABLE WERE AUDITED AND
ORDERED PAID

CHECKS ARE DATED 03-05-10

Check Number	To	Check Number
206281		206291
Total Checks Paid		\$81,291.91

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

MAR 22 2010

03-22-10 Meeting

MONTGOMERY COUNTY COMMISSION

THE FOLLOWING ACCOUNTS PAYABLE WERE AUDITED AND
ORDERED PAID

CHECKS ARE DATED 03-19-10

Check Number	To	Check Number
206313		206449
Total Checks Paid		\$1,435,458.06

CHECK #	PAYEE	AMOUNT	DATE
206292	Boyd, Lynn	\$ 416.16	03/05/10
206293	Debra Jarrett	\$ 1,224.00	03/05/10
206294	Jackson Janet LPC	\$ 2,054.79	03/05/10
206295	Manora, Derrick	\$ 1,200.00	03/05/10
206296	Sheila Shaffer	\$ 249.76	03/05/10
206297	Smith, Dannie	\$ 416.16	03/05/10
206298	Lewis, Anthony D	\$ 318.92	03/05/10
206299	Alabama Cattlemen's Association	\$ 5,000.00	03/05/10
206300	Sears	\$ 7.96	03/05/10
206301	Ben Atkinson Motors, Inc.	\$ 24,942.00	03/11/10
206302	AL Dept. of Public Safety	\$ 15.00	03/12/10
206303	AL Dept. of Public Safety	\$ 15.00	03/12/10
206304	AL Dept. of Public Safety	\$ 448.50	03/12/10
206305	AL Gas Corp.	\$ 23,506.81	03/12/10
206306	AL Power Co.	\$ 22,522.17	03/12/10
206307	AL Power Co.	\$ 1,783.06	03/12/10
206308	AT&T	\$ 17,306.66	03/12/10
206309	Dixie Electric Cooperative	\$ 27.13	03/12/10
206310	Pintlala Water & F P A	\$ 75.45	03/12/10
206311	First Tuskegee Bank	\$1,000,000.00	03/18/10
206312	Servis First Bank	\$2,000,000.00	03/18/10

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

03-22-10 Meeting

MONTGOMERY COUNTY COMMISSION

THE FOLLOWING ACCOUNTS PAYABLE WERE AUDITED AND
ORDERED PAID

CHECKS ARE DATED 03-19-10

Check Number	To	Check Number
206450		206606
Total Checks Paid		\$621,756.01

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

Agenda**MAR 22 2010**

CHECKS ARE DATED
03/12/10

Payroll Check Number	102352	To	Payroll Check Number	102525	\$ 134,846.57
Direct Deposits					\$ 809,711.02
Payroll Check Number	102526	To	Payroll Check Number	102556	\$ 277,436.87
Direct Deposits					\$ 331,881.41
Federal Deposits					\$ 331,322.76
Total Payroll Paid					\$ 1,885,198.63

<u>CHECK #</u>	<u>PAYEE</u>	<u>AMOUNT</u>	<u>DATE</u>
102350	Mont. Cnty. Circuit Court	\$ 77.50	03/08/10
102351	Mont. Cnty. District Civil	\$ 673.19	03/08/10

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



ALABAMA DEPARTMENT OF TRANSPORTATION

Bureau of County Transportation

1409 Coliseum Blvd., Montgomery, Alabama 36110-2060

Phone: (334) 242-6207 FAX: (334) 353-6530

Internet: <http://www.dot.state.al.us>



Bob Riley
Governor

Joe McInnes
Transportation Director

March 10, 2010

The Honorable Elton N. Dean, Sr.
Chairman, Montgomery County Commission
Montgomery, Alabama

RE: STMNU-STPNU-CN10(216)
MCP 51-65-10
Montgomery County

Dear Sir:

Attached is the original Agreement between the Alabama Department of Transportation and Montgomery County covering the financing of construction costs for the above project.

It will be appreciated if you will have this Agreement executed and returned to this office for further approval and distribution. Upon approval of all parties concerned, a properly executed copy of the Agreement will be sent to you for your information and files.

Sincerely,

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

DEP:ENA:at
Attachment

cc: Mr. Ronald L. Baldwin
Mr. George C. Speake
Mr. John Lorentson
Mr. Mack Lovelady (Negotiated Letter only)
File

**PLEASE DO NOT EXECUTE THE
FAXED COPY OF AGREEMENT !!!**

**AGREEMENT
FOR
AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA) PROJECT

BETWEEN THE STATE OF ALABAMA
AND
MONTGOMERY COUNTY, ALABAMA**

This agreement is made and entered into by and between the State of Alabama, (acting by and through the Alabama Department of Transportation), hereinafter referred to as the STATE; and MONTGOMERY County (FEIN 63-6001653), hereinafter referred to as the COUNTY; in cooperation with the United States Department of Transportation, the Federal Highway Administration, hereinafter referred to as the FHWA:

WITNESSETH

WHEREAS, the STATE and the COUNTY desire to cooperate in the resurfacing on CR24 from the Lowndes county line to SR3 and on CR39 from CR30 to the Montgomery city limits. Length-8.02 miles. Proj #STMNU-STPNU-CN10(216), MCP 51-65-10. CPMS Ref #100059718 and 100054719.

NOW THEREFORE, the parties hereto, for, and in consideration of the premises stated herein do hereby mutually promise, stipulate, and agree as follows:

- (1) The STATE and COUNTY have identified this location(s) for an "American Recovery and Reinvestment Act of 2009" (ARRA) project (hereinafter the "PROJECT").
- (2) The COUNTY or its representative, if applicable to the PROJECT, agree to adjust and/or relocate all utilities on the PROJECT without cost to the STATE or this PROJECT.
- (3) The COUNTY or its representative, will provide the required surveys, complete the plans and perform all other preliminary engineering duties for the PROJECT at no cost to the STATE or this PROJECT.
- (4) The COUNTY will acquire any additional right-of-way, if needed, for the PROJECT at no cost to the STATE or this PROJECT.
- (5) If necessary, the COUNTY will file an Alabama Department of Environmental Management (ADEM) National Pollutant Discharge Elimination System (NPDES) Notice of Registration (NOR)(Code Chapter 335-6-12) for the PROJECT. The COUNTY and the contractor will be responsible for compliance with the permit.
- (6) The construction for this PROJECT will be performed at the unit prices specified in the low bid contract(s).

- (7) The COUNTY will furnish all construction engineering for the PROJECT with COUNTY forces or with a consultant selected and approved by the STATE as part of the PROJECT cost. The cost of construction engineering and inspection shall be included as part of the construction cost for the PROJECT and will be paid from funds provided herein.
- (8) The STATE will furnish the necessary inspection and testing of materials with STATE forces when needed as part of the PROJECT cost. The cost of inspection and testing of materials shall be included as part of the construction cost for the PROJECT and will be paid from funds provided herein.
- (9) The COUNTY will comply with the Alabama Department of Transportation Standard Specifications for Highway Construction (latest edition) on the PROJECT and will ensure that alignment and grades on this PROJECT meet the standards of the Alabama Department of Transportation and that the PROJECT will be constructed in accordance with the approved plans.
- (10) This agreement is made and expressly executed in the names of the parties hereto by their respective officers, officials or other persons who are authorized to execute it, and it is deemed by the parties to be an agreement or contract under seal.
- (11) Funding for this agreement is subject to the availability of Federal Aid funds at the time of authorization. The STATE will not be liable for COUNTY Federal Funds or Federal ARRA Funds in any amount. Federal ARRA funds on this PROJECT shall not exceed \$530,000.00. Any shortfall in funding or overrun in construction costs shall be borne by the COUNTY from COUNTY Federal Aid Funds (if available) and/or COUNTY funds. In the event of an under-run in construction costs, the amount of Federal ARRA Funds will be the amount stated below, or 100% of eligible costs, whichever is less.
- (12) This PROJECT will be financed, when eligible for Federal participation, on the basis of 100 percent Federal ARRA funds, but not to exceed \$530,000.00.
- (13) The estimated cost of construction of this PROJECT will be provided from the funds outlined as follows:

Federal ARRA Funds	\$ 530,000.00
Federal Aid Funds (2009)	533,000.00
Federal Aid Funds (2010)	19,152.00
County Funds	<u>138,038.00</u>
Total (Including E & I & Indirect Cost)	\$ 1,220,190.00

- (14) The STATE will be responsible for advertisement and receipt of bids, and the award of the contract. Following the receipt of bids and prior to the award of the contract, the STATE will invoice the COUNTY for its prorata share of the estimated cost (if applicable), and the COUNTY will pay this amount to the STATE no later than 30 days after the date bids are opened. Payment must be received prior to award of the contract.

1-4

- (15) The COUNTY shall comply with the ARRA and any directives, guidelines, rules or regulations cited therein or implemented there under. The COUNTY shall execute Certification Form 1511, attached herein as Exhibit A, and incorporated by reference herein as if fully set forth.
- (16) The COUNTY shall comply with Special Provision No. 08-0094, attached herein as Exhibit B, and incorporated by reference as if fully set forth.
- (17) As a recipient of ARRA funds, the COUNTY shall submit on a monthly basis by the due date, Form OMB 41409, Monthly Employment Report, attached herein as Exhibit C, on a date as determined by the STATE.
- (18) A final audit will be made of all PROJECT records after completion of the PROJECT and a copy will be furnished to the Alabama Department of Examiners of Public Accounts, in accordance with Act. 1994, No. 94-414. A final financial settlement will be made between the parties as reflected by the final audit and this agreement.
- (19) The COUNTY will submit reimbursement invoices for the work performed under the terms of this agreement to the STATE within six (6) months after the completion and acceptance of the PROJECT. Any invoices submitted after this six (6) month period will not be eligible for payment.
- (20) Upon completion and acceptance of the work by the STATE, the COUNTY will assume full responsibility for maintenance of that part of the improvements which are not a part of the Alabama Highway Maintenance System. Upon completion and acceptance of the work by the STATE, the COUNTY will maintain the PROJECT in satisfactory condition in accordance with the requirements of the Alabama Department of Transportation.
- (21) The performance of the work covered by this agreement will be in accordance with the current requirements of the STATE and the FHWA.
- (22) Each party will provide, without cost to the other, information available from its records that will facilitate the performance of the work.
- (23) Nothing will be construed under the terms of this agreement by the STATE or the COUNTY that will cause any conflict with Section 23-1-63, Code of Alabama (7/24th law).
- (24) It is agreed that the terms and commitments contained in this agreement shall not be constituted as a debt of the State of Alabama in violation of Article 11, Section 213 of the Constitution of Alabama, 1901, as amended by Amendment Number 26. It is further agreed that if any provision of this agreement shall contravene any statute or Constitutional provision or amendment, either now in effect or which may, during the course of this agreement, be enacted, then the conflicting provision in this agreement shall be deemed null and void.

- (25) The COUNTY shall defend, indemnify, and hold harmless the State of Alabama, the Alabama Department of Transportation, its officers, officials, agents, servants, employees, in both their official and individual capacities, from and against claims, damages, losses, and expenses, including but not limited to attorney's fees, arising out of or resulting from performance of any work, maintenance of the roadway and/or shoulders, provision of any services or expenditure of funds required, authorized or undertaken pursuant to the terms of this agreement, or any damage, loss or expense attributable to bodily injury, sickness, disease or death, or to injury to or destruction of tangible property (other than the work itself), including loss of use resulting therefrom, caused or as a result of in whole or in part by the deliberate, intentional, wanton, reckless, fraudulent or negligent acts of misuse, misappropriation, misapplication, or misexpenditure of any source of funding, compensation or reimbursement of the COUNTY, or anyone directly or indirectly employed by the COUNTY or anyone whose acts the COUNTY may be liable, regardless of whether such claim, damage, loss, or expense is caused in whole or part by a party indemnified.

The term "hold harmless" includes the obligation of the COUNTY to pay damages on behalf of the State of Alabama, the Alabama Department of Transportation, and its agents, servants, and/or employees.

- (26) The COUNTY will be obligated for the payment of damages occasioned to private property, public utilities or the general public, caused by the legal liability (in accordance with Alabama and/or Federal law) of the COUNTY, its agents, servants, employees or facilities.
- (27) Exhibits A, B, C, M and N are attached and hereby made a part of this agreement.
- (28) The terms of this agreement may be modified by supplemental agreement duly executed by the parties hereto.
- (29) This agreement shall terminate on December 17, 2010, as to any work provided herein for which funding has not been authorized, unless otherwise terminated by either party upon the delivery of a thirty (30) day notice of termination. The COUNTY agrees that the STATE may unilaterally extend the time of the agreement.

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

SEAL

ATTEST:

MONTGOMERY COUNTY, ALABAMA

Clerk (Signature)

Donald L. Mims
Type Name of Clerk

RECOMMENDED:

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

APPROVED AS TO FORM:

Chief Counsel
Jim R. Ippolito, Jr.

BY: _____

Chairman (Signature)
Montgomery County Commission

Elton N. Dean, Sr.
Type Name of Chairman

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

Chief Engineer/Deputy Director
D.W. Vaughn, P.E.

Transportation Director
D.J. McInnes

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

GOVERNOR OF ALABAMA
BOB RILEY

RESOLUTION NUMBER _____

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

Resurfacing on CR24 from the Lowndes county line to SR3 and on CR39 from CR30 to the Montgomery city limits. Length - 8.02 miles. Proj #STMNU-STPNU-CN10(216), MCP 51-65-10. CPMS Ref #100054718 and 100054719;

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

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

Passed, adopted, and approved this _____ day of _____, 20_____.

ATTESTED:

County Clerk

Chairman, Montgomery County Commission

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

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

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

_____ day of _____, 20_____.

County Clerk

SEAL

Exhibit A

**CERTIFICATION UNDER SECTION 1511 OF
THE AMERICAN RECOVERY AND REINVESTMENT ACT**

Pursuant to Title XV, Subtitle A, section 1511 of the American Recovery and Reinvestment Act (Pub. L. 111-5 (Feb. 17, 2009) ("ARRA"), I Elton N. Bean, Br.*, hereby certify that the infrastructure investment funded by ARRA has received the full review and vetting required by law and that I accept responsibility that such investment is an appropriate use of taxpayer dollars. I further certify that the specific information required by section 1511 concerning each such investment (a description of the investment, the estimated total cost, and the amount of ARRA funds to be used) is provided on the Alabama Statewide Transportation Improvement Program (STIP) and is available to the public at <http://www.dot.state.al.us/stimulus2009> or by going directly to the Alabama Department of Transportation's website under American Recovery and Reinvestment Act of 2009 (Stimulus Plan).

I understand that my State or local agency may not receive ARRA infrastructure investment funding unless this certification is made and posted.

Local Official

Signed this _____ day of _____.

*In accordance with section 1511 of ARRA, the Certifying Official may be either the mayor or other chief executive, as appropriate.

ALABAMA DEPARTMENT OF TRANSPORTATION

DATE: March 9, 2009

Special Provision No. 08-0094

EFFECTIVE DATE: April 1, 2009

SUBJECT: Monthly Employment Reports.

Monthly employment reports for each Contractor and each Subcontractor shall be submitted to the Engineer.

The American Recovery and Reinvestment Act (ARRA) of 2009 (Public Law 111-5) was enacted on February 17, 2009. A requirement of this act is that employment information must be reported to the Federal Highway Administration (FHWA).

The Engineer will provide the forms and procedures for reporting employment data. Prime Contractors shall be responsible for submitting the required employment data for Subcontractors. Failure to furnish the employment data in a timely manner may result in the withholding of monthly estimate payments until the delinquent information has been submitted.

MONTHLY EMPLOYMENT REPORT

1. Report Month: (mm/yyyy)		2. Contracting Agency		ALABAMA DEPARTMENT OF TRANSPORTATION	
3. Federal-Aid Project Number		4. State Project ID Number		5. Project Location: State, County or Federal Region	
6. CONTRACTOR NAME AND ADDRESS					
Name:					
Address:					
City:					
Zip:					
State:					
7. Contractor DUNS Number:					

8. Employment Data

[illegible]

9. PREPARED BY CEO or Payroll Official:		DATE:
Name:		
Title:		

*FULL TIME EQUIVALENT - HOURS WORKED/150 HOURS

Form OMB 41409

7/18/90

**EXHIBIT M
CERTIFICATION**

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

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

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the prospective participant/recipient or the person signing on behalf of the prospective participant/recipient as mentioned above, to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, or other instrument as might be applicable under Section 1352, Title 31, U. S. Code, the prospective participant/recipient shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

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

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

EXHIBIT N

FUNDS SHALL NOT BE CONSTITUTED AS A DEBT:

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

TERMINATION DUE TO INSUFFICIENT FUNDS:

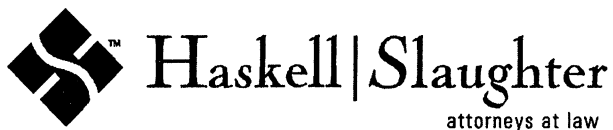
If the Agreement term is to exceed more than one fiscal year, then said Agreement is subject to termination in the event that funds should not be appropriated for the continued payment of the Agreement in subsequent fiscal years.

In the event of proration of the fund from which payment under this Agreement is to be made, Agreement will be subject to termination.

ADR CLAUSE:

For any and all disputes arising under the terms of this contract, the parties hereto agree, in compliance with the recommendation of the Governor and Attorney General, when considering settlement of such disputes, to utilize appropriate forms of non-binding alternative dispute resolution including, but not limited to, mediation by and through the Attorney General Office of Administrative Hearings or where appropriate, private mediators.

MAR 22 2010



MONTGOMERY OFFICE

305 South Lawrence Street • Montgomery, Alabama 36104
Post Office Box 4660 • Montgomery, Alabama 36103-4660
f. 334.264.7945 • t. 334.265.8573
www.hsy.com

MEMORANDUM

March 9, 2010

TO: Donnie Mims
John Mitchell
FROM: Tommy Gallion
RE: Claim of Madison Elizabeth Sutherland, deceased

I have reviewed your March 8, 2010 memorandum and the notice of claim filed by Attorney Gregory Breedlove on behalf of the family of Madison Elizabeth Sutherland. I have also talked with Attorney Breedlove, who thought that Baptist Medical Center South was operated by Montgomery County, which of course it is not. Attorney Breedlove will be pursuing this lawsuit directly with Baptist Medical Center South.

I am of the opinion that the claim should be recognized and denied.

50051-317
3442577_1

ELTON N. DEAN, SR.
CHAIRMAN

REED INGRAM
VICE CHAIRMAN

DIMITRI POLIZOS
JILES WILLIAMS, JR.
HAM WILSON, JR.

A COUNTY OLDER THAN THE STATE

MONTGOMERY COUNTY COMMISSION

MONTGOMERY, ALABAMA 36102-1667

ESTABLISHED 1816

DONALD L. MIMS, CPA, MPA
ADMINISTRATOR
JOHN A. MITCHELL, SR.
DEPUTY ADMINISTRATOR
(334) 832-1210
FAX (334) 832-2533
TDD (334) 265-3568
www.mc-ala.org

March 8, 2010

MEMORANDUM

TO: Thomas Gallion, III
County Attorney

FROM: Donald L. Mims *DLM*
County Administrator

RE: Madison Elizabeth Sutherland, Deceased

We received the attached Notice of Claim on February 24, 2010, from Robert Sutherland, Jr. as father, and Kayla Atchison, as mother for the above-referenced deceased child. The parents are represented by Gregory Breedlove of Cunningham Bounds, LLC.

This document is forwarded for your review and opinion to recognize and deny this claim. Please respond by Monday, March 15, 2010 before the March 22, 2010 County Commission meeting.

DLM/rw

Attachment

Cc: John A. Mitchell, Sr., Deputy Administrator
Scott Kramer, Risk Manager

Copy: John, Scott, Renee

To: Renee

Please send to

Mr. Gellin.

Donnie

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Montgomery County Commission
100 South Lawrence Street
Montgomery, AL 36104

RE: Madison Elizabeth Sutherland, Deceased

Dear County Commission:

In accordance with the requirements of §6-5-20 and §11-12-8 of the Code of Alabama, 1975, the undersigned hereby file notice of a claim for the wrongful death of their daughter, Madison Elizabeth Sutherland, and submit the following information, to wit:

Date and Time of Occurrence: September 26, 2009 at 00:46 a.m.

Place of Occurrence: Baptist Medical Center South (Baptist Health)

Manner in Which Injury was Received: Twelve month old girl with a history of congenital heart problem presented with a boil on her groin. Surgery was performed under general anesthesia to incise and drain the boil. Post surgery she had respiratory distress and bradycardia. A code was called but resuscitation efforts were not successful.

Damages Claimed: Ten million dollars in punitive damages.

Address of Claimants: Robert Sutherland, Jr.
4121 Oaktree Road
Millbrook, AL 36054

Kayla Atchison
4121 Oaktree Road
Millbrook, AL 36054

Dated this the 24th day of February, 2010.

Robert Sutherland, Jr.
Robert Sutherland, Jr., as Father of
Madison Elizabeth Sutherland

Kayla Atchison
Kayla Atchison, as Mother of
Madison Elizabeth Sutherland

STATE OF ALABAMA:
COUNTY OF MONTGOMERY:

Before me, the undersigned authority, on this date personally appeared Robert Sutherland, Jr., and Kayla Atchison, who being by me first duly sworn, doth depose and say that the facts stated in the above and foregoing statement are true and correct.

Sworn to and subscribed before me on this the 24th day of February, 2010.

Cathy B. Donahoe
Notary Public
My Commission Expires: 12/12/13

ATTORNEY FOR CLAIMANT:
Gregory B. Breedlove
Cunningham Bounds, LLC
P. O. Box 66705
Mobile, AL 36660

[illegible]

4-2

Purchasing Department Montgomery County Commission

ABSTRACT FOR BIDS:				BID # 1		BID # 2		BID # 3		BID # 4		BID # 5	
BID NO. 51901-10C-008				CINTAS CORP. - ATTN: BRETT MCALPIN; PHONE#271-1313; FAX#271-6069		G & K SERVICES - ATTN: WALTER CAMACHO; PHONE #260-2880; FAX#260-2891		NO BIDS RECEIVED: FASHION SEAL UNIFORMS;AMERICAN CLASSIS DESIGNS;MUNICIPAL & COMMERCIAL UNIFORMS; ROBINSON TEXTILES				PRICES PAID FOR THE LAST (3) YEARS FROM G & K SERVICES	
ISSUED: FEBRUARY 23, 2010													
BID OPENING: MARCH 10, 2010													
ENGINEERING AND SUPPORT SERVICES													
TERMS OF PAYMENT / DISCOUNT:													
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
	UNIFORM RENTAL												
1	SHIRT:EXEC. L.S.	EA	1	\$4.15	\$4.15	\$2.50	\$2.50					\$3.00	\$3.00
2	SHIRT: EXEC. S.S.	EA	1	\$3.25	\$3.25	\$2.50	\$2.50					\$3.00	\$3.00
3	PANTS:EXEC WEAR	EA	1	\$3.53	\$3.53	\$2.50	\$2.50					\$3.00	\$3.00
4	SHIRT:IND.WEAR; LS	EA	1	\$2.01	\$2.01	\$2.00	\$2.00					\$2.50	\$2.50
5	PANTS INDU. WEAR	EA	1	\$2.62	\$2.62	\$2.00	\$2.00					\$2.50	\$2.50
6	COVERALLS	EA	1	\$0.49	\$0.49	\$0.95	\$0.95						
7	PAINTER WHITES	EA	1	\$9.25	\$9.25	\$5.20	\$5.20					\$6.00	\$6.00
8	JACKETS SLASH POC	EA	1	\$0.40	\$0.40	\$0.25	\$0.25					\$0.25	\$0.25
9	JACKETS: BOMBER	EA	1	\$0.40	\$0.40	\$0.25	\$0.25					\$0.25	\$0.25
10	JACKET VEST/LINER	EA	1	\$0.30	\$0.30	\$0.25	\$0.25					\$0.25	\$0.25
11	DICKIE TYPE JEANS	PR	1	\$5.50	\$5.50	\$2.50	\$2.50					\$3.00	\$3.00
12	DENIM JEANS	PR	1	\$3.25	\$3.25	\$2.50	\$2.50					\$3.00	\$3.00
13	IND.SS SHIRT	EA	1	\$2.01	\$2.01	\$2.00	\$2.00					\$2.50	\$2.50
3	IND SS SHIRT; COT	EA	1	\$2.86	\$2.86	\$2.50	\$2.50					\$3.00	\$3.00
15	IND LS SHIRT	EA	1	\$2.86	\$2.86	\$2.50	\$2.50					\$3.00	\$3.00
16	CLEANING TOWELS	EA	1	\$0.20	\$0.20	\$0.15	\$0.15						
17	BAR TOWEL	EA	1	\$0.15	\$0.15	\$0.10	\$0.10						
TOTAL BID AMOUNTS					\$43.23		\$30.65						

Notes:

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Purchasing Department Montgomery County Commission

ABSTRACT FOR BIDS:				BID # 1		BID # 2		BID # 3		BID # 4		BID # 5	
BID NO. 51901-10C-008				CINTAS CORP. - ATTN: BRETT MCALPIN; PHONE#271-1313; FAX#271-6069		G & K SERVICES - ATTN: WALTER CAMACHO; PHONE #260-2880; FAX#260-2891		NO BIDS RECEIVED: FASHION SEAL UNIFORMS;AMERICAN CLASSIS DESIGNS;MUNICIPAL & COMMERCIAL UNIFORMS; ROBINSON TEXTILES					
ISSUED: FEBRUARY 23, 2010													
BID OPENING: MARCH 10, 2010													
ENGINEERING AND SUPPORT SERVICES													
TERMS OF PAYMENT / DISCOUNT:													
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
	UNIFORM RENTAL												
18	18X18 SHOP TOWEL	EA	30	\$0.09	\$2.70	\$0.06	\$1.80						
19	TRACK MAT-3.10	EA	1	\$4.75	\$4.75	\$4.00	\$4.00						
20	TRACK MAT-4 X 6	EA	1	\$3.75	\$3.75	\$3.00	\$3.00						
21	WET MOP-LARGE	EA	1	\$1.25	\$1.25	\$1.50	\$1.50						
22	DUST MOP-36"	EA	1	\$1.10	\$1.10	\$1.50	\$1.50						
	SET-UP CHARGE												
	FOR NEW EMPLOYEE												
	AND CHANGES	EA	1	\$4.00	\$4.00	\$1.00	\$1.00						
	SERVICE CHARGES	EA	1	\$8.00	\$8.00	\$4.00	\$4.00						
	LOST & DAMAGE CHG												
	SHIRT	EA	1	\$18.00	\$18.00	\$12.00	\$12.00						
	PANTS	PR	1	\$21.00	\$21.00	\$14.00	\$14.00						
	IMAGE GUARD/												
	GARMENT PROTECT	EA	1			\$0.04	\$0.04						
	REPLACEMENT CHGS												
	FOR SHOP TOWELS	EA	1	\$0.03	\$0.03	\$0.88	\$0.88						
	17 BIDS MAILED												
TOTAL BID AMOUNTS					\$64.58		\$43.72						

Notes:

5-3

MONTGOMERY COUNTY COMMISSION BUDGET CHANGE REQUEST REQUEST NUMBER 18

DEPARTMENT: County Commission Appropriations REVIEWED: S. Thomas 3/18/2010
DATE: 3/18/2010 Finance Director Date
REQUESTED BY: Donald Mims, Administrator APPROVED: _____
Elected Official/Dept. Head Administrator Date

ACCOUNT NAME	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE (DECREASE)	REVISED BUDGET
Montgomery Chamber of Commerce	001-59320-483	316,093	9,780	325,873
In House Misc. Appropriations	001-59310-499	105,207	-9,780	95,427
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
TOTAL		421,300	0	421,300

JUSTIFICATION:

To provide funding for the final payment of the County share of the Statehouse Project Study.

Montgomery County Commission
Travel / Training Request Approval

Appendix C

Request # 13

Agenda

MAR 22 2010

Date: March 18, 2010
To: Donald L. Mims, Administrator
From: Donald L. Mims, Administrator
Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Reno, NV
Departure Date: July 18, 2010 Return Date: July 20, 2010
Conference Leave (Days / Hours): 3 Days
Purpose of Travel: to attend the 2010 NaCo Annual Conference and Exposition

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

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

Total (est.) Cost: \$1,745.00 Advance Registration Required: \$490.00

Department Name: County Commission Fund Name: General

Additional Comments: Registration - 490.00; Airfare - 600.00; Hotel - 400.00; Meals - 225.00
Airport Parking - 30.00

To: Donald L. Mims, Administrator

From: Donald L. Mims, Administrator

The above request is app. 03/22/10 reimbursement of actual and necessary expenses in the
approximate amount of \$1,745.00 and advance registration of \$490.00 is authorized.

<i>To be completed by the Finance Department</i>	
Fund Code:	<u>001-51100-265</u> (ex: 000-00000-000)
Description:	<u>Registration & Training</u>
Current Budget:	<u>\$25,000.00</u>
Approved Requests:	<u>\$9,599.72</u>
Budget Available:	<u>\$15,400.28</u>
Current Requests:	<u>\$1,745.00</u>
Budget Balance:	<u>\$13,655.28</u>

Donald L. Mims, Administrator



Reviewed by: S. Thomas

Date: 3/18/2010

cc: Finance Director / Buyer

8-1

Montgomery County Commission
Travel / Training Request Approval

Appendix C

Request # 14

Agenda
MAR 22 2010

Date: March 15, 2010
To: Donald L. Mims, Administrator
From: Donald L. Mims, Administrator
Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Montgomery, AL
Departure Date: March 31, 2010 Return Date: April 1, 2010
Conference Leave (Days / Hours): 2 Days
Purpose of Travel: to attend 2010 County Day @ the Legislature

Traveler (s) Name: 1. Jiles Williams 4. John Mitchell
2. Ham Wilson 5. _____
3. Donald Mims 6. _____

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

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

Department Name: County Commission Fund Name: General

Additional Comments: Registration - 100.00@ 25.00/person

To: Donald L. Mims, Administrator

From: Donald L. Mims, Administrator

The above request is app. 03/22/10 reimbursement of actual and necessary expenses in the
approximate amount of \$100.00 and advance registration of \$100.00 is authorized.

<i>To be completed by the Finance Department</i>	
Fund Code:	<u>001-51100-265</u> (ex: 000-00000-000)
Description:	<u>Registration & Training</u>
Current Budget:	<u>\$25,000.00</u>
Approved Requests:	<u>\$9,599.72</u>
Budget Available:	<u>\$15,400.28</u>
Current Requests:	<u>\$1,845.00</u>
Budget Balance:	<u>\$13,555.28</u>

Donald L. Mims, Administrator



Reviewed by: S. Thomas

Date: 3/15/2010

cc: Finance Director / Buyer

8-2

Montgomery County Commission
Travel / Training Request Approval

Appendix C

Request # 15

Agenda

MAR 22 2010

Date: March 18, 2010
To: Donald L. Mims, Administrator
From: Donald L. Mims, Administrator
Re: Travel / Training Request

Request approval to be granted for the following:

Destination: San Antonio, TX
Departure Date: April 26, 2010 Return Date: April 29, 2010
Conference Leave (Days / Hours): 4 Days
Purpose of Travel: 2010 International Family Justice Center Conference

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

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

Total (est.) Cost: \$1,601.88 Advance Registration Required: \$300.00

Department Name: County Commission Fund Name: General

Additional Comments: Meals - 300.00; Airfare - 400.00; Registration - 300.00; Hotel - 521.88;
Taxi - 50.00; Airport Parking - 30.00

To: Donald L. Mims, Administrator

From: Donald L. Mims, Administrator

The above request is app. 03/22/10 reimbursement of actual and necessary expenses in the
approximate amount of \$1,601.88 and advance registration of \$300.00 is authorized.

<i>To be completed by the Finance Department</i>	
Fund Code:	<u>001-51100-265</u> (ex: 000-00000-000)
Description:	<u>Registration & Training</u>
Current Budget:	<u>\$25,000.00</u>
Approved Requests:	<u>\$9,599.72</u>
Budget Available:	<u>\$15,400.28</u>
Current Requests:	<u>\$3,446.88</u>
Budget Balance:	<u>\$11,953.40</u>

Donald L. Mims, Administrator



Reviewed by: S. Thomas

Date: 3/18/2010

cc: Finance Director / Buyer

8-3

Montgomery County Commission
Travel / Training Request Approval

Appendix C

Request # 4

Agenda

MAR 22 2010

Date: January 19, 2010
To: Donald L. Mims, Administrator
From: Larry R. Curvin
Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Birmingham, Alabama

Departure Date: April 14, 2010

Return Date: April 16, 2010

Conference Leave (Days / Hours): 3 days

Purpose of Travel: To attend ALTIST Course II: Minimum Examination Program for Local Government Revenue Examiners. This will be the first of four such ALTIST courses for this new auditor. This training course will augment the on the job training received.

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

Check Mode of Transportation:

County Vehicle

☐

Commercial Air

☐

Private Vehicle

☒

Other (Specify)

☐

Total (est.) Cost: \$689.00

Advance Registration Required: \$225.00

Department Name: Tax & Audit

Fund Name: General Fund 00151800265

Additional Comments: Registration is \$225. The training course will provide 20 hours continuing professional education. Other travel costs are per MCC policy.

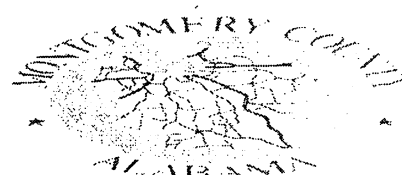
To: Larry R. Curvin

From: Donald L. Mims, Administrator

The above request is app. 03/22/10 reimbursement of actual and necessary expenses in the approximate amount of \$689.00 and advance registration of \$225.00 is authorized.

<i>To be completed by the Finance Department</i>	
Fund Code:	<u>001-51800-265 (ex: 000-00000-000)</u>
Description:	<u>Registration & Training</u>
Current Budget:	<u>\$7,000.00</u>
Approved Requests:	<u>\$3,563.56</u>
Budget Available:	<u>\$3,436.44</u>
Current Requests:	<u>\$689.00</u>
Budget Balance:	<u>\$2,747.44</u>

Donald L. Mims, Administrator



Reviewed by: S. Thomas

Date: 3/15/2010

cc: Finance Director / Buyer

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Montgomery County Commission
Travel / Training Request Approval

Appendix C

Agenda

MAR 22 2010

Request # 6

Date: March 4, 2010
To: Donald L. Mims, Administrator
From: Lou Ialacci
Re: Travel / Training Request

[Signature]

Request approval to be granted for the following:

Destination: Advanced Training Group, Montgomery, Alabama (at AUM)
Departure Date: April 19, 2010 Return Date: April 21, 2010
Conference Leave (Days / Hours): 3 Days
Purpose of Travel: Attend training class: Structured Query Language Fundamentals - Advanced

Traveler (s) Name: 1. Patrick Richards 4. _____
2. Greg Banach 5. _____
3. _____ 6. _____

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

Total (est.) Cost: \$1,440.00 Advance Registration Required: _____

Department Name: Information Systems Fund Name: General

Additional Comments: _____

To: Lou Ialacci

From: Donald L. Mims, Administrator

The above request is app. 03/22/10 reimbursement of actual and necessary expenses in the
approximate amount of \$1,440.00 and advance registration of \$0.00 is authorized.

<i>To be completed by the Finance Department</i>	
Fund Code:	<u>001-51965-265</u> (ex: 000-00000-000)
Description:	<u>Registration & Training</u>
Current Budget:	<u>\$20,000.00</u>
Approved Requests:	<u>\$10,620.00</u>
Budget Available:	<u>\$9,380.00</u>
Current Requests:	<u>\$1,440.00</u>
Budget Balance:	<u>\$7,940.00</u>

Donald L. Mims, Administrator



Reviewed by: S. Thomas

Date: 3/8/2010

cc: Finance Director / Buyer

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Montgomery County Commission
Travel / Training Request Approval

Appendix C

Request # 7

Agenda
MAR 22 2010

Date: March 15, 2010
To: Donald L. Mims, Administrator
From: Lou Ialacci
Re: Travel / Training Request



Request approval to be granted for the following:

Destination: Chicago, Illinois

Departure Date: April 7, 2010 Return Date: April 9, 2010

Conference Leave (Days / Hours): 3 Days

Purpose of Travel: Attend the Executive Steering Committee for MSGovern, the software provider
for Montgomery County Revenue Commission and Sales Tax, to discuss
customer needs and provide direct feedback to Montgomery County.

Traveler (s) Name: 1. Lou Ialacci 4. _____
2. _____ 5. _____
3. _____ 6. _____

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

Total (est.) Cost: \$935.00 Advance Registration Required: \$0.00

Department Name: Information Systems Fund Name: General

Additional Comments: Cost breakdown: air \$425, hotel \$380, parking \$30, and meals \$100

To: Lou Ialacci

From: Donald L. Mims, Administrator

The above request is app. 03/22/10 reimbursement of actual and necessary expenses in the
approximate amount of \$935.00 and advance registration of \$0.00 is authorized.

<i>To be completed by the Finance Department</i>	
Fund Code:	<u>001-51965-265</u> (ex: 000-00000-000)
Description:	<u>Registration & Training</u>
Current Budget:	<u>\$20,000.00</u>
Approved Requests:	<u>\$12,060.00</u>
Budget Available:	<u>\$7,940.00</u>
Current Requests:	<u>\$935.00</u>
Budget Balance:	<u>\$7,005.00</u>

Donald L. Mims, Administrator



Reviewed by: S. Thomas

Date: 3/15/2010

cc: Finance Director / Buyer

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Montgomery County Commission
Travel / Training Request Approval

Appendix C

Request # 19

Agenda

MAR 22 2010

Date: March 10, 2010
To: Donald L. Mims, Administrator
From: Sheriff D. T. Marshall
Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Anniston, AL
Departure Date: March 28, 2010 Return Date: April 1, 2010
Conference Leave (Days / Hours): 40 hours
Purpose of Travel: Managing Civil Actions in Threat Incidents - Command Level
Program K-Week 27

Traveler (s) Name: 1. Juan Jerry 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: Sheriff's Office Fund Name: General (001-52110-265)

Additional Comments: There will be no expenses involving this travel.

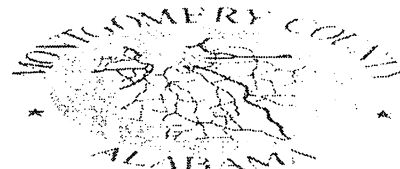
To: Sheriff D. T. Marshall

From: Donald L. Mims, Administrator

The above request is app. 03/22/10 reimbursement of actual and necessary expenses in the
approximate amount of \$0.00 and advance registration of \$0.00 is authorized.

<i>To be completed by the Finance Department</i>	
Fund Code:	<u>001-52110-265</u> (ex: 000-00000-000)
Description:	<u>Registration & Training</u>
Current Budget:	<u>\$20,000.00</u>
Approved Requests:	<u>\$9,209.43</u>
Budget Available:	<u>\$10,790.57</u>
Current Requests:	<u>\$0.00</u>
Budget Balance:	<u>\$10,790.57</u>

Donald L. Mims, Administrator



Reviewed by: S. Thomas

Date: 3/10/2010

cc: Finance Director / Buyer

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Montgomery County Commission
Travel / Training Request Approval

Appendix C

Request # 20

Date: March 16, 2010
To: Donald L. Mims, Administrator
From: Sheriff D. T. Marshall
Re: Travel / Training Request

Agenda
MAR 22 2010

Request approval to be granted for the following:

Destination: Anniston, AL

Departure Date: April 4, 2010

Return Date: April 8, 2010

Conference Leave (Days / Hours): 40 hours

Purpose of Travel: Managing Civil Actions in Threat Incidents (Basic)

Traveler (s) Name: 1. Earl Frazier 4. _____
2. _____ 5. _____
3. _____ 6. _____

Check Mode of Transportation:

County Vehicle

☐
☒

Private Vehicle

Commercial Air

☐
☐

Other (Specify)

Total (est.) Cost: \$0.00

Advance Registration Required: \$0.00

Department Name: Sheriff's Office

Fund Name: General (001-52110-265)

Additional Comments: There will be no expenses involving this travel.

To: Sheriff D. T. Marshall

From: Donald L. Mims, Administrator

The above request is app. 03/22/10 reimbursement of actual and necessary expenses in the
approximate amount of \$0.00 and advance registration of \$0.00 is authorized.

<i>To be completed by the Finance Department</i>	
Fund Code:	<u>001-52110-265</u> (ex: 000-00000-000)
Description:	<u>Registration & Training</u>
Current Budget:	<u>\$20,000.00</u>
Approved Requests:	<u>\$8,178.24</u>
Budget Available:	<u>\$11,821.76</u>
Current Requests:	<u>\$0.00</u>
Budget Balance:	<u>\$11,821.76</u>

Donald L. Mims, Administrator



Reviewed by: S. Thomas

Date: 3/16/2010

cc: Finance Director / Buyer

8-8

Montgomery County Commission
Travel / Training Request Approval

Appendix C

Request # 3

Agenda
MAR 22 2010

Date: March 18, 2010
To: Donald L. Mims, Administrator
From: Wanda Robinson, Director
Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Jacksonville, FL
Departure Date: May 9, 2010 Return Date: May 14, 2010
Conference Leave (Days / Hours): 6 days
Purpose of Travel: Attend Institute of Police Technology and Management Training Conference on
Internal Affairs

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

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

Total (est.) Cost: \$1,400.00 Advance Registration Required: \$695.00

Department Name: Sheriff (MCDF) Fund Name: General

Additional Comments: _____

To: Wanda Robinson, Director

From: Donald L. Mims, Administrator

The above request is app. 03/22/10 reimbursement of actual and necessary expenses in the
approximate amount of \$1,400.00 and advance registration of \$695.00 is authorized.

<i>To be completed by the Finance Department</i>	
Fund Code:	<u>001-52200-265</u> (ex: 000-00000-000)
Description:	<u>Registration & Training</u>
Current Budget:	<u>\$20,000.00</u>
Approved Requests:	<u>\$3,312.00</u>
Budget Available:	<u>\$16,688.00</u>
Current Requests:	<u>\$1,400.00</u>
Budget Balance:	<u>\$15,288.00</u>

Donald L. Mims, Administrator



Reviewed by: S. Thomas

Date: 3/18/2010

cc: Finance Director / Buyer

8-9

MAR 22 2010

BUDGET FORM 5

MONTGOMERY COUNTY COMMISSION

BUDGET CHANGE REQUEST

REQUEST NUMBER 19

DEPARTMENT: County Commission Appropriations REVIEWED: S. Thomas 3/18/2010
 DATE: 3/18/2010 Finance Director
 REQUESTED BY: Donald Mims, Administrator APPROVED: *D2 Mims* 3/23/10 Date
 Elected Official/Dept. Head Administrator

ACCOUNT NAME	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE (DECREASE)	REVISED BUDGET
Other Equipment	206-52135.591	0	30,000	30,000
Fund Balance	206.35900		-30,000	
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
TOTAL		0	0	0

JUSTIFICATION:

To budget for the purchase of a Fuel Storage & Delivery System at the K-9 Facility.



March 12, 2010

Bruce R. Howell,
Juvenile Court Administrator
Montgomery County Family Court,
Juvenile Division
P.O. Box 9219
1111 Airbase Boulevard
Montgomery, AL 36108-0219

Dear Mr. Howell:

I have attached a contract for grant-writing services to be provided by the Auburn University Montgomery Center for Government and Public Affairs. The purpose of the contract is to help the Montgomery County Family Court Juvenile Division prepare a proposal for a Justice and Mental Health Collaboration Program grant offered by the Bureau of Justice Assistance in the U.S. Department of Justice. This grant program is intended to fund the planning, implementation, or expansion of a justice and mental health collaboration program to facilitate coordination among the criminal justice, mental health and substance abuse treatment systems within a community in addressing the needs of juvenile offenders. The goal of the grant program is to increase access to mental health and other treatment services for individuals with mental illness or co-occurring mental health and substance abuse disorders.

This grant program offers funding in one of three categories – planning, planning and implementation, and expansion – depending upon how well-developed the collaborative program is at the time of application. Montgomery County was awarded a planning grant under this program in 2007, and submitted a program plan to the Bureau of Justice Assistance at the end of the grant period for that award in 2009. The Juvenile Division of the Family Court intends to submit a new proposal in the planning and implementation category under the current call for proposals to carry out the plan submitted last year. Specifically, the court plans to utilize these grant funds to fully implement the current juvenile mental health court pilot project established in 2008. At that time, Chief Justice Sue Bell Cobb and Judge Charles Price, Presiding Judge of the 15th Judicial Circuit, named Judge William G. O'Rear to supervise this important initiative. If successful, this proposal could bring funding of up to \$250,000 to the juvenile court over two years. The deadline for submitting this grant proposal is April 8, 2010.

As you know, the Auburn University Montgomery Center for Government and Public Affairs offers grant-writing services to a variety of state and local government agencies throughout Alabama, and has an established track record in securing grant funding. Moreover, one of the members of our grant-writing team had previously served as the project manager for the planning grant awarded in

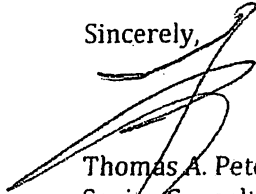
AUBURN UNIVERSITY AT MONTGOMERY
CENTER FOR GOVERNMENT

400 South Union Street, Suite 100, Montgomery, AL 36104; Telephone: 334-244-3050; Fax: 334-244-3066, www.cgov.aum.edu

2007, which puts us in a unique situation in understanding the nuances of the Justice and Mental Health Collaboration Program. The Center for Government and Public Affairs will work directly with your staff, the Montgomery Area Mental Health Authority and Chemical Addictions Program, Inc. in organizing, preparing and submitting this grant proposal.

If you should have any questions, or need any additional information, please contact me at 244-3053.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Petee', written over the printed name.

Thomas A. Petee, Ph.D.
Senior Consultant
Center for Government and Public Affairs

MEMORANDUM OF AGREEMENT
BETWEEN
MONTGOMERY COUNTY COMMISSION
AND
AUBURN MONTGOMERY
CENTER FOR GOVERNMENT AND PUBLIC AFFAIRS

Because of an identifiable need for assistance in developing a competitive grant proposal for the Justice and Mental Health Collaboration Program in response to a Notice of Federal Funding Opportunity from the United States Department of Justice, Bureau of Justice Assistance, (hereinafter USDOJ), the Montgomery County Commission (hereinafter MCC) and the Auburn Montgomery Center for Government and Public Affairs (hereinafter CGOV) have entered into an agreement for provision of these professional services effective the 11th day of March, 2010.

WHEREAS, MCC has authority to enter into an agreement with any private person, organization or group; and,

WHEREAS, MCC has a need for professional services in the area of grant writing;

NOW, therefore, MCC and CGOV, intending to be mutually bound and in consideration of the mutual covenants and stipulations set forth herein, agree as follows.

I. Services to be Provided:

CGOV proposes to work with the Montgomery County Family Court (hereinafter MCFC) and the Montgomery Area Mental Health Authority (MAMHA) as joint applicants to develop and prepare a grant proposal fund implementation of the strategic plan developed by MCFC, MAMHA and other project partners in 2008-2009. Specifically, the strategic plan seeks to address the needs of juvenile offenders with mental health disorders that are involved with or at-risk for involvement with local justice and public safety systems, for submission to USDOJ.

Deliverables are:

- USDOJ Justice and Mental Health Collaboration Program "Phase II: Planning and Implementation" grant proposal, with a project narrative regarding the:
 - Capacity of the applicant and major project partners, including relevant organizational experience;
 - Project management structure;
 - Project design that reflects existing needs and priorities of the grantor and the applicant;
 - Training and technical assistance strategy;
 - Program evaluation methodology;

- Project budget and budget justification;
- Time and task plan for the project period, including milestones; and
- Any additional elements required by or relevant to the grant proposal.

In formulating the agreement, CGOV staff made specific assumptions. These assumptions include:

1. This proposal encompasses all aspects of the deliverables to be produced. Any litigation-related work such as courtroom testimony and preparation for testifying is not included in this proposal.
2. Any addendums to this Agreement shall have full force as the same.
3. Substantial reliance will be placed upon staff from MAMHA, MCFC and/or MCC, to furnish source documentation and other background information necessary to write sections of the grant application, such as development plans or budgetary data related to this project.
4. On behalf of MCC, staff from MAMHA and MCFC will be available to meet regularly with CGOV staff in order to confirm status on the effort and maintain an awareness of the progress of CGOV staff on the project.
5. On behalf of MCC, staff from MAMHA and MCFC will be responsible for identifying, informing and gaining the compliance of departments, divisions, agencies and partners involved in this effort.
6. On behalf of MCC, staff from MAMHA and MCFC will provide adequate staff to support the writing of the grant proposal to include fact finding, subject matter expertise, document review, document editing, and document submission.
7. MCC will be responsible for attesting to and signing all assurance requirements and/or certifications related to the grant application.
8. On behalf of MCC, staff from MAMHA and MCFC will be responsible for arranging and publicizing any meetings between partner organizations that may be required in submitting the grant proposal.

If any of the above assumptions are not met, the proposed costs may be exceeded.

II. Authorization to Conduct Work:

MCC reserves the right to specifically and overtly authorize CGOV to engage in activities which result in financial liability under the terms of this agreement. CGOV acknowledges that the statement of services to be provided constitutes the general area of work expected to be performed by CGOV and that specific activities to be performed for which MCC will be charged must be specifically and overtly authorized by the MCC designee in paragraph V and that no other person employed by MCC may implicitly or explicitly authorize work to be paid under this agreement.

III. Period of Agreement:

CGOV proposes to begin work on the project on or before March 15, 2010, and conclude the project no later than December 31, 2010. This timeframe will be maintained provided no significant project delays are imposed on CGOV as a result of scheduling conflicts with MCC.

IV. Financial Arrangements:

CGOV proposes to complete the MCC service-learning program grant proposal for a fixed fee of \$6,543. This fee is based upon an agreement between MCC and CGOV that, in the event the grant is funded, CGOV will be given the first right of refusal regarding contractual performance of project activities outlined in the proposal. Absent such an agreement, CGOV proposes to complete this project work for a fixed fee of \$7,130.

All fees will be paid by MCC. CGOV will submit an invoice for payment at the conclusion of the project to Mr. Donald Mims, County Administrator, (334) 832-1357, P. O. Box 1667, Montgomery, AL 36102-1667. The cost estimates herein are valid for 30 days following the submission date of March 11, 2010.

V. Single Source Contact:

MCC and CGOV agree that after signatures to this agreement have been obtained, each will designate a single source contact for the purpose of coordination and problem solving during the period of this agreement. The CGOV designee is Amy Hinton. The MCC designee is MCFC Administrator Bruce Howell.

VI. Terms and Conditions:

It is understood and agreed that all terms and conditions are herein included. No verbal agreements of any kind will be binding or recognized. This agreement may be amended by written agreement of the parties.

VII. Personnel Benefits Excluded:

It is understood and agreed that CGOV is an independent contractor and, as such, is not entitled to the benefits of MCC for services provided under this agreement.

VIII. Indemnity

Neither party shall be held responsible for personal injury or property damage or loss except that resulting from its own negligence or the negligence of its employees or others for whom the party is legally responsible.

IN WITNESS THEREOF, the parties hereto have caused this Agreement to be entered into by their duly authorized representatives.

AGREED:

Elton Dean
Chairman
Montgomery County Commission

John G. Veres, III
Chancellor
Auburn University at Montgomery

Date

Date

MAR 22 2010

DRAFT QUALITY ASSURANCE AND COMPLIANCE ADMINISTRATOR

FLSA: Non-exempt or Exempt
Pay Grade: XX

0362
3/3/10

NATURE OF WORK: The fundamental reason this position exists is to provide administrative support with responsibility for the overall quality of the Community Corrections Department Programs. The Essential Functions include: This position serves in a support role for all Community Corrections Staff to ensure that standards and policies are being followed and policies are in place to address standards of case management and general accountability. A significant function of this position is to ensure that the Community Corrections Department is in full compliance with all Alabama Department of Corrections Standards for Prison/Jail Diversion caseload supervision, including data management and verification that offenders in the program meet eligibility criteria and monthly billing to the DOC is accurate and complete. As a support position, this employee is responsible for assisting staff in completing any corrective action(s) required for compliance with Policies, Procedures and standards. In the most extreme of circumstances, when actual compliance is not attained through corrective action assistance, the Administrator of Quality Assurance and Compliance shall be required to compile a corrective action plan to be forwarded to the Executive Director to utilize (subject to the Executive Director's modification and discretion) with any employee who fails to meet minimum standards of compliance with established Policies, Procedures and standards. This position reports to the Community Correction Director.

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

WB1. Monitors and assists the community corrections department staff in issues of compliance, case management and general accountability standards and policies in order to ensure policies and standards are being followed and assist the CC staff in training and compliance issues.

Provides appropriate staff orientation and training of MCCPCA programs to both new staff as well as experienced staff.

Assists with all other issues related to quality assurance of MCCPCA programs.

Coordinates with individual Case Managers assigned to the Circuit Courts to expedite the flow of documentation and paperwork to present to the Circuit Court Judges to consider Institutional Diversions.

Trains staff on effective offender supervision strategies utilizing the ORAS, Case Plans. Motivational Interviewing and other tools and techniques.

Creates and maintains records of staff training, staff meetings and staff certifications and assures that all mandatory training and certifications are up to date.

Works with all staff to identify completed and "dead files" and oversees the archiving of all closed files.

Compiles corrective action plans for employees who fail to comply with minimum standards of compliance with established Policies, Procedures and standards and program requirements and forwards plans to the Executive Director for their review and/or approval.

Assists the staff in completing any corrective action(s) required for compliance with Policies, Procedures and standards.

WB2. Reviews Community Corrections Department compliance with all Alabama Department of Corrections Standards for Prison/Jail Diversion caseload supervision to include data management, billing and documentation verification in order to ensure accurate caseload documentation and ensure offenders in the program meet eligibility criteria.

Conducts regular reviews of all documentation related to program operations, including client supervision charts to verify the materials are in appropriate order and the documentation is complete.

Reviews and assesses completeness of all program files.

Reviews and assures that all program participants are in full compliance with Court Ordered Terms and Conditions and Program standards

Assists with the review of the monthly DOC Inmate roster to identify potentially viable and eligible Institutional Diversion inmates for placement on Community Corrections.

Checks monthly billing to the DOC in order to ensure information is accurate and complete.

Works directly with the Community Corrections Clerk to assure that the ADOC Jail/Prison Diversion monthly reports and billing are accurate, complete and clients being billed are eligible for reimbursement and have not exceeded the maximum period of billing eligibility.

WB3. Performs Community Corrections Department Administrative Duties to include department reporting of program statistics.

Develops compliance policies and procedures in order to ensure standards are addressed and ensure department employees remain in compliance and maintain standardization.

Works with the Executive Director to establish a policy and procedure for the destruction of closed files and Schedules and assures that offender files over 10 years old are destroyed according to established policy.

Creates and compiles reports and assists the Executive Director in preparing and evaluating reports for the MCCPCA Board.

Assures that the ADOC MIDAS data base and client information is up to date and staff are completing MIDAS data and journal entries in a timely and accurate manner.

Oversees the collection and accurate reporting of program data and statistics for the purpose of documenting program effectiveness, offender recidivism rates and other relevant information required for the administration of programs, to establish justification for grant applications and to determine the appropriate allocation of department resources.

Develop and compile reports regarding qualitative and quantitative outcomes of MCCPCA programs for the Executive Director to present to the MCCPCA and other stakeholders.

Creates and compiles other reports and presentations using program data and other offender information for the Executive Director, the Circuit and District Courts, the MCCPCA Board, the County Commission and other stakeholders.

KNOWLEDGE, SKILLS, AND ABILITIES:

Knowledge of legal terminology as needed to conduct research, interact with judges, officers of the court, offenders, offenders, etc. and complete reports.

Knowledge of specific charges and corresponding court (i.e., district, circuit, juvenile, and domestic relations) handling type of charge in order to complete reports and research court dates.

Knowledge of State of Alabama Criminal Code Title 13A and Title 15-18-170 to include degrees of charges, amount of bond associated with charges, charge codes, maximum sentence times, definition of Atime and accepted interpretation as needed to explain charges and bonds to offenders, inform other law enforcement officials of code-related information, and assist offenders when interacting with court officials.

Knowledge of the classification of crimes such as felonies, misdemeanors, and violations as needed to conduct research for possible alternative releases.

Knowledge of intermediate punishment options as needed to provide alternatives to jail incarceration.

Knowledge of caseload management procedures as needed to supervise and monitor offenders.

Knowledge of the geography of the City and County of Montgomery as needed to travel to locations, conduct field contacts, and provide offenders and staff with directions to various locations.

Knowledge of the operation of Court and court processing activity as needed to prepare and manage the expedited docket.

Ability to match offenders assigned to Montgomery County Community Corrections to appropriate community service projects based on the participant's history, charges, and capabilities.

Ability to assess individuals in the court system for their ability to work on community service projects as needed to identify those offenders for community service projects.

Ability to operate standard office equipment including personal computers, typewriters, adding machines, calculators, dictaphones, copiers and/or transcribers.

Ability to evaluate community service projects as needed to ensure projects are meeting the established requirements and the needs of the local organization.

Ability to exhibit the appropriate level of firmness in dealing with offenders.

Ability to interact with others to include courtesy, tact and diplomacy as needed to provide/gather information, assign and follow up on work duties, and establish effective working relationships.

Ability to interact with individuals from varying socio-economic and cultural backgrounds to include the ability to recognize commonly used slang terms as needed to explain information to offenders or the general public and encourage or enforce offender compliance with procedures.

Ability to add and subtract as needed to process restitution and supervision fees and calculate the number of offenders and prepare reports for the Executive Director, process and calculate community service project statistics, and prepare reports.

Ability to establish priorities, set deadlines, and develop work schedules and guidelines for completion of projects.

Ability to promote positive relations with local, private and government entities as needed to identify and develop community service programs, encourage and persuade local organizations to identify and participate in community service projects.

Ability to organize workload of multiple community corrections program participants and projects operating at various stages in progress as needed to maintain the status of all programs, document and report the status of projects.

Ability to research and develop community corrections programs to identify and develop projects for the community that can be performed by Montgomery County Community Corrections offenders.

Ability to establish priorities, set deadlines, and develop work schedules and guidelines for completion of projects.

Ability to perform database management of case file records as needed to create, document and update case management information into databases.

Ability to utilize computer software to include developing spreadsheets and utilizing word processing packages.

Ability to include the proper amount of detail in documentation as needed to ensure that all necessary information is provided to reader.

Ability to monitor Pre-trial individuals as needed to ensure they individuals comply with court-ordered conditions and ensure they individuals remain out of the court system.

Ability to follow written and oral instructions from supervisors and judges.

Ability to state and explain policies, procedures and problems in such a way as to enlist support, compliance and acceptance by offenders.

Ability to include the proper amount of detail in documentation as needed to ensure that all necessary information is provided to reader.

Ability to organize facts and present them in the most appropriate and logical order, consistent with the purpose of the written document.

Ability to identify and choose appropriate decisions from a variety of alternate choices as needed to prioritize work duties and determine appropriate actions to take in situations.

Ability to determine whether sufficient facts are presented to support a recommended action.

Ability to analyze situations thoroughly, identify potential problems, and find effective solutions.

Ability to collect, evaluate, and analyze data and information as needed to conduct research and make determinations regarding the potential for alternative release.

Ability to extract and summarize information from laws, ordinances, correspondence, etc. as

needed to understand assignments and changes in policy and perform new procedures.

Ability to obtain facts and information by using interviewing skills and techniques.

Ability to communicate in writing so that information flows logically and conveys the appropriate message as needed to provide information to the court regarding the progress of offenders.

Ability to communicate verbally so that information flows logically and conveys the appropriate message for the target audience as needed to provide guidance to clients and participating agencies, share information with the court and community corrections co-workers and supervisors, communicate technical concepts and information in non-technical/lay terms and ensure the listener's attention and understanding.

Ability to read and comprehend legal documents such as memos, laws, correspondence, and written orders, subpoenas, affidavits, bond information, indictments, extradition papers, tax assessment sheets, custody papers, and transcripts to include the ability to recognize criminal charges, legal terminology, and the intent of the document as needed to explain and process legal documents, ensure work activities are accomplished according to policy and procedure and exchange or acquire information.

SPECIAL REQUIREMENTS:

MINIMUM QUALIFICATIONS: Three years of community corrections program experience at the position of Community Corrections Officer, Case Worker, Drug Court Coordinator or Probation Officer.

Must possess at a minimum a Bachelor's degree from an accredited University in the field of Criminal Justice, Sociology, Psychology or a related Social Science. Specific training and/or experience in Quality Assurance and compliance monitoring is highly preferred.

Documented history of mentoring peers and staff in meeting standards of documentation and performance objectives

Demonstrated ability to motivate staff to meet performance standards and performance objectives without resorting to corrective action or adverse sanctions.

APPROVALS:	
_____ Supervisor	_____ Date
_____ Division Head	_____ Date
_____ Department Head	_____ Date
_____ Appointing Authority	_____ Date

THOMAS, MEANS, GILLIS & SEAY, P.C.

ATTORNEYS AND COUNSELLORS AT LAW
ESTABLISHED IN 1981

WEBSITE: www.tmgslaw.com
Montgomery Office

MONTGOMERY COUNTY
COMMISSION

2010 MAR 23 PM 2:08

Agenda

MAR 22 2010

Via Hand Delivery

KENNETH L. THOMAS^{1,3}
TYRONE C. MEANS^{1,2,4}
H. LEWIS GILLIS¹
QUINTON S. SEAY²
EUGENE FELTON, JR.²
JACQUELINE C. SMOKE¹
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GERALD C. BROOKS^{1,5}
KELVIN W. HOWARD¹
ASHLEY N. SMITH¹

Sender's Email Address:
tcmeans@tmgslaw.com

March 22, 2010

Members of the Montgomery County Commission
c/o Donald L. Mims, Administrator
Montgomery County Courthouse Annex
Montgomery, AL 36104

ADMITTED:

- ¹ ALABAMA
- ² GEORGIA
- ³ DISTRICT OF COLUMBIA
- ⁴ KANSAS
- ⁵ MISSISSIPPI

Re: *Executive Session to Discuss
Pending Litigation/Legal Opinions*

Dear Montgomery County Commission Members:

MONTGOMERY OFFICE:
3121 ZELDA COURT
P.O. DRAWER 5058
MONTGOMERY, AL 36103-5058
TELEPHONE: (334) 270-1033
FACSIMILE: (334) 260-9396

This letter is to advise the Montgomery County Commission ("the Commission") that I have reviewed the matter(s) upon which it is considering convening an executive session for discussion with legal counsel. I have determined that this matter is appropriate for executive session under Section (7)(a)(3) of Act No. 2005-40.

BIRMINGHAM OFFICE:
505 - 20TH STREET NORTH
SUITE #400 - FINANCIAL CENTER
P.O. DRAWER 11365
BIRMINGHAM, AL 35202-1365
TELEPHONE: (205) 328-7915
FACSIMILE: (205) 214-6160

Pursuant to the Act, a copy of this letter should be attached to the Minutes of the Board Meeting wherein the Commission has considered and approved a Motion to Convene for Executive Session.

ATLANTA OFFICE:
191 PEACHTREE STREET, N.E.
SUITE #3550
ATLANTA, GA 30303
TELEPHONE: (404) 222-8400
FACSIMILE: (404) 222-0080

Sincerely,
THOMAS, MEANS, GILLIS & SEAY, P.C.


Tyrone C. Means

LIVINGSTON OFFICE:
112 MARSHALL STREET
P.O. BOX 907
LIVINGSTON, AL 35470-0907
TELEPHONE: (205) 652-6106
FACSIMILE: (205) 652-2177

HAYNEVILLE OFFICE:
307 HAYNEVILLE PLAZA
HAYNEVILLE, AL 36040
TELEPHONE: (334) 548-5008
FACSIMILE: (334) 548-5010

Tammy Nix

From: Means, Tyrone [TCMeans@tmgsllaw.com]
Sent: Tuesday, March 23, 2010 4:45 PM
To: Tammy Nix
Cc: Donald Mims
Subject: Re: Executive Session letter

Yes.
Tyrone C Means
Sent from my BlackBerry Wireless Handheld

-----Original Message-----
From: Tammy Nix <TammyNix@mc-ala.org>
To: Means, Tyrone <TCMeans@tmgsllaw.com>
CC: Donald Mims <DonaldMims@mc-ala.org>
Sent: Tue Mar 23 16:22:12 2010
Subject: Executive Session letter

Attorney Means,

Attached is a copy of the letter you sent to the Commissioners and Donnie regarding an Executive Session. Does this one letter cover both Executive Sessions that were held during Monday's Commission meeting?

Tammy Nix

Administrative Secretary

Montgomery County Commission

Office: (334) 832-1204

FAX: (334) 832-2533

tammynix@mc-ala.org <<mailto:tammynix@mc-ala.org>>

www.mc-ala.org <<http://www.mc-ala.org>>

<http://twitter.com/mccalabama> <<http://twitter.com/mccalabama>>

ADJOURNMENT

There being no further business to come before the Commission at this time, the meeting stood adjourned until Monday, April 12, 2010, at 8:00 in the morning.

DZ Morris

Administrator

Elton N. Dean, Jr.

Chairman