

MINUTES OF REGULAR MEETING
MONTGOMERY COUNTY COMMISSION
MAY 24, 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.

Administrator Mims noted that tickets to Jubilee CityFest were in the Commissioners' packets.

Administrator Mims informed the Commission that the City of Montgomery has paid \$100,000 toward the cost of the Family Justice Center building, leaving a balance of \$200,000.

PRESENTATION BY PROBATE JUDGE REESE MCKINNEY, JR.

Probate Judge Reese McKinney, Jr., requested approval of a Position Fill Request for a Customer Service Clerk. Judge McKinney stated that the Probate East office is currently operating without four employees.

Vice Chairman Ingram suggested using Public Service Announcements to encourage the public to use the online services of the Probate Office. He asked Assistant Chief Clerk Pat Murphy to meet with Judge McKinney and Manager of Public Affairs DiDi Henry regarding these Public Service Announcements.

After discussion, the Commission agreed to place the Position Fill Request for the Customer Service Clerk on the next agenda.

COMMENTS FROM ADMINISTRATOR MIMS

Administrator Mims reviewed items on the agenda.

DISCUSSION BY THE COMMISSION

Vice Chairman Ingram, Commissioner Polizos and Commissioner Wilson requested a \$500 miscellaneous appropriation from each of their accounts to the Board of Education for an Academic Banquet for Senior High School students.

Chairman Dean requested to rescind a \$600 miscellaneous appropriation to Montgomery County Recreation Department, for Cleveland Avenue YMCA, for After School Program and requested a \$600 miscellaneous appropriation to Montgomery Community Action Agency for After School Program from his account.

Vice Chairman Ingram requested a \$2,000 miscellaneous appropriation from his account to the Town of Pike Road for 2010 Summer Fest.

The Commission agreed to place these items on the agenda.

COMMENTS FROM ADMINISTRATOR MIMS

Administrator Mims presented the Montgomery Public Schools Facility Plan Monthly Report #41 for the Month of April 2010 from T.C.U. Consulting Services, LLC.

Administrator Mims presented information from the Association of County Commissions of Alabama regarding the 2010 Session Final Update.

Administrator Mims presented Budget Change Request Numbers 5, 6, 7 and 8 from the District Attorney, Budget Change Request Numbers 9 and 10 from Engineering and Budget Change Request Number 1 from Risk Management. After discussion, the Commission agreed to waive rules and add these Budget Changes to the agenda.

PRESENTATION BY JUVENILE DETENTION DIRECTOR MICHAEL PROVITT

Juvenile Detention Director Michael Provitt briefed the Commission and requested approval of a Memorandum of Understanding with Montgomery County Board of Education for the 2010 Summer School Program for the Youth Facility. Mr. Provitt explained that the State of Alabama funds this program and there would be no cost to the County. After discussion, the Commission agreed to waive rules and add this item on the agenda.

COMMENTS FROM ADMINISTRATOR MIMS

Administrator Mims presented board reappointments for the Montgomery City-County Public Library Board of Trustees. The Commission agreed to waive rules and add these reappointments to the agenda.

Administrator Mims presented the Montgomery County Detention Facility's Population Report for April 2010 and noted that the average daily population was 531 inmates.

PRESENTATION BY DISTRICT ATTORNEY ELLEN BROOKS

District Attorney Ellen Brooks thanked the Commission for approving the Juvenile Formula Grant Renewal Application for the *Helping Montgomery Families Initiative* at the last meeting.

Ms. Brooks updated the Commission regarding the Pre-Trial Diversion Program and stated that additional help would not be needed at this time.

Ms. Brooks requested approval to fill the Office Runner position. The Commission agreed to place this item on the next agenda.

Ms. Brooks stated that the One Place Family Justice Center had received funds from the Junior League of Montgomery.

Ms. Brooks reminded everyone to vote June 1, 2010.

Ms. Brooks discussed funding of the audio visual equipment for the District Attorney's Office and inquired as to the status of the renovations to Annex I. She stated that her department is running out of office space.

PRESENTATION BY COMMUNITY CORRECTIONS EXECUTIVE DIRECTOR PAUL H. BROWN

Community Corrections Executive Director Paul H. Brown briefed the Commission regarding a request from Drug Court Judge, Tracy McCooey, for the Commission to issue a Request for Qualifications (RFQ) to contract with a provider to administer Certified Offender Substance Abuse Assessments. Mr. Brown stated that the offender and the Department of Health would pay for the services. After discussion, the Commission agreed to place this RFQ on the next agenda.

COMMENTS FROM ADMINISTRATOR MIMS

Administrator Mims presented a copy of the Annex I, 3rd Floor renovations expected cost analysis vs. budget prepared by T.C.U. Consulting Services, LLC. The Commission discussed the funding options for this project.

PRESENTATION BY COUNTY ENGINEER GEORGE C. SPEAKE

County Engineer George C. Speake reviewed with the Commission a Bid Award for a Truck Mounted Asphalt Distributor, and recommended approval of this item, which was on the agenda. Mr. Speake also inquired about a budget change request he had submitted for the "Share the Road" signs. The Commission replied that this item would be added to the agenda.

Mr. Speake advised the Commission that pre-construction conference for the Woodley, Cloverfield, and Federal Roads resurfacing project was scheduled for Thursday, May 27, 2010,

at Sixth Division Alabama Department of Transportation and that the Meriwether Road resurfacing project is scheduled for June 2010 Alabama Department of Transportation letting.

Commissioner Williams asked if Mr. Speake would check the necessity of mowing the right-of-ways and cleaning out drainage ditches in the Flatwood Community. Commissioner Williams also inquired about the possibility of providing a trash pick-up site at Flatwood. In addition, Chairman Dean asked about the possibility of providing a trash pick-up site on Old Selma Road at Cantelou Road. Administrator Mims stated that he would research the matter and report back to the Commission.

COMMENTS FROM COUNTY ATTORNEY THOMAS T. GALLION, III

County Attorney Thomas T. Gallion, III, updated the Commission regarding the Snowdown Park construction contract. Attorney Gallion stated that he has been negotiating with Liberty Construction and recommended sending the contractor and Stan Cauthen a registered letter to attempt to resolve the issue.

COMMENTS FROM ADMINISTRATOR MIMS

Administrator Mims presented a job description for an Assistant Revenue Manager, which is already in the County pay plan, and stated that this position could be used to audit businesses in lieu of creating a Revenue Compliance Officer position. Deputy Administrator Mitchell noted that the duties could be assigned to this position as needed. The Commission agreed to place this item on the next agenda.

Deputy Administrator Mitchell stated that the Revenue Examiners are doing paperwork and are not in the field, due to the lack of clerical staff and recommended that the vacant Clerk positions in the Tax and Audit Department be filled.

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 Vice Chairman Ingram. He asked everyone to pray for Hannah Ridling, daughter of State Insurance Commissioner Jim Ridling, who was in a terrible accident resulting in head trauma.

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 Thomas T. Gallion, III, and County Engineer George C. Speake.

Mr. Williams made a motion to approve the Minutes of the Regular Meeting of May 10, 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 4, are attached to these Minutes.)

PUBLIC HEARING

SHERIFF'S OFFICE - PUBLIC HEARING REGARDING APPLICATION TO THE DEPARTMENT OF JUSTICE, FOR THE JUSTICE ASSISTANCE GRANT FOR FY 2010

PUBLIC HEARING LEGAL NOTICE

The Montgomery County Sheriff's Office will be holding public hearing to discuss application to the Department of Justice, Justice Assistance Grant for the FY 2010. Montgomery County will consider the issue at the County Commission meeting scheduled for 9:30 AM on Monday, May 24, 2010. The County Commission will meet at the Montgomery County Administrative Building, 101 S. Lawrence Street. Those wishing to comment may do so at that time.

End of Public Notice

Chairman Dean opened the Public Hearing and asked if anyone in the audience wanted to speak regarding the application to the Department of Justice for the Justice Assistance Grant. Chief Deputy Derrick Cunningham explained that the grant money would be used to purchase law enforcement equipment. He informed the Commission that the grant money would be split, with the County receiving 40% and the City receiving 60% of the funds. Chairman Dean thanked Chief Cunningham and then declared the Public Hearing closed.

NEW BUSINESS

SHERIFF'S OFFICE – APPROVED GRANT APPLICATION AND RELATED INTERLOCAL COOPERATION AGREEMENT WITH THE CITY OF MONTGOMERY FOR THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT FOR FISCAL YEAR 2010

The Administrator presented the following memorandum from Sheriff D.T. Marshall requesting approval of Grant Application and related Interlocal Cooperation Agreement:

MEMORANDUM

TO: Mr. Donnie Mims
County Administrator

FROM: Sheriff D.T. Marshall
Montgomery County Sheriff's Office

SUBJECT: Edward Byrne Memorial Justice Assistance Grant

This is to advise you that the Sheriff's Office will be applying for the Edward Byrne Memorial Justice Assistance Grant (JAG Local) for fiscal year 2010. As required, we are notifying our local unit of government of our intention of applying for this grant along with the City of Montgomery. Please place this on the agenda for the 24th of May, 2010 County Commission meeting for public comment on use of the grant monies and final approval by the County Commission. The total amount of this grant is \$151,521.00 which will be split with the City of Montgomery receiving 60% (\$90,912.60) of the grant and the County of Montgomery receiving 40% (\$60,608.40) of the grant. This grant requires no matching funds.

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

End of Memorandum

Mr. Williams made a motion to approve the Grant Application and related Interlocal Cooperation Agreement. The motion was seconded by Vice Chairman Ingram and unanimously approved by the Commission. (Copy of Interlocal Cooperation Agreement, Agenda Pages 1-2 through 1-9, is attached to these Minutes.)

SHERIFF'S OFFICE – APPROVED COOPERATIVE AGREEMENT FOR STATE HOMELAND SECURITY GRANT PROGRAM WITH STATE OF ALABAMA DEPARTMENT OF HOMELAND SECURITY

The Administrator presented the following memorandum from Chief Deputy Derrick Cunningham requesting approval of Cooperative Agreement for State Homeland Security Grant Program:

May 12, 2010

MEMORANDUM

TO: Mr. Donnie Mims
County Administrator

FROM: Chief Deputy Derrick Cunningham
Montgomery County Sheriff's Office

SUBJECT: Homeland Security Grant 7GSL

Please find enclosed a Letter of Agreement from the State Homeland Security Grant Program which requires Mr. Elton Dean's signature in the two locations as marked. This is a Homeland Security reimbursement grant that does not require any funding from Montgomery County.

This must be signed by June 1, 2010. I am requesting that it be approved at the next County Commission meeting on May 24, 2010, and returned to me as soon as possible.

If you have any questions concerning this agreement, please do not hesitate to let me know.

End of Memorandum

Mr. Polizos made a motion to approve the Cooperative Agreement for State Homeland Security Grant Program. The motion was seconded by Vice Chairman Ingram and unanimously approved by the Commission. (Copy of Cooperative Agreement, Agenda Pages 2-2 through 2-12, is attached to these Minutes.)

Chief Cunningham explained to the Commission that the grant is in the amount of \$20,000 with no match and funding will be used for in-car video equipment.

COUNTY COMMISSION – APPROVED 2010 MEMORANDUM OF AGREEMENT
WITH THE CITY OF MONTGOMERY AND HAUSTED PATIENT HANDLING
SYSTEMS, LLC

The Administrator requested approval of 2010 Memorandum of Agreement with the City of Montgomery and Hausted Patient Handling Systems, LLC.

Vice Chairman Ingram made a motion to approve the 2010 Memorandum of Agreement. The motion was seconded by Mr. Williams and unanimously approved by the Commission. (Copy of 2010 Memorandum of Agreement, Agenda Pages 3-1 through 3-7, is attached to these Minutes.)

Ms. Ellen McNair, Senior Vice President of Corporate Development of the Montgomery Area Chamber of Commerce addressed the Commission regarding Hausted Patient Handling

Systems, LLC. She informed them that Hausted chose Montgomery for their main headquarters, which will staff 45 people in a 50,000 square foot facility with the option of an additional 30,000 square feet. She stated that the facility is located in Gunter Industrial Park.

COUNTY COMMISSION – APPROVED MISCELLANEOUS APPROPRIATIONS
REPROGRAMMING REQUESTS

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

May 24, 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:

NC-2010-102: BOE, for Academic Banquet for Senior High Schools - \$500

NC-2010-103: City of Montgomery, for Wilson YMCA Playground - \$800

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-2010-102: Amended Miscellaneous Appropriation – BOE, for Academic Banquet for Senior High Schools - \$500

NOTE: Vice Chairman Ingram, Commissioner Polizos and Commissioner Wilson requested to add \$500 each of their discretionary money, for a total of \$2,000 appropriated to BOE, for Academic Banquet for Senior High Schools

NC-2010-103: Town of Pike Road, for 2010 Summer Fest - \$2,000

*C-2010-75: Rescind Appropriation to Montgomery County Recreation Department, for Cleveland Avenue YMCA, for After School Program - \$600

C-2010-76: Montgomery Community Action Agency, for After School Program - \$600

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

ENGINEERING DEPARTMENT – APPROVED BID AWARD FOR TRUCK MOUNTED ASPHALT DISTRIBUTOR, BID AWARD 53100-10B-016

The Administrator presented the following memorandum from Assistant Director of Support Services Pat Silas requesting approval of Bid Award for Truck Mounted Asphalt Distributor:

MEMORANDUM

TO: Donald L. Mims, Administrator

FROM: Pat Silas, Assistant Director
Support Services

DATE: May 14, 2010

SUBJECT: Invitation to Bid No. 53100-10B-016,
Truck Mounted Asphalt Distributor

Request approval of award on the above referenced Invitation to Bid to low bid of Southland International Trucks, in the amount of \$139,799.00, be placed on the agenda for the County Commission meeting on May 24, 2010. (copy of spread sheet attached)

Coordination of award made with Mr. George C. Speake, County Engineer.

Attachment

End of Memorandum

Mr. Polizos made a motion to approve the request. The motion was seconded by Vice Chairman Ingram and unanimously approved by the Commission. (Copy of Spreadsheet, Agenda Page 5-2, is attached to these Minutes.)

DETENTION FACILITY – APPROVED BID AWARD FOR ADMISSION KITS AND INDIGENT HYGIENE KITS, BID AWARD 52200-10C-014

The Administrator presented the following memorandum from Assistant Director of Support Services Pat Silas requesting approval of Bid Award for Admission Kits and Indigent Hygiene Kits:

MEMORANDUM

TO: Donald L. Mims, Administrator

FROM: Pat Silas, Assistant Director of Support Services

DATE: May 13, 2010

SUBJECT: Invitation to Bid No. 52200-10C-014,
Admission Kits and Indigent Hygiene Kits

Request approval of award to low bid, ICS Jail Supplies, Inc., in the amount of \$69.75 per case of 100 for the Admission Kits and \$67.00 per case of 100 for the Indigent Hygiene Kits, based on unit pricing, be placed on the agenda for the County Commission meeting on May 24, 2010. (copy of spread sheet attached)

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

Coordination of award made with Sheriff D.T. Marshall and Colonel Wanda Robinson.

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. (Copy of Spreadsheet, Agenda Page 6-2, is attached to these Minutes.)

COUNTY COMMISSION APPROPRIATIONS – APPROVED BUDGET CHANGE REQUEST NUMBER 21

The Administrator presented Budget Change Request Number 21, 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 21, Agenda Page 7-1, is attached to these Minutes.)

PERSONNEL DEPARTMENT – APPROVED POSITION FILL REQUEST FOR CLERK TYPIST II

The Administrator presented the following memorandum from Personnel Director Barbara M. Montoya requesting approval of Position Fill Request for Clerk Typist II:

MEMORANDUM

To: Donnie Mims, County Administrator

From: Barbara M. Montoya, Personnel Director

Subject: Clerk Typist II Vacancy

Date: May 17, 2010

As we discussed on May 10, 2010, we now have three vacant positions in our office. The first, Employee Relations and Training Specialist, remains authorized, but unfunded. A Clerk Typist II, Tina Harris, resigned in January to accept another position. Although that position is authorized and funded, we did not request to fill the position at that time. A third position, Administrative Secretary, is funded and is vacant as of May 11, 2010. We are not asking to fill that position at this time. In our effort to maintain the level of service to our customers in the most cost efficient way, we are asking to fill the vacant and funded Clerk Typist II position.

I have spoken with Lloyd Faulkner, City Finance Director, and received his approval to go forward. The city will actually fund 80% of this position. The approximate cost to Montgomery County is \$7,256 annually. Thank you very much for your consideration of this request.

End of Memorandum

Mr. Williams made a motion to approve the Position Fill Request. The motion was seconded by Mr. Polizos and unanimously approved by the Commission. (Copy of Position Fill Request, Agenda Page 8-2, is attached to these Minutes.)

VARIOUS DEPARTMENTS – APPROVED TRAVEL/TRAINING REQUESTS (11)

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

<u>DEPARTMENT</u>	<u>TRAVEL/TRAINING REQUESTS</u>
1. District Attorney's Office	Request Numbers 24, 25, and 26
2. Probate Judge's Office	Request Number 13
3. Information Systems	Request Number 8
4. Sheriff's Office	Request Numbers 26, 27, and 28
5. Detention Facility	Request Number 11
6. Youth Facility	Request Number 13

Mr. Williams made a motion to approve the travel/training requests. The motion was seconded by Vice Chairman Ingram and unanimously approved by the Commission. (Copies of Travel/Training Requests, Agenda Pages 9-1 through 9-11, 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:

DISTRICT ATTORNEY'S OFFICE – APPROVED BUDGET CHANGE REQUEST NUMBERS 5, 6, 7, and 8

The Administrator presented Budget Change Request Numbers 5, 6, 7, and 8, District Attorney's Office.

Vice Chairman Ingram made a motion to approve the budget change requests. The motion was seconded by Mr. Williams and unanimously approved by the Commission. (Copies of Budget Change Request Numbers 5, 6, 7, and 8, Agenda Page 10-1 through 10-4, are attached to these Minutes.)

ENGINEERING DEPARTMENT – APPROVED BUDGET CHANGE REQUEST NUMBERS 9 AND 10

The Administrator presented Budget Change Request Numbers 9 and 10, Engineering Department.

Chairman Dean requested that County Engineer George C. Speake explain the need for budget change number 9. He told the Commission that the \$20,000 will be used for the materials and placement of the "Share the Road" signs.

Commissioner Wilson asked County Engineer Speake how long it will take to produce and place the signs. He responded that the time frame would be approximately 30 days.

After discussion, Mr. Williams made a motion to approve the budget change requests. The motion was seconded by Vice Chairman Ingram and unanimously approved by the Commission. (Copies of Budget Change Request Numbers 9 and 10, Agenda Pages 11-1 and 11-2, are attached to these Minutes.)

RISK MANAGEMENT – APPROVED BUDGET CHANGE REQUEST NUMBER 1

The Administrator presented Budget Change Request Number 1, Risk Management.

Vice Chairman Ingram made a motion to approve the budget change request. The motion was seconded by Mr. Williams and unanimously approved by the Commission. (Copy of Budget Change Request Number 1, Agenda Page 12-1, is attached to these Minutes.)

YOUTH FACILITY – APPROVED MEMORANDUM OF UNDERSTANDING WITH MONTGOMERY COUNTY BOARD OF EDUCATION FOR SUMMER SCHOOL PROGRAM

The Administrator presented the following memorandum from Juvenile Detention Director Michael C. Provitt requesting approval of Memorandum of Understanding with Montgomery County Board of Education:

MEMORANDUM

To: Mr. Donald Mims, County Administrator
From: Michael C. Provitt, Detention Director
CC: Bruce R. Howell, Court Administrator, File
Date: 5/19/2010
Re: Summer School Contract

Enclosed please find a proposal for the Montgomery County Commission to enter into a contract to reimburse the Montgomery Public Schools for a teaching unit for the Youth Facility Summer School educational academy. The contract would duplicate previous and similar contracts for the same reasons.

Therefore, it is respectfully requested that the Commission consider this request.

End of Memorandum

Mr. Williams made a motion to approve the Memorandum of Understanding. The motion was seconded by Mr. Polizos and unanimously approved by the Commission. (Copies of Memorandum of Understanding and Memorandum, Agenda Pages 13-2 and 13-3, are attached to these Minutes.)

MONTGOMERY CITY-COUNTY PUBLIC LIBRARY BOARD OF TRUSTEES – APPROVED BOARD MEMBER REAPPOINTMENTS

The Administrator presented the following memorandum from the President of the Library Board of Trustees Thomas McPherson requesting approval of reappointment of board members Ms. Catherine Wright and Rev. Gary Burton:

MEMORANDUM

May 13, 2010

TO: Donnie Mims, Administrator
Montgomery County Commission

FROM: /s/ Thomas McPherson, President
Library Board of Trustees

/s/ Jim Earnhardt, Vice President
Library Board of Trustees

RE: Reappointments to the Library Board of Trustees

The appointed terms on the Montgomery City-County Public Library Board of Trustees for Ms. Catherine Wright and Rev. Gary Burton will expire on June 1, 2010. Both Ms. Wright and Rev. Burton have indicated their desire to be reappointed.

The Library Board of Trustees has approved these names to be submitted for reappointment.

If you require additional information, please contact Jaunita Owes, Library Director, at 240-4300.

Thank you for your consideration.

End of Memorandum

Vice Chairman Ingram made a motion to reappoint Ms. Catherine Wright and Rev. Gary Burton with terms expiring June 1, 2014. The motion was seconded by Mr. Polizos and unanimously approved by the Commission. (Copy of Board Members' Appointment Page, Agenda Pages 14-2 and 14-3, is attached to these Minutes.)

COMMENTS BY COMMISSIONERS AND ATTENDEES

Ms. Aretha Shakoor residing in the Selbrook area addressed the Commission regarding the wooded area behind her house. She informed them that it is overgrown and the excessive trash has created a problem in her yard. She stated that she has had to replace or fix her fence several times. She told the Commission that she had the land owner's name and address and wrote a letter but had not delivered it yet. She stated she wanted to speak to the Commission first to obtain information on what to do and who to speak with to solve the problem. She stated that if you need a city permit to build something, you should be able to get help.

Chairman Dean informed her that if it is private property there was nothing they could do. He asked her for the address and instructed County Engineer George C. Speake to assist her

with this situation. Ms. Shakoor said she resides at 237 Garway Drive, and the property is the wooded area located directly behind her property.

County Engineer Speake told the Commission and Ms. Shakoor that he would look into the issue.

Vice Chairman Ingram told Ms. Shakoor that Engineering should be able to help and that the Sheriff should also be able to help if illegal dumping is taking place.

Chairman Dean told Ms. Shakoor to give County Administrator Mims the name and address of property owner.

Vice Chairman Ingram asked the audience to please pray for the Ridling family. He also requested prayer for a solution to the oil spill which effects tourism and suggested that calls be made to the Elected Officials in Washington D.C. He stated that he appreciates everyone's cooperation regarding the hiring freeze which he will continue to stick with.

Commissioner Williams also requested prayer for the Ridling family. He wished everyone a safe and happy Memorial Weekend, telling everyone to do the right thing.

Commissioner Polizos said good morning and wished everyone a happy Memorial Weekend. He also requested prayer for the Ridling family.

Chairman Dean thanked everyone for attending the meeting. He applauded department heads for handling a tight budget, reminding everyone that the budget will continue to be tight. He stated good managers show up in hard times. He acknowledged Ms. Ellen McNair of the Montgomery Area Chamber of Commerce for assisting in bringing corporate offices and jobs to Montgomery. He stated that though the recession has been felt throughout the Country, it has not been as bad in Montgomery.

Commissioner Wilson expressed his appreciation for what the Chamber is doing for the economic development in Montgomery. He thanked Vice Chairman Ingram for his prayers for the Ridling's daughter.

RECESS TO INFORMATION SESSION

Chairman Dean recessed the Formal Session to the Information Session.

INFORMATION SESSION

COMMENTS FROM SCHEDULED ATTENDEES, STAFF, AND COMMISSIONERS

RECESS TO EXECUTIVE SESSION

County Attorney Gallion explained to the Commission that they needed to go into Executive Session to discuss a commerce or trade matter. (Copy of Letter from Chamber of Commerce Senior Vice President Ellen G. McNair regarding convening the Executive Session, Agenda Page 15-1, is attached to these.) 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 Williams 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 MONTGOMERY COUNTY BOARD OF EDUCATION SUPERINTENDENT BARBARA THOMPSON

Montgomery County Board of Education Superintendent Barbara Thompson briefed the Commission regarding proposed school projects in Montgomery County, including a new high school in east Montgomery. She indicated that she would like to implement an International Baccalaureate school in the east Montgomery high school. She informed the Commission that the International Baccalaureate Program requires additional education training for its teachers which takes approximately two years to complete. Vice Chairman Ingram expressed support for neighborhood schools.

PRESENTATION BY JENNIFER ANDERSON, PLANNER, CENTRAL ALABAMA REGIONAL PLANNING AND DEVELOPMENT COMMISSION

Jennifer Anderson, Planner with Central Alabama Regional Planning and Development Commission, briefed the Commission regarding a grant application, which is due on June 16, 2010, for Rural Transportation for seniors and those with disabilities in areas where public transportation does not exist. Ms. Anderson stated that this was a \$30,000 grant and that the County would need to provide the 20% match of \$6,000. She stated that this service would allow the County to provide transportation on a voucher basis. Ms. Anderson presented an affirmation statement to County Attorney Gallion to review. After discussion, the Commission agreed to place the grant application on the next agenda and to have a public hearing at the next meeting.

COMMENTS FROM COUNTY ATTORNEY GALLION

County Attorney Gallion informed the Commission that the Montgomery County Emergency Management Communications District Board may have been improperly established, and could be in violation of Alabama Code, 1975, Section 11-3-2. Attorney Gallion stated that he would research the matter further and discuss the options at the next meeting.

COMMENTS FROM ADMINISTRATOR MIMS

Administrator Mims stated that he had researched and found that Wanda Hughes, Manager of the Courthouse Café, could bid on catering events for the Montgomery County Commission. The Commission concurred.

RECESS TO EXECUTIVE SESSION

County Attorney Gallion explained to the Commission that they needed to go into Executive Session to discuss pending litigation regarding a personnel matter. (Copy of Letter from County Attorney Gallion regarding convening the Executive Session, Agenda Page 16-1, is 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 Wilson 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

COMMENTS FROM DEPUTY ADMINISTRATOR MITCHELL

Deputy Administrator Mitchell briefed the Commission on a contract with Wells Action In Mailing for postage of County mail. The Commission agreed to place this contract on a future agenda.

Deputy Administrator Mitchell informed the Commission that an elevator consulting proposal would be presented to the Commission at a future meeting.

COMMENTS FROM ADMINISTRATOR MIMS

Administrator Mims informed the Commission that Director of Elections Trey Granger has requested to rent a small postage scale and meter machine from Pitney Bowes to be used for

election and absentee mailing. The Commission agreed that the Elections Center should continue to use the County mailroom.

DISCUSSION BY THE COMMISSION

Chairman Dean and Commissioner Polizos requested overtime reports from Elected Officials and Department Heads.

ADJOURNMENT

Vice Chairman Ingram made a motion to adjourn the meeting of the Montgomery County Commission on May 24, 2010, at 12:22 p.m. The motion was seconded by Commissioner Williams and unanimously approved by the Commission.

05-24-10 Meeting

MONTGOMERY COUNTY COMMISSION

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

CHECKS ARE DATED 05-07-10

Check Number	To	Check Number
207431		207449
Total Checks Paid		\$45,440.63

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

05-24-10 Meeting

MONTGOMERY COUNTY COMMISSION

THE FOLLOWING ACCOUNTS PAYABLE WERE AUDITED AND
ORDERED PAID

CHECKS ARE DATED 05-14-10

Check Number	To	Check Number
207450		207604
Total Checks Paid		\$912,371.05

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

05-24-10 Meeting

MONTGOMERY COUNTY COMMISSION

THE FOLLOWING ACCOUNTS PAYABLE WERE AUDITED AND
ORDERED PAID

CHECKS ARE DATED 05-14-10

Check Number	To	Check Number
207605		207753
Total Checks Paid		\$401,742.15

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

05/24/10 Meeting

MONTGOMERY COUNTY COMMISSION

**THE FOLLOWING TRANSACTIONS WERE AUDITED AND
ORDERED PAID**

**CHECKS ARE DATED
05/21/10**

Payroll Check Number	103379	To	Payroll Check Number	103549	\$ 124,200.18
Direct Deposits					\$ 801,575.96
Payroll Check Number	103550	To	Payroll Check Number	103580	\$ 274,137.40
Direct Deposits					\$ 332,576.33
Federal Deposits					\$ 325,514.06
Total Payroll Paid					\$ 1,858,003.93

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

PUBLIC HEARING LEGAL NOTICE

Agenda

MAY 24 2010

The Montgomery County Sheriff's Office will be holding public hearing to discuss application to the Department of Justice, Justice Assistance Grant for the FY2010. Montgomery County will consider the issue at the County Commission meeting scheduled for 9:00 A.M. on Monday, May 24, 2010. The County Commission will meet at the Montgomery County Administrative Building, 101 S. Lawrence Street. Those wishing to comment may do so at that time.

Mont. Adv. 5/21/10

885199

MONTGOMERY COUNTY SHERIFFS OFFICE

2010 Edward Byrne Memorial Justice Assistance Grant (Local)

The award for this grant totals \$151,521.00 to be shared between the City of Montgomery Police Department and Montgomery County Sheriff's Office at levels that are established in the Memorandum of Understanding that is in effect. The Monies will be divided based upon 60% City and 40% County shares. The Montgomery County Sheriff's Office will be the recipient of 40% of the Assistance Grant Award totaling \$60,608.40. The County has submitted a list of equipment they would like to purchase with JAG Funds.

The Sheriffs Office has requested the below listed replacement equipment for the Sheriffs Office.

<u>PATROL VEHICLE EQUIPMENT</u>			
SHOTGUN & RIFLE MT	\$189.00	54	\$10,206.00
PRINTERS	\$499.00	23	\$11,477.00
SWIPES	\$399.75	25	\$9,993.75
FLOOR JACKS	\$24.99	30	\$749.70
<u>TOTAL</u>			<u>\$32,426.45</u>

<u>OFFICE COMPUTER EQUIPMENT</u>			
TIME STAMP	\$745.00	1	\$745.00
PRINTERS	\$7,389.20	2	\$14,778.40
COMPUTER/PRINTER	\$1,200.00	1	\$1,200.00
<u>TOTAL</u>			<u>\$16,723.40</u>

<u>COURT SECURITY EQUIPMENT</u>			
RACC BELTS	\$995.00	2	\$1,990.00
<u>TOTAL</u>			<u>\$1,990.00</u>

<u>OFFICER SAFETY EQUIPMENT</u>			
VESTS	\$376.00	26	\$9,776.00
<u>TOTAL</u>			<u>\$9,776.00</u>

TOTAL EXPENSES

\$ 60,918.85

The State of Alabama

County of Montgomery

INTERLOCAL COOPERATAION AGREEMENT

by and between

THE CITY OF MONTGOMERY, ALABAMA

and

MONTGOMERY COUNTY, ALABAMA

RELATING TO

2010 BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD

This Interlocal Cooperation Agreement is made and entered into this the ____ day of May 2010, by and between Montgomery County, Alabama, a body corporate and politic of the State of Alabama (hereinafter referred to as "the County") and the City of Montgomery, Alabama, an Alabama municipal body corporate and politic (hereinafter referred to as "the City"), both of whom witnesseth as follows:

WHEREAS, this Agreement is made under the applicable laws of the State of Alabama to enter into agreements setting forth the powers, authorities and responsibilities to be exercised by each of them pursuant to the terms of this Agreement. Each of the City and the County are duly organized, under the laws of the State of Alabama, and each has full power and authority to execute, deliver and perform this Agreement; and

WHEREAS, each governing body, in performing governmental functions or in paying for the performance of governmental functions hereunder, shall make that performance or those payments from current revenues legally available to that party; and

WHEREAS, each governing body finds that the performance of this Agreement is in the best interest of both parties, that the undertaking will benefit the public, and that the division of costs fairly compensates the performing party for the services or functions under this Agreement; and

WHEREAS, the City agrees to pay the County approximately \$60,608.40, which represents 40 percent of the Award.

WHEREAS, the City and the County believe it to be in their best interests to reallocate the JAG funds.

NOW THEREFORE, the parties hereto, intending to be bound by the terms and conditions set forth herein, do hereby agree hereto as follows:

A. Purpose and Findings

This Agreement is made and entered into by the parties hereto in order to define the responsibilities of the City and the County in connection with the 2010 Edward Byrne Memorial Justice Assistance Grant (JAG).

B. Payment of Funds

The City agrees to pay the County approximately \$60,608.40 of the JAG funds awarded. Both parties agree that public notification cost might be deducted from the total amount of the JAG Award. The Award will be issued to the City. The City can then reduce the total award by the cost of public notification, then issue a check made payable to the County for 40 percent of the remaining JAG Award. The disbursement of this award to the County should take place no later than one week of the City's receipt of the JAG Award.

C. Period of Agreement

This Agreement shall remain in effect for one year beginning with the 2010 Byrne Memorial Justice Assistance Grant distribution.

D. Responsibilities

The City is responsible for their use of their portion of the JAG Award. The City is responsible for the administration of their portion of the JAG Award including the disbursement of the funds, monitoring their portion of the award, submitting reports including performance measure and program assessment data. The County has no responsibility or liability as to the City's portion of the JAG Award.

The County is responsible for their use of their portion of the JAG Award. The City is responsible for the administration of their portion of the JAG Award including the disbursement of the funds, assessment data, performance measures and program assessment data. The City shall have no responsibility or liability as to the County's portion of the JAG Award. The County is responsible for sending copies of all receipts and invoices for JAG purchases to the City for auditing purposes. These receipts should be sent as soon as received.

Each party to this Agreement will be responsible for its own actions in providing services under this Agreement and shall not be liable for any civil liability that may arise from the furnishings of the services by the other party.

E. Administrrating Funds

The City agrees not to use any of the JAG Award for costs associated with administering the grant. The City further agrees not to charge the County any fee for administering the JAG Award. The only cost to be deducted from the entire JAG Award is that of public notification.

F. Disparate Certification

The parties both agree that the County is entitled to a disparate allocation.

G. Accounting

Each party shall be responsible for all required accounting of their portion of the JAG Award. The City shall submit all quarterly reports as required by the US Department of Justice, Office of Management and Budget for both City and County Agencies for the entire grant period as well as performance reports.

H. Public Notification

The City is responsible for proper advertising of the receipt of the JAG Award consistent with all applicable rules, statutes and regulations.

I. Imposition of Liability

Nothing in the performance of this Agreement shall impose any liability for claims against the County.

Nothing in the performance of this Agreement shall impose any liability for claims against the City.

J. Third Parties

Nothing herein shall be construed to provide any rights to any third party. The parties to this Agreement do not intend for any third party to obtain a right by virtue of this Agreement.

K. Entire Agreement

By entering into this Agreement, the parties do not intend to create any obligations express or implied other than those set out herein; further, this Agreement shall not create any rights in any party not a signatory hereto.

L. Miscellaneous

If any paragraph or part of a paragraph of this Agreement shall be declared null and void or unenforceable against any of the parties hereto by any court of competent jurisdiction, such declaration shall not affect the validity or enforceability of any other paragraph or portion of this Agreement.

This Agreement shall ensure to the benefit of the City and the County and shall be binding upon the City and the County and their respective successors and assigns.

This Agreement shall be governed as to its validity, construction and performance by the laws of the State of Alabama.

This Agreement may be executed in any number of counterparts, each of which, when so executed and delivered, shall be an original; but such counterparts shall, when taken together, constitute but one and the same agreement.

The descriptive headings of the several paragraphs of this Agreement are inserted for convenience of reference only and do not constitute a part of this Agreement;

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be duly executed as of the day and year first above written.

ATTEST:

CITY OF MONTGOMERY, ALABAMA

City Clerk

APPROVED AS TO FORM

[Signature]
City Attorney

By:

[Signature]
Mayor

ATTEST:

MONTGOMERY COUNTY, ALABAMA

Administrator, Montgomery
County Commission

By:

Chairman, Montgomery County
Commission

ACKNOWLEDGMENT BY THE CITY

STATE OF ALABAMA

MONTGOMERY COUNTY

I, the undersigned, a Notary Public in and for said State and County, hereby certify that Todd Strange and Brenda Blalock whose names, as Mayor and City Clerk, respectively, of the City of Montgomery, are signed to the foregoing Agreement, and who are known to me, as such Mayor and City Clerk, respectively, and with full authority, executed the same voluntarily for and the act of City of Montgomery.

Given under my hand and seal on this the _____ day of May, 2010.

Notary Public

My commission expires: _____

ACKNOWLEDGMENT BY THE COUNTY

STATE OF ALABAMA

MONTGOMERY COUNTY

I, the undersigned, a Notary Public in and for said State and County, hereby certify that _____ and _____ whose names, as Chairman and County Administrator, respectively, of the County Commission of Montgomery County, Alabama, are signed to the foregoing Agreement, and who are known to me, acknowledged before me, that being informed of the contents of said Agreement, they, as such Chairman and County Administrator, respectively, and with full authority, executed the same voluntarily for and the act of County Commission of Montgomery County, Alabama.

Given under my hand and seal on this the _____ day of May, 2010.

Notary Public

My commission expires: _____

**COOPERATIVE AGREEMENT
STATE HOMELAND SECURITY GRANT PROGRAM**

ASSISTANCE ALLOCATION - LETTER OF AGREEMENT

1. Grantee Name & Address: Montgomery County Sheriff's Department 115 S. Perry St Montgomery, AL 36104		2. Issuing Office & Address: Alabama Department of Homeland Security PO Box 304115 Montgomery, AL 36130-4115	
3. FY 2007	4. Amount of Federal \$ 20,150.00 Total \$ 20,150.00	5. Effective Dates Begin: May 1, 2010 End: June 1, 2010	6. Agreement Number ALDHS-10-1047 Grant Numbers (Reporting Categories): 7GSL \$ 20,150.00

Montgomery County Sheriff's Department is herein referred to as the Sub-grantee, the Alabama Department of Homeland Security is herein referred to as AL DHS, and FY2007 is herein referred to as the Agreement Fiscal Year.

1. **Applicable Federal Regulations:** The Subgrantee must comply with the Office of Management and Budget (OMB) Circulars, as applicable: A-21 Cost Principles for Educational Institutions; A-87 Cost Principles for State and Local Governments; A-110 Uniform Administrative Requirements for Grants and Agreements with Institutions; and, A-122 Cost Principles for Non-Profit Organizations. Also, the Subgrantee must comply with the provisions of 28 CFR applicable to grants and cooperative agreements including Part II, Applicability of Office of Management and Budget Circulars; Part 18, Administrative Review Procedure; Part 20, Criminal Justice Information Systems; Part 22, Confidentiality of Identifiable Research and Statistical Information; Part 23, Criminal Intelligence Systems Operating Policies; Part 42, Non-discrimination Equal Employment Opportunity Policies and Procedures; Part 61, Procedures for Implementing the National Environmental Policy Act; Part 63, Floodplain Management and Wetland Protection Procedures; and Part 66 (formerly OMB Circular A-102), Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.

2. **Allowable Costs:** The allowability of costs incurred under any grant shall be determined in accordance with the general principles of allowability and standards for selected cost items as set forth in the applicable OMB Circulars referenced above.

3. **Audit Requirements:** The subgrantee agrees to comply with the requirements of OMB Circular A-133. OMB Circular A-133 indicates that non-federal entities that expend \$500,000.00 or more in a year in Federal awards shall have a single audit conducted for that year. If this expenditure threshold is met or exceeded, you are required to forward a copy of the audit to Alabama Department of Homeland Security no later than nine months after the completion of the fiscal year. Further, records with respect to all matters covered by this grant shall be made available for audit and inspection by federal or AL state auditors, AL DHS personnel and/or any of its duly authorized representatives. The audit report must specifically cite that the report was done in accordance with OMB Circular A-133. The subgrantee agrees to accept these requirements.

4. **Non-Supplanting Agreement:** The subgrantee shall not use grantor funds to supplant state or local funds or other resources that would otherwise have been made available for this program. Further, if a position created by a grant is filled from within, the vacancy created by this action must be filled within 30 days. If the vacancy is not filled within 30 days, the subgrantee must stop charging the grant for the new position. Upon filling the vacancy, the subgrantee may resume charging for the grant position.

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**COOPERATIVE GRANT AGREEMENT
STATE HOMELAND SECURITY GRANT PROGRAM
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5. Project Implementation: The sub-grantee agrees to implement this project within 90 days following the grant award effective date or be subject to automatic cancellation of the grant. Evidence of project implementation must be detailed in the first Biannual Strategy Implementation Report (BSIR).
6. Written Approval of Changes: Any mutually agreed upon changes to this sub-grant must be approved, in writing, by AL DHS prior to implementation or obligation and shall be incorporated in written amendments to this grant. This procedure for changes to the approved sub-grant is not limited to budgetary changes, but also includes changes of substance in project activities and changes in the project director or key professional personnel identified in the approved application.
7. Individual Consultants: Billings for individual consultants/contractors must include at a minimum: a description of services; dates of services; number of hours for services performed; rate charged for services; and, the total cost of services performed. Individual consultant costs must be within the prevailing rates.
8. Bidding Requirements: The sub-grantee must comply with proper competitive bidding procedures as required by 28 CFR Part 66 (formerly OMB Circular A-102) or OMB Circular A-110, as applicable, and pertinent provisions of the Code of Alabama, including, but not limited to, Section 11-47-6.
9. Personnel and Travel Costs: Personnel and travel costs must be consistent with the agency's policies and procedures and must be applied uniformly to both federally financed and other activities of the agency. In the absence of agency regulations, travel costs must not exceed the rate set by state regulation, a copy of which is available upon request. However, at no time can the agency's travel rates exceed the federal rate established by the Internal Revenue Service.
10. Terms of Grant Period: Grant funds may not be obligated prior to the effective date of the grant. The final request for payment must be submitted no later than thirty (30) calendar days after the end of the grant period. Also, any obligation of grant funds dated after the expiration of the grant period will not be eligible for reimbursement.
11. Utilization and Payment of Grant Funds: Funds awarded are to be expended only for purposes and activities covered by the subgrantees approved project plan and budget. Items must be in the sub-grantee's approved grant budget and documented in the budget detail worksheet in order to be eligible for reimbursement. Payments will be adjusted to correct previous overpayments and disallowances or under payments resulting from audit. Grants failing to meet this requirement, without prior written approval, are subject to cancellation.
12. Recording and Documentation of Receipts and Expenditures: Sub-grantee's accounting procedures must provide for accurate and timely recording of receipt of funds by source of expenditures made from such funds and unexpended balances. These records must contain information pertaining to grant awards, obligations, unobligated balances, assets, liabilities, expenditures and program income. Controls must be established which are adequate to ensure that expenditures charged to the sub-grant activities are for allowable purposes. Additionally, effective control and accountability must be maintained for all grant cash, real and personal property and other assets. Accounting records must be supported by such source documentation as cancelled checks, paid bills, payrolls, time and attendance records, contract documents, grant award documents, etc.
13. Financial Responsibility: The financial responsibility of sub-grantees must be such that the sub-grantee can properly discharge the public trust which accompanies the authority to expend public funds. Adequate accounting systems shall meet the following minimum criteria:
 - a. Accounting records should provide information needed to adequately identify the receipt of funds under each grant awarded and the expenditure of funds for each grant;

**COOPERATIVE GRANT AGREEMENT
STATE HOMELAND SECURITY GRANT PROGRAM
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- b. Entries in accounting records should refer to subsidiary records and/or documentation which support the entry and which can be readily located;
- c. The accounting system should provide accurate and current financial reporting information; and,
- d. The accounting system should be integrated with an adequate system of internal controls to safeguard the funds and assets covered, check the accuracy and reliability of accounting data, promote operational efficiency and encourage adherence to prescribed management policies.

14. Property Control:

- a. Effective control and accountability must be maintained for all personal property. Sub-grantees must adequately safeguard all such property and must assure that it is used solely for authorized purposes. Sub-grantees should exercise caution in the use, maintenance, protection and preservation of such property.
- b. Subject to the obligations and conditions set forth in 28 CFR Part 66 (formerly OMB Circular A-102), title to non-expendable property acquired in whole or in part with grant funds shall be vested in the sub-grantee. Non-expendable property is defined as any item having a useful life of more than one year and an acquisition cost of \$5,000 or more per unit.
- c. Use and Disposition: Equipment shall be used by the sub-grantee in the program or project for which it was acquired as long as needed, whether or not the program or project continues to be supported by federal funds. Theft, destruction, or loss of property shall be reported to AL DHS immediately. Property will only be transferred for property disposal if it is certified as no longer serviceable.
- d. Vehicles: The AEL, section 12 (CBRNE Response Vehicles/Prime Movers) indicates that special-purpose vehicles may be purchased and used only for the transport of CBRNE terrorism response equipment and personnel to the incident site. These vehicles may not be used for routine administration or daily operations. Licensing, registration, insurance and other fees are the responsibility of the jurisdiction and are not allowable under this grant. In addition, general purpose vehicles (patrol cars, executive transportation, etc.), fire apparatus and non-CBRNE tactical/armored assault vehicles are not allowable.
- e. Equipment: The sub-grantee agrees that, when practicable, any equipment purchased with grant funding shall be prominently marked as follows: Purchased with funds provided by the U.S. Department of Homeland Security. Stickers displaying the AL DHS logo and the correct verbiage may be obtained by contacting the Alabama Department of Homeland Security.

- 15. Performance: This grant may be terminated or fund payments discontinued by AL DHS where it finds a substantial failure to comply with the provisions of the legislation governing these funds or regulations promulgated, including those grant conditions or other obligations established by AL DHS. In the event the sub-grantee fails to perform the services described herein and has previously received financial assistance from AL DHS, the sub-grantee shall reimburse AL DHS the full amount of the payments made. However, if the services described herein are partially performed, and the sub-grantee has previously received financial assistance, the sub-grantee shall proportionally reimburse AL DHS for payments made.
- 16. Deobligation of Grant Funds: All expenditures of grant funds must be completed and the grant closed out within thirty (30) calendar days of the end of the grant period. Failure to close out the grant in a timely manner will result in an automatic deobligation of the remaining grant funds by AL DHS.
- 17. Americans with Disabilities Act of 1990 (ADA): The sub-grantee must comply with all requirements of the Americans with Disabilities Act of 1990 (ADA), as applicable.

**COOPERATIVE GRANT AGREEMENT
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18. Compliance with Section 504 of the Rehabilitation Act of 1973 (Handicapped): All recipients of federal funds must comply with Section 504 of the Rehabilitation Act of 1973. Therefore, the federal funds recipient pursuant to the requirements of the Rehabilitation Act of 1973 hereby gives assurance that no otherwise qualified handicapped person shall, solely by reason of handicap, be excluded from the participation in, be denied the benefits of or be subject to discrimination, including discrimination in employment, in any program or activity that receives or benefits from federal financial assistance. The recipient agrees it will ensure that requirements of the Rehabilitation Act of 1973 shall be included in the agreements with and be binding on all of its sub-grantee, contractors, subcontractors, assignees or successors.
19. Utilization of Minority Businesses: Sub-grantees are encouraged to utilize qualified minority firms where cost and performance of major contract work will not conflict with funding or time schedules.
20. Political Activity: None of the funds, materials, property or services provided directly or indirectly under this contract shall be used for any partisan political activity, or to further the election or defeat of any candidate for public office, or otherwise in violation of the provisions of the "Hatch Act."
21. Debarment Certification: With the signing of the grant application, the sub-grantee agrees to comply with Federal Debarment and Suspension regulations as outlined in the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion -Lower Tier Covered Transactions" form.
22. Drug-Free Workplace Certification: This Certification is required by the Federal Drug-Free Workplace Act of 1988. The federal regulations, published in the January 31, 1989, Federal Register, require certification by state agency sub-grantees that they will maintain a drug-free workplace. The certification is a material representation of fact upon which reliance will be placed when AL DHS determines to award the grant. False certification or violation of the certification shall be grounds for suspension of payments, suspension or termination of the grant, or government-wide suspension or debarment.
23. Publications: The sub-grantee agrees that all publications created with funding under this grant shall prominently contain the following statement: "This Document was prepared under a grant from the Office of Grants & Training (G&T), FEMA. Points of view or opinions expressed in this document are those of the authors and do not necessarily represent the official position or policies of G&T or the U.S. Department of Homeland Security". The sub-grantee also agrees that one copy of any such publication will be submitted to AL DHS to be placed on file and distributed as appropriate to other potential sub-grantees or interested parties. AL DHS may waive the requirement for submission of any specific publication upon submission of a request providing justification from the sub-grantee.
24. Closed-Captioning of Public Service Announcements: Any television public service announcement that is produced or funded in whole or in part by any agency or instrumentality of the federal government shall include closed captioning of the verbal content of such announcement.
25. Fiscal Regulations: The fiscal administration of grants shall be subject to such further rules, regulations and policies concerning accounting and records, payment of funds, cost allowability, submission of financial reports, etc., as may be prescribed by AL DHS Guidelines or "Special Conditions" placed on the grant award.
26. Compliance Agreement: The sub-grantee agrees to abide by all Terms and Conditions including "Special Conditions" placed upon the grant award by AL DHS. Failure to comply could result in a "Stop Payment" being placed on the grant.
27. Leasing of Space: Requests to lease space for any purpose must be coordinated in advance with AL DHS at annual program briefings and documented/approved in budget detail worksheets.
- a. Equipment Storage: Rental or leasing of space for a newly acquired allowable equipment items is allowable. Grant funds may be used to cover only the portion of the rental/lease period that occurs during the grant project period. Supplanting of previously planned or budgeted activities is strictly prohibited.

Initial Here D.C.

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b. Exercises: Rental or leasing of space for design, development, conduct and evaluation of exercises is allowable. This includes the costs related to the rental of space/locations for both exercise planning and conduct.

c. Office Space: Leasing of office space is generally not authorized. In certain cases, it may be approved based on the requirements for hiring new personnel. The request to lease space for new personnel must be coordinated in advance with AL DHS. If approved, the total cost of space may not exceed the rental cost of comparable space and facilities in a privately-owned building in the same locality. Information to demonstrate that a comparison was conducted by the sub-grantee regarding current market costs for space in the same locale should be made available upon request by the State Administrating Agency (SAA) or its representative for audit purposes. The cost of space procured for program usage may not be charged to the program for periods of non-occupancy. Rent cannot be paid if the building is owned by the sub-grantee or if the sub-grantee has a substantial financial interest in the property. The total square footage covered by the lease, total square footage being charged to the grant (based on the amount needed for program implementation) and the cost per square foot agreement must be provided to the SAA (AL DHS). A copy of the signed lease agreement must be submitted to the SAA before reimbursement is made for space. Please note that the grant can only be charged for the grant's portion of rental costs. The grant cannot be used for mortgage payments as this is unallowable.

28. Suspension or Termination of Funding: AL DHS may suspend, in whole or in part, and/or terminate funding for or impose another sanction on a sub-grantee for any of the following reasons:

a. Failure to comply substantially with the requirements or statutory objectives of the 2003 Omnibus Appropriations Act issued there under, or other provisions of Federal Law.

b. Failure to adhere to the requirements, standard conditions or special conditions of this grant, including property accountability and vehicle usage.

c. Proposing or implementing substantial program changes to the extent that, if originally submitted, the agreement would not have been approved for funding.

d. Failure to submit reports on a semi-annual basis and as otherwise required.

e. Filing a false certification in this application or other report or document.

f. Other good cause shown.

29. Incident Management System (NIMS): The State met the NIMS compliance requirements in order to receive FY09 homeland security grant funding. All jurisdictions and agencies are therefore eligible to receive FY09 homeland security grant funding.

a. In order to receive FY10 and future federal homeland security and EMPG grant funding, all primary emergency support function state agencies, counties, cities, towns, local responder agencies, and volunteer fire departments must now enroll in NIMSCAST and make a good faith effort toward NIMS implementation. The deadline for the county submission/roll-up was September 2, 2009.

b. In accordance with US DHS NIMS guidance, AL DHS may prescribe the manner of NIMS reporting within the NIMSCAST system. Two options are possible: (1) a county office may establish one central NIMSCAST account, maintaining training records and reporting NIMS statistics for all municipalities and agencies within the county, or (2) a county office may establish the primary NIMSCAST account with sub-accounts for each city, town, local responder agency, and volunteer fire department in the county and with separate reporting by each activity. To meet the NIMS compliance requirement within Alabama, AL DHS requires NIMSCAST sub-accounts with separate reporting.

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Initial Here D.C.

**COOPERATIVE GRANT AGREEMENT
STATE HOMELAND SECURITY GRANT PROGRAM
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30. Alabama Mutual Aid System Agreement (AMAS): When funding is provided for Alabama Mutual Aid System (AMAS) related activities, the sub-grantee agrees to remain a party to the AMAS program.
31. Budget Detail Worksheet:
- a. The sub-grantee agrees to submit a Budget Detail Worksheet to the Alabama Department of Homeland Security (AL DHS) and must await formal approval of the worksheet in writing from AL DHS prior to obligating funds, making commitments, or purchasing any of the items requested. The worksheet submitted by the sub-grantee will provide a complete and detailed description of the items (equipment, training, and exercises) to be purchased and will also provide a valid estimate of the actual quantities and costs involved. Care should be taken to ensure the items requested on the worksheet are allowable in accordance with the US DHS grant guidance, and if equipment, listed on the current version of the Authorized Equipment List (AEL). Copies of the fiscal year grant guidance and the current version of the AEL are available on the AL DHS web site at www.homelandsecurity.alabama.gov. Additionally, a revised worksheet must be submitted for addition or deletion of items from the original worksheet. If additions, deletions, or changes in cost total \$1000.00 or more, a new sign-off sheet by stakeholders is also required.
 - b. Electronic copies of budget detail worksheet must be submitted within 60 days of receipt of this grant. The electronic budget detail worksheet is a requirement in addition to the paper copies that may have been submitted previously.
 - c. Special Instructions: The sub-grantee agrees to spend the appropriate percentages of this grant in compliance with US DHS grant guidance and AL DHS special instructions with regard to law enforcement and the US DHS highest priorities. Additionally, the amount to be spent and the percentage for the expenditures will be documented in a letter and attached to the budget detail worksheet for law enforcement and the US DHS highest priorities (i.e., addressing capability requirements and measuring progress in achieving the national preparedness guidelines, strengthening preparedness planning, maximizing info sharing through the network of Fusion Centers, enhancing health and medical readiness and preparedness, strengthening IED attack deterrence, prevention, and protection and strengthening preventive radiological/nuclear detection).
32. Metropolitan Medical Response System (MMRS):
- a. For MMRS grants, councils must be established and meet on an appropriate periodic basis in accordance with the council charter. In addition to appropriate local officials and stakeholders, the council membership must also include a representative from the State Department of Public Health.
 - b. Detailed budget worksheets will document program expenses as prescribed in other sections of the grant guidance. Detailed budget worksheets will be prepared and provided to AL DHS for approval in advance of spending in order to document the annual plan and to ensure that MMRS funds are used in accordance with MMRS program guidelines.
 - c. The MMRS leadership shall ensure that local strategic goals, objectives, operational capabilities, and resource requirements align with State and Urban Area Homeland Security Strategies. Critical factors in planning are to ensure that (a) the MMRS Jurisdiction has an applicable and up to date plan for responding to a mass casualty incident caused by any hazards; and (b) applicable procedures and operational guides to implement the response actions are within the local plan.
33. Homeland Security Exercises: All exercises conducted with HSGP funding must be NIMS compliant and must be executed in accordance with the Homeland Security Exercise and Evaluation Program (HSEEP). The Alabama Emergency Management Agency serves as the single point of contact for homeland security and emergency management related exercises within the state. All exercises must be coordinated in advance with Sam Guerrero or the designated AEMA exercise point of contact in advance of the exercise planning cycle. The AEMA POC must be kept informed during each step of the exercise process. In accordance with HSGP grant guidance, grant recipients must ensure that an After Action

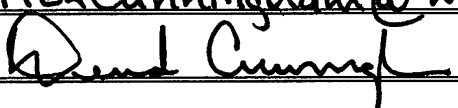
**COOPERATIVE GRANT AGREEMENT
STATE HOMELAND SECURITY GRANT PROGRAM
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Report and an Improvement Plan are prepared for each exercise conducted with US DHS and FEMA support (grant funds and direct support). The two reports must be submitted to the FEMA secure portal within 60 days following each exercise.

34. Overtime and Backfill: Sub-grantees must read and comply with the funding restrictions provided in FY09 HSGP grant guidance (e.g., Part IV, E, pages 34-41; Part VIII, pages 63-65; and pages 76-80). A summary of the funding restrictions pertaining to overtime is provided below. All requests for overtime must be coordinated in advance and approved by AL DHS.
- a. Organizational Overtime: Overtime costs are allowable for personnel to participate in information, investigative, and intelligence sharing activities specifically related to homeland security and specifically requested by a Federal agency. Allowable costs are limited to overtime associated with Federally requested participation in eligible fusion activities including anti-terrorism task forces, Joint Terrorism Task Forces (JTTFs), Area Maritime Security Committees (as required by the Maritime Transportation Security Act of 2002), DHS Border Enforcement Security Task Forces, and Integrated Border Enforcement Teams.
- b. Operational Overtime: In support of efforts to enhance capabilities for detecting, deterring, disrupting, and preventing acts of terrorism, operational overtime costs are allowable for increased security measures at critical infrastructure sites during DHS-declared periods of increased security (under the present system, this is defined as Orange or Red threat levels). Subject to these elevated threat level conditions, FY 2009 HSGP funds for organizational costs may be used to support select operational expenses associated with increased security measures at critical infrastructure sites (see page 37, FY09 HSGP grant guidance). Consumable costs, such as fuel expenses are *not allowed* except as part of the standard National Guard deployment package.
35. Construction and Renovation: The use of HSGP funds for construction and renovation is generally prohibited unless it is a necessary component of a security system at a designated critical infrastructure facility or unless it involves erection of communications towers included in the interoperable communications plan. Construction and renovation projects must be coordinated in advance with AL DHS at annual program briefings and documentation/approved in budget detail worksheets. Additionally, subgrantees must provide to the SAA (AL DHS) appropriate documentation required by HSGP grant guidance for forwarding to FEMA prior to draw down of funds. Subgrantees must also refer to and comply with FEMA information bulletin #271, Environmental Planning and Historic Preservation Requirements for Grants.
36. Special Instructions: These funds are to be used to purchase (8) Laptop MDT's.

CERTIFICATION BY COUNTY HOMELAND SECURITY POINT OF CONTACT (POC)

I certify that I understand and agree to comply with the general and fiscal provisions of this grant application including the terms and conditions; to comply with provisions of the regulations governing these funds and all other federal and state laws; that all information presented is correct; that there has been appropriate coordination with affected agencies; that I am duly authorized by the Applicant to perform the tasks of Project Director as they relate to the requirements of this grant application; that costs incurred prior to Grantee approval may result in the expenditures being absorbed by the subgrantee; and, that the receipt of these grant funds through the Grantee will not supplant state or local funds.

Name:	Derrick Cunningham
Title:	Chief Deputy
Agency Address:	115 South Perry St Montgomery, AL 36104
Phone Number:	(334) 832-1646
Fax Number:	(334) 832-7113
Mobile Number:	(334) 850-1329
E-Mail Address:	DerrickCunningham@mc-ala.org
Signature:	 Date: 5/5/10

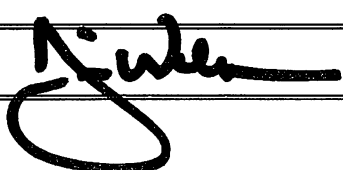
CERTIFICATION BY COUNTY OFFICIAL AUTHORIZED TO SIGN

I certify that I understand and agree to comply with the general and fiscal provisions of this grant application including the terms and conditions; to comply with provisions of the regulations governing these funds and all other federal and state laws; that all information presented is correct; that there has been appropriate coordination with affected agencies; that I am duly authorized by the Applicant to perform the tasks of the Official Authorized to Sign as they relate to the requirements of this grant application; that costs incurred prior to Grantee approval may result in the expenditures being absorbed by the subgrantee; and, that the receipt of these grant funds through the Grantee will not supplant state or local funds.

Name:	
Title:	
Agency Address:	
Phone Number:	
Signature:	Date:

**NOTE: THE POC AND THE COUNTY OFFICIAL AUTHORIZED TO SIGN CANNOT BE THE SAME PERSON.
STAFF BEING FUNDED UNDER THIS GRANT MAY NOT BE ANY OF THE ABOVE OFFICIALS
WITHOUT AL DHS APPROVAL.**

CERTIFICATION BY STATE HOMELAND SECURITY ADVISOR

Name:	James M. Walker, Jr.
Title:	Director, Alabama Department of Homeland Security
Signature:	 Date:

CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under the applicable CFR covering New Restrictions on Lobbying, Government-wide Debarment and Suspension (Non-procurement) and Government-wide Requirements for Drug-Free Workplace (Grants). The certifications shall be treated as a material representation of fact upon which reliance will be placed when the State Funding Agency (SCEMD) determines to award the covered transaction, grant or cooperative agreement.

1. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented by the applicable CFR, for persons entering into a grant or cooperative agreement over \$100,000, as defined by the applicable CFR, the applicant certifies that:

- A. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;
- B. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form -- LLL, "Disclosure of Lobbying Activities," in accordance with its instructions;
- C. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all subrecipients shall certify and disclose accordingly.

2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS (SUB-RECIPIENT)

As required by Executive Order 12549, Debarment and Suspension, and implemented under the applicable CFR, for prospective participants in primary covered transactions, as defined in the applicable CFR --

A. The applicant certifies that it and its principals:

- (1) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;
- (2) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (3) Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph A(2) of this certification; and
- (4) Have not within a three-year period preceding this application had one or more public transactions (Federal, State or local) terminated for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

**CERTIFICATION REGARDING LOBBYING; DEBARMENT, SUSPENSION AND OTHER
RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS**

**3. A. DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS) -- APPLICABLE TO GRANTEEES
RECEIVING \$50,000 OR MORE AND ALL STATE AGENCIES REGARDLESS OF GRANT AMOUNT.**

As required by the Federal Drug-Free Workplace Act of 1988 and implemented under the applicable CFR for grantees --

The applicant certifies that it will or will continue to provide a drug-free workplace by:

- (1) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- (2) Establishing an on-going drug-free awareness program to inform employees about --
 - (a) The dangers of drug abuse in the workplace;
 - (b) The grantee's policy of maintaining a drug-free workplace;
 - (c) Any available drug counseling, rehabilitation and employee assistance programs, and
 - (d) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- (3) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (1);
- (4) Notifying the employee in the statement required by paragraph (1) that, as a condition of employment under the grant, the employee will --
 - (a) Abide by the terms of the statement; and
 - (b) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
- (5) Notifying the agency, in writing within 10 calendar days after receiving notice under subparagraph (4)(b), from an employee or otherwise receiving actual notice of such conviction. Employers or convicted employees must provide notice, including position title, to the State Funding Agency. Notice shall include the identification number(s) of each affected grant;
- (6) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (4)(b), with respect to any employee who is so convicted --
 - (a) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - (b) Requiring such employee to participate satisfactorily in a drug abuse assistance rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
- (7) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (1), (2), (3), (4), (5) and (6).

**B. DRUG-FREE WORKPLACE (GRANTEES WHO ARE INDIVIDUALS) -- APPLICABLE TO GRANTEEES
RECEIVING \$50,000 OR MORE.**

As required by the Federal Drug-Free Workplace of 1988, and implemented under the applicable CFR for grantees --

- A. As a condition of the grant I certify that I will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant; and
 - B. If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, I will report the conviction, in writing, within 10 calendar days of the conviction to the State Funding Agency.
-

ACCEPTANCE OF AUDIT REQUIREMENTS

We agree to have an audit conducted in compliance with OMB Circular A-133, if required. If a compliance audit is not required, at the end of each audit period we will certify in writing that we have not expended the amount of federal funds that would require a compliance audit (\$500,000). If required, we will forward for review and clearance a copy of the completed audit(s) to the following:

Alabama Department of Homeland Security
Accounting Office
Post Office Box 304115
Montgomery, Alabama 36130-4115

The following is information on the next organization-wide audit which will include this agency:

1. *Audit Period:	Beginning		Ending		
2. Audit will be submitted to AL DHS Accounting Office by:					
				(Date)	

NOTE: The audit or written certification must be submitted to AL DHS, *no later than the ninth month after the end of the audit period.*

Additionally, we have or will notify our auditor of the above audit requirements prior to performance of the audit for the period listed above. We will also ensure that, if required, the entire grant period will be covered by a compliance audit which in some cases will mean more than one audit must be submitted. We will advise the auditor to cite specifically that the audit was done in accordance with OMB Circular A-133.

Any information regarding the OMB Circular audit requirements will be furnished by AL DHS, upon request.

***NOTE: The Audit Period is the organization's fiscal or calendar year to be audited.**

Failure to complete this form will result in your grant award being delayed and/or cancelled.

Form Completed By
Name:

Title:

Signature:

2-12
Initial Here: DC

2010 MEMORANDUM OF AGREEMENT

among

MONTGOMERY COUNTY COMMISSION

CITY OF MONTGOMERY, ALABAMA

and

**HAUSTED PATIENT HANDLING
SYSTEMS, LLC**

This **2010 MEMORANDUM OF AGREEMENT** is hereby made and entered into on this the ____ day of _____, 2010 by and among **MONTGOMERY COUNTY COMMISSION, MONTGOMERY, ALABAMA** (the "County"), the **CITY OF MONTGOMERY** (the "City") and **HAUSTED PATIENT HANDLING SYSTEMS, LLC ("HAUSTED")**, a Delaware corporation.

WHEREAS, the County and the City enthusiastically support and encourage business and industrial development; and,

WHEREAS, **HAUSTED** has determined to open corporate offices in Montgomery, Alabama; and,

WHEREAS, this 2010 Memorandum of Agreement is expected to result in the creations of 45 full time jobs; and,

WHEREAS, the County and the City have made specific proposals to **HAUSTED**; and,

WHEREAS, the parties hereto are desirous of having such proposals set forth in this valid, binding and enforceable agreement to set forth the framework for establishing a working partnership among the County, the City and **HAUSTED**; and,

WHEREAS, the County and the City have determined that it is in the best public interest of each to enter into this Agreement with **HAUSTED**; and,

WHEREAS, on the Effective Date the commitments contained in this Agreement shall become legally binding obligations of the County and the City, which commitments are made in consideration for **HAUSTED** creating 45 full time jobs in Montgomery, Alabama.

NOW, THEREFORE, upon and in consideration for the mutual promises and covenants contained herein and for other valuable consideration, the receipt, adequacy and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. SCHEDULE AND TERM FOR PAYMENT OF INCENTIVE INSTALLMENTS

1.1 Payment of Incentive Installments. The County and the City agree to jointly contribute an incentive payments for a total amount of \$150,000 to **HAUSTED**. The County will be responsible for 40% of the incentive payment and the City will be responsible for 60% of the incentive payment at the following times:

(a) The County and the City each hereby agree to pay an initial incentive in the total amount of \$50,000 to be funded at project announcement as determined by **HAUSTED**; and

(b) **HAUSTED** shall certify by letter to the County and the City at the time that **HAUSTED** reaches employment of 45 full time jobs in Montgomery. At that time, the County and the City each hereby agree to pay a second incentive in the total amount of \$100,000.

1.2 Term of Full Time Employment. **HAUSTED** must maintain the employment of at least 45 full time jobs in Montgomery for a period of twenty-four (24) months.

2. REPAYMENT OF INCENTIVE INSTALLMENTS

For purposes of the 2010 Memorandum of Agreement, failure of **HAUSTED** to comply with the terms set out above in paragraph 1.2, shall result in the cancellation of the 2010 Memorandum of Agreement and **HAUSTED** shall be required to repay all incentive monies to the County and the City within one hundred eighty (180) days. By mutual agreement, the County and City may extend the term and requirements of this agreement to **HAUSTED** for a period of twelve months.

3. MISCELLANEOUS

3.1 Governing Law. The governing law of this Agreement shall be the law of the State of Alabama.

3.2 Severability. In case any one or more of the provisions contained in this Agreement should be invalid, illegal or unenforceable in any respect and for any reason whatsoever, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired thereby. In the event any such provision is held to be invalid, illegal or unenforceable, the parties hereto shall make their best efforts to agree on a provision in substitution for such invalid, illegal or unenforceable provision that is as near in economic benefit as possible to the provision found to be invalid, illegal or unenforceable.

3.3 Notices. All communications and/or notices expressly provided herein shall be sent, by registered first class mail, postage prepaid or by a nationally recognized overnight courier for delivery on the following business day or by facsimile (to be confirmed promptly in writing sent by mail or overnight courier as aforesaid), as follows:

HAUSTED PATIENT HANDLING:

Jerry G. Silvertooth
President & CEO
Hausted Patient Handling Systems, LLC
2511 Midpark Road
Montgomery, AL 36109

MONTGOMERY COUNTY COMMISSION:

Honorable Elton N. Dean
Donald Mims, Administrator
Montgomery County Commission
Post Office Box 1667
Montgomery, Alabama 36102
Fax: (334) 832-2533

CITY OF MONTGOMERY: Mayor Todd Strange
City of Montgomery
Post Office Box 1111
Montgomery, Alabama 36101

With copies to: Ellen McNair
Senior Vice President, Corporate Development
Montgomery Area Chamber of Commerce
P.O. Box 79
Montgomery, Alabama 36101
Fax: (334) 265-4745

City Attorney
City of Montgomery
Post Office Box 1111
Montgomery, Alabama 36101

3.4 No Consequential Damages. Neither the County nor the City shall be liable to **HAUSTED** in any event for any indirect, incidental, punitive, special or consequential damages, including loss of revenue or profit, cost of capital, regardless of how such damages arise.

3.5 Entire Agreement. This 2010 Memorandum of Agreement, and any addendums to this Agreement shall constitute the entire agreement and understanding among the parties and no other offers, agreements, understandings, warranties, or representations exist between the County and the City and **HAUSTED**.

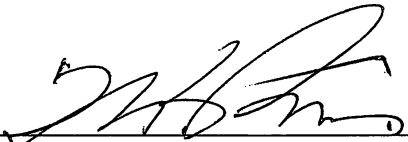
3.6 Term of Agreement. The term of the 2010 Memorandum of Agreement shall commence on _____ and continue in effect through _____ unless otherwise extended as agreed upon by the parties as provided above in paragraph 2.

WHEREFORE, the parties hereto have executed this Agreement as of the date first written above.

(Signature and notary pages following)

CITY OF MONTGOMERY, ALABAMA

DATE: 5/12/10

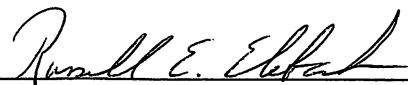
By 
Todd Strange
Mayor

STATE OF ALABAMA)

COUNTY OF MONTGOMERY)

Before me, the undersigned, a Notary Public, in and for said county, in said state, personally appeared Todd Strange, as Mayor of the City of Montgomery, Alabama whose name is signed to the foregoing 2010 Memorandum of Agreement, and who is known to me, being first duly sworn, acknowledged before me on this day that, being informed of the contents of said Agreement, makes oath that he, as such official and with full authority, has read the foregoing Agreement and knows the contents thereof, executed the same voluntarily for and as the act of said City of Montgomery, Alabama on this date.

Subscribed and sworn to before me on this the 12th day of May, 2010.


Notary Public

My Commission Expires: RUSSELL E. ELEBASH
Notary Public, State of Alabama At Large
My Commission Expires December 15, 2010

MONTGOMERY COUNTY COMMISSION

DATE: _____

By: _____
Honorable Elton N. Dean
Chairman

STATE OF ALABAMA)

COUNTY OF MONTGOMERY)

Before me, the undersigned, a Notary Public, in and for said county, in said state, personally appeared Honorable Elton N. Dean of the Montgomery County Commission, whose name is signed to the foregoing 2010 Memorandum of Agreement, and who is known to me, being first duly sworn, acknowledged before me on this day that, being informed of the contents of said Agreement, makes oath that he, as such official and with full authority, has read the foregoing Agreement and knows the contents thereof, executed the same voluntarily for and as the act of said Montgomery County Commission on this date.

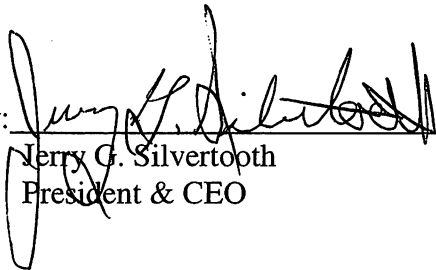
Subscribed and sworn to before me on this the ____ day of _____, 2010.

Notary Public

My Commission Expires: _____

HAUSTED PATIENT HANDLING SYSTEMS, LLC

DATE: 5/12/2010

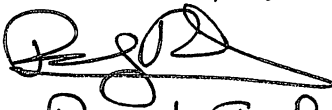
By: 
Jerry G. Silvertooth
President & CEO

STATE OF ALABAMA)

COUNTY OF MONTGOMERY)

Before me, the undersigned, a Notary Public, in and for said county, in said state, personally appeared before me, as President/CEO of **HAUSTED PATIENT HANDLING SYSTEMS, LLC** whose name is signed to the foregoing 2010 Memorandum of Agreement, and who is known to me, being first duly sworn, acknowledged before me on this day that, being informed of the contents of said Agreement, makes oath that he, as such official and with full authority, has read the foregoing Agreement and knows the contents thereof, executed the same voluntarily for and as the act of said limited liability company on this date.

Subscribed and sworn to before me on this the 12 day of May, 2010.


Paul J. Redhead
Notary Public

My Commission Expires: August 2011

MAY 24 2010

BUDGET FORM 5

MONTGOMERY COUNTY COMMISSION

BUDGET CHANGE REQUEST

REQUEST NUMBER 21

DEPARTMENT: County Commission Appropriations REVIEWED: S. Thomas 5/19/2010
 DATE: 5/19/2010 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
City of Montgomery	008-57200.418	0	28,445	28,445
East Montgomery Baseball	008-57200.450	0	7,500	7,500
Park Improvements	008-57200.532	75,000	-35,945	39,055
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
TOTAL		75,000	0	75,000

JUSTIFICATION:

To provide funding to the City of Montgomery for parking lot improvements at Catoma Park ball field, and to East Montgomery Baseball & Softball Inc. for field lights at Angels field.

POSITION FILL REQUEST

DEPARTMENT: Personnel

DEPARTMENT HEAD: Barbara M. Montoya

SUPERVISOR: Karen Cason

COMPLETED ACTION DATES

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

1. POSITION TITLE: Clerk Typist II (0012)

POSITION NUMBER: 700012026

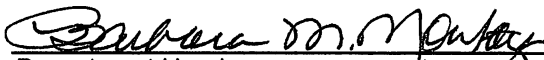
PROPOSED EFFECTIVE DATE: 5/3/10

TYPE OF APPOINTMENT (X) Permanent () Temporary

RECRUITING

- () PROMOTIONAL REGISTER () TRANSFER
(X) OPEN COMPETITIVE REGISTER () REEMPLOYMENT

PAY GRADE: A03 24,414 Step 1


Department Head

Date

2 ADMINISTRATIVE REVIEW

- () APPROVED
() DISAPPROVED

Funding Authority

3 CERTIFICATION

Promotional	_____	Candidates
Open-Competitive	_____	Candidates
Transfer	_____	Candidates

Personnel Director

Date

4 SELECTEE:

Appointing Authority

Date

5 () Manpower data entered by _____

Date

() Payroll entered by _____

Date

Montgomery County Commission
Travel / Training Request Approval

Appendix C

Agenda

MAY 24 2010

Request # 24

Date: May 18, 2010

To: Donald L. Mims, Administrator

From: Ellen Brooks

Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Orange Beach, AL

Departure Date: July 15, 2010

Return Date: July 16, 2010

Conference Leave (Days / Hours): 2 Days

Purpose of Travel: To Attend: ADAA Summer Conference

Traveler (s) Name: 1. Ellen Brooks 4. _____
2. _____ 5. _____
3. _____ 6. _____

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

Total (est.) Cost: \$270.00 Advance Registration Required: \$0.00

Department Name: District Attorney Fund Name: 001-51261-265

Additional Comments: Ms Brooks would like the option of using either vehicle

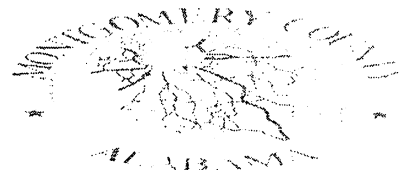
To: Ellen Brooks

From: Donald L. Mims, Administrator

The above request is app. 05/24/10 reimbursement of actual and necessary expenses in the
approximate amount of \$270.00 and advance registration of \$0.00 is authorized.

<i>To be completed by the Finance Department</i>	
Fund Code:	<u>001-51261-265</u> (ex: 000-00000-000)
Description:	<u>Registration & Training</u>
Current Budget:	<u>\$2,000.00</u>
Approved Requests:	<u>\$60.00</u>
Budget Available:	<u>\$1,940.00</u>
Current Requests:	<u>\$270.00</u>
Budget Balance:	<u>\$1,670.00</u>

Donald L. Mims, Administrator



Reviewed by: S. Thomas

Date: 5/19/2010

cc: Finance Director / Buyer

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Montgomery County Commission
Travel / Training Request Approval

Appendix C

Agenda

MAY 24 2010

Request # 25

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

Request approval to be granted for the following:

Destination: Orange Beach, AL
Departure Date: July 15, 2010 Return Date: July 18, 2010
Conference Leave (Days / Hours): 4 Days
Purpose of Travel: To Attend: ADAA Summer Conference

Traveler (s) Name: 1. Daryl Bailey 4. _____
2. Cameron McEwen 5. _____
3. _____ 6. _____

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

Total (est.) Cost: \$2,846.00 Advance Registration Required: \$750.00

Department Name: District Attorney Fund Name: 760-51260-265

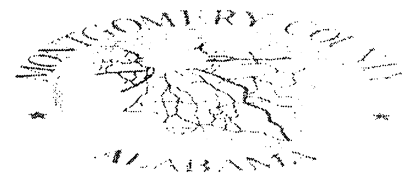
Additional Comments: _____

To: Ellen Brooks
From: Donald L. Mims, Administrator

The above request is app. 05/24/10 reimbursement of actual and necessary expenses in the
approximate amount of \$2,846.00 and advance registration of \$750.00 is authorized.

<i>To be completed by the Finance Department</i>	
Fund Code:	<u>760-51260-265</u> (ex: 000-00000-000)
Description:	<u>Registration & Training</u>
Current Budget:	<u>\$44,380.00</u>
Approved Requests:	<u>\$10,044.00</u>
Budget Available:	<u>\$34,336.00</u>
Current Requests:	<u>\$2,846.00</u>
Budget Balance:	<u>\$31,490.00</u>

Donald L. Mims, Administrator



Reviewed by: S. Thomas

Date: 5/19/2010

cc: Finance Director / Buyer

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Montgomery County Commission
Travel / Training Request Approval

Appendix C

Agenda

MAY 24 2010

Request # 26

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

Request approval to be granted for the following:

Destination: Orange Beach, AL
Departure Date: July 15, 2010 Return Date: July 18, 2010
Conference Leave (Days / Hours): 4 Days
Purpose of Travel: To Attend: ADAA Summer Conference

Traveler (s) Name: 1. John L Kachelman, III 4. _____
2. Calvin L Williams 5. _____
3. _____ 6. _____

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

Total (est.) Cost: \$2,846.00 Advance Registration Required: \$750.00

Department Name: District Attorney Fund Name: 760-51260-292

Additional Comments: Weed & Seed Grant

To: Ellen Brooks
From: Donald L. Mims, Administrator

The above request is app. 05/24/10 reimbursement of actual and necessary expenses in the
approximate amount of \$2,846.00 and advance registration of \$750.00 is authorized.

<i>To be completed by the Finance Department</i>		
Fund Code:	<u>760-51260-292</u>	(ex: 000-00000-000)
Description:	<u>Grant Expense</u>	
Current Budget:	<u>\$168,000.00</u>	
Approved Requests:	<u>\$16,829.76</u>	
Budget Available:	<u>\$151,170.24</u>	
Current Requests:	<u>\$2,846.00</u>	
Budget Balance:	<u>\$148,324.24</u>	

Donald L. Mims, Administrator



Reviewed by: S. Thomas

Date: 5/19/2010

cc: Finance Director / Buyer

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Montgomery County Commission
Travel / Training Request Approval

Appendix C

Agenda

MAY 24 2010

Request # 13

Date: May 18, 2010
To: Donald L. Mims, Administrator
From: Judge Reese McKinney, Jr.
Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Orange Beach, AL
Departure Date: June 20, 2010 Return Date: June 23, 2010
Conference Leave (Days / Hours): 3 Days
Purpose of Travel: to attend the Alabama Probate Judges Association 2010 Summer Conference

Traveler (s) Name: 1. Reese McKinney, Jr. 4. _____
2. Caron Young 5. _____
3. _____ 6. _____

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

Total (est.) Cost: \$3,038.00 Advance Registration Required: \$650.00

Department Name: Probate Fund Name: General/Motor Vehicle

Additional Comments: _____

To: Judge Reese McKinney, Jr.
From: Donald L. Mims, Administrator

The above request is app. 05/24/10 reimbursement of actual and necessary expenses in the
approximate amount of \$3,038.00 and advance registration of \$650.00 is authorized.

<i>To be completed by the Finance Department</i>		
Fund Code:	<u>001-51300-265 783-51350-265</u>	
Description:	Registration & Training	Registration & Training
Current Budget:	<u>\$4,000.00</u>	<u>\$3,000.00</u>
Approved Requests:	<u>\$3,512.00</u>	<u>\$450.00</u>
Budget Available:	<u>\$488.00</u>	<u>\$2,550.00</u>
Current Requests:	<u>\$488.00</u>	<u>\$2,550.00</u>
Budget Balance:	<u>\$0.00</u>	<u>\$0.00</u>

Donald L. Mims, Administrator



Reviewed by: S. Thomas

Date: 5/19/2010

cc: Finance Director / Buyer

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Montgomery County Commission
Travel / Training Request Approval

Appendix C

Agenda

MAY 24 2010

Request # 8

Date: May 13, 2010

To: Donald L. Mims, Administrator

From: Lou Ialacci

Re: Travel / Training Request

Request approval to be granted for the following:

Destination: AUM Advanced Training Group

Departure Date: June 28, 2010

Return Date: July 2, 2010

Conference Leave (Days / Hours): 5 Days

Purpose of Travel: Training for Microsoft SCCM server

Traveler (s) Name: 1. Michael Nummy 4. _____
2. _____ 5. _____
3. _____ 6. _____

Check Mode of Transportation:

County Vehicle

☐
☒

Commercial Air

☐
☐

Private Vehicle

Other (Specify)

Total (est.) Cost: \$1,600.00

Advance Registration Required: \$0.00

Department Name: Information Systems

Fund Name: General

Additional Comments: _____

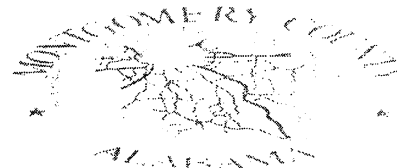
To: Lou Ialacci

From: Donald L. Mims, Administrator

The above request is app. 05/24/10 reimbursement of actual and necessary expenses in the approximate amount of \$1,600.00 and advance registration of \$0.00 is authorized.

To be completed by the Finance Department	
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>\$13,331.08</u>
Budget Available:	<u>\$6,668.92</u>
Current Requests:	<u>\$1,600.00</u>
Budget Balance:	<u>\$5,068.92</u>

Donald L. Mims, Administrator



Reviewed by: S. Thomas

Date: 5/17/2010

cc: Finance Director / Buyer

9.5

Montgomery County Commission
Travel / Training Request Approval

Appendix C

Agenda

MAY 24 2010

Request # 26

Date: May 13, 2010

To: Donald L. Mims, Administrator

From: Sheriff D. T. Marshall

Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Gulf Shores, Alabama

Departure Date: September 19, 2010

Return Date: September 22, 2010

Conference Leave (Days / Hours): 4 days

Purpose of Travel: 2010 Alabama FBI NAA Statewide Conference

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

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

Total (est.) Cost: \$725.00 Advance Registration Required: \$130.00

Department Name: Sheriff's Office Fund Name: General (001-52110-265)

Additional Comments: _____

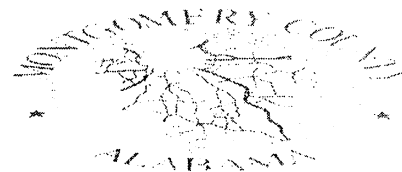
To: Sheriff D. T. Marshall

From: Donald L. Mims, Administrator

The above request is app. 05/24/10 reimbursement of actual and necessary expenses in the
approximate amount of \$725.00 and advance registration of \$130.00 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>\$10,712.84</u>
Budget Available:	<u>\$9,287.16</u>
Current Requests:	<u>\$725.00</u>
Budget Balance:	<u>\$8,562.16</u>

Donald L. Mims, Administrator



Reviewed by: S. Thomas

Date: 5/13/2010

cc: Finance Director / Buyer

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Montgomery County Commission
Travel / Training Request Approval

Appendix C

Agenda

MAY 24 2010

Request # 27

Date: May 14, 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: June 13, 2010 Return Date: June 17, 2010
Conference Leave (Days / Hours): 40 hours
Purpose of Travel: Pandemic Influenza Planning and Preparedness

Traveler (s) Name: 1. Corporal Fred Johnson 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)

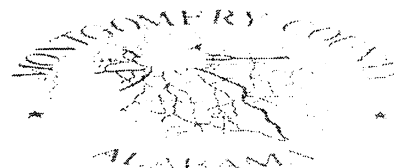
Additional Comments: There will be no expenses involving this travel.

To: Sheriff D. T. Marshall
From: Donald L. Mims, Administrator

The above request is app. 05/24/10 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 (ex: 000-00000-000)</u>
Description:	<u>Registration & Training</u>
Current Budget:	<u>\$20,000.00</u>
Approved Requests:	<u>\$11,437.84</u>
Budget Available:	<u>\$8,562.16</u>
Current Requests:	<u>\$0.00</u>
Budget Balance:	<u>\$8,562.16</u>

Donald L. Mims, Administrator



Reviewed by: S. Thomas

Date: 5/17/2010

cc: Finance Director / Buyer

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Montgomery County Commission
Travel / Training Request Approval

Appendix C

Request # 28

Agenda

MAY 24 2010

Date: May 14, 2010

To: Donald L. Mims, Administrator

From: Sheriff D. T. Marshall

Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Meridian, MS

Departure Date: June 8, 2010

Return Date: June 11, 2010

Conference Leave (Days / Hours): 4 days

Purpose of Travel: Proactive Criminal Patrol

Traveler (s) Name: 1. Deputy Timothy Heath

4. _____

2. _____

5. _____

3. _____

6. _____

Check Mode of Transportation:

County Vehicle

☒

Commercial Air

☐

Private Vehicle

☐

Other (Specify)

☐

Total (est.) Cost: \$35.00

Advance Registration Required: \$0.00

Department Name: Sheriff's Office

Fund Name: General (001-52110-265)

Additional Comments:

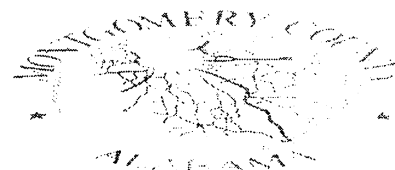
To: Sheriff D. T. Marshall

From: Donald L. Mims, Administrator

The above request is app. 05/24/10 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>\$11,437.84</u>
Budget Available:	<u>\$8,562.16</u>
Current Requests:	<u>\$35.00</u>
Budget Balance:	<u>\$8,527.16</u>

Donald L. Mims, Administrator



Reviewed by: S. Thomas

Date: 5/17/2010

cc: Finance Director / Buyer

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Montgomery County Commission
Travel / Training Request Approval

Appendix C

Agenda

MAY 24 2010

Request # 11

Date: May 12, 2010
To: Donald L. Mims, Administrator
From: Wanda J. Robinson, Director
Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Orange Beach, AL
Departure Date: October 12, 2010 Return Date: October 15, 2010
Conference Leave (Days / Hours): 3 days
Purpose of Travel: Alabama Jail Association Fall Conference

Traveler(s) Name: 1. Wanda Robinson 4. _____
2. Teresa Matthews 5. _____
3. _____ 6. _____

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

Total (est.) Cost: \$450.00 Advance Registration Required: \$30.00

Department Name: Sheriff (MCDF) Fund Name: General

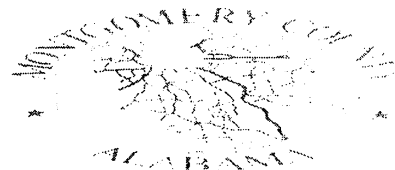
Additional Comments: Registration will be paid from the 2010 budget, other costs from 2011 budget.

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

The above request is app. 05/24/10 reimbursement of actual and necessary expenses in the
approximate amount of \$450.00 and advance registration of \$30.00 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>\$12,297.00</u>	
Budget Available:	<u>\$7,703.00</u>	
Current Requests:	<u>\$30.00</u>	
Budget Balance:	<u>\$7,673.00</u>	

Donald L. Mims, Administrator



Reviewed by: S. Thomas

Date: 5/12/2010

cc: Finance Director / Buyer

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Montgomery County Commission
Travel / Training Request Approval

Appendix C

Request # 13

Agenda

MAY 24 2010

Date: May 13, 2010
To: Donald L. Mims, Administrator
From: Bruce R. Howell
Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Mobile, Al.
Departure Date: May 25, 2010 Return Date: May 26, 2010
Conference Leave (Days / Hours): 2 days
Purpose of Travel: attend JDAI (Casey Foundation) Probation Workshop, Mobile Juvenile Court

Traveler (s) Name: 1. Beverly Riddle Wise 4. Annie Smalls
2. Ron McKitt 5. Wade Morgan
3. Patricia Strickland 6. Jamie Burnett

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

Total (est.) Cost: \$2,500.00 Advance Registration Required: _____

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

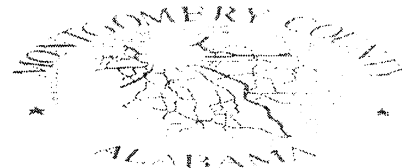
Additional Comments: This is paid for out of the JDAI training money received from AOC

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

The above request is app. 05/24/10 reimbursement of actual and necessary expenses in the
approximate amount of \$2,500.00 and advance registration of \$0.00 is authorized.

<i>To be completed by the Finance Department</i>		
Fund Code:	<u>001-52603-265</u>	(ex: 000-00000-000)
Description:	<u>Registration & Training</u>	
Current Budget:	<u>\$10,000.00</u>	
Approved Requests:	<u>\$1,346.00</u>	
Budget Available:	<u>\$8,654.00</u>	
Current Requests:	<u>\$2,500.00</u>	
Budget Balance:	<u>\$6,154.00</u>	

Donald L. Mims, Administrator



Reviewed by: S. Thomas

Date: 5/13/2010

cc: Finance Director / Buyer

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Montgomery County Commission
Travel / Training Request Approval

Appendix C

Agenda

MAY 24 2010

Request # 7

Date: May 11, 2010

To: Donald L. Mims, Administrator

From: Barbara M. Montoya, Director

Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Seattle, Washington

Departure Date: October 2, 2010

Return Date: October 7, 2010

Conference Leave (Days / Hours): 4 days

Purpose of Travel: 2010 IPMA-HR International Training Conference

Traveler (s) Name: 1. Barbara Montoya 4. _____
2. _____ 5. _____
3. _____ 6. _____

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

Total (est.) Cost: \$1,995.00 Advance Registration Required: \$600.00

Department Name: Personnel Fund Name: Merit System

Additional Comments: Registration will be paid from the 2010 budget, other from the 2011 budget.

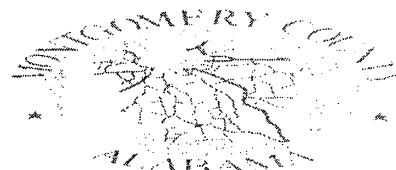
To: Barbara M. Montoya, Director

From: Donald L. Mims, Administrator

The above request is app. 05/24/10 reimbursement of actual and necessary expenses in the
approximate amount of \$1,995.00 and advance registration of \$600.00 is authorized.

<i>To be completed by the Finance Department</i>		
Fund Code:	<u>123-51961-265</u>	(ex: 000-00000-000)
Description:	<u>Registration & Training</u>	
Current Budget:	<u>\$15,000.00</u>	
Approved Requests:	<u>\$3,531.00</u>	
Budget Available:	<u>\$11,469.00</u>	
Current Requests:	<u>\$600.00</u>	
Budget Balance:	<u>\$10,869.00</u>	

Donald L. Mims, Administrator



Reviewed by: S. Thomas

Date: 5/11/2010

cc: Finance Director / Buyer

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MAY 24 2010

BUDGET FORM 5

MONTGOMERY COUNTY COMMISSION

BUDGET CHANGE REQUEST

REQUEST NUMBER 5

DEPARTMENT:	District Attorney-Pre Trial	REVIEWED:	S. Thomas	5/19/2010
DATE:	5/19/2010	Finance Director		Date
REQUESTED BY:	Ellen Brooks	APPROVED:		
Elected Official/Dept. Head		Administrator		Date

ACCOUNT NAME	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE (DECREASE)	REVISED BUDGET
Drug Testing	001-51263-156	5,000	-2,500	2,500
Office Supplies	001-51263-211	5,000	2,385	7,385
Telephone	001-51263-251	250	115	365
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
TOTAL		10,250	0	10,250

JUSTIFICATION:

To Cover Increase In Expenses

MAY 24 2010

BUDGET FORM 5

MONTGOMERY COUNTY COMMISSION BUDGET CHANGE REQUEST REQUEST NUMBER 6

DEPARTMENT:	District Attorney-Solicitors	REVIEWED:	S. Thomas	5/19/2010
DATE:	5/19/2010	Finance Director		Date
REQUESTED BY:	Ellen Brooks	APPROVED:		
Elected Official/Dept. Head		Administrator		Date

ACCOUNT NAME	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE (DECREASE)	REVISED BUDGET
Cellular Service	760-51260-255	500	1,000	1,500
Surety Bonds	760-51260-273	370	500	870
Office of Prosecution Exp	760-51260-292	168,000	-12,500	155,500
Legal Services	760-51260-305	2,250	1,000	3,250
Professional Services	760-51260-307	50,000	10,000	60,000
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
TOTAL		221,120	0	221,120

JUSTIFICATION:

To Cover Increase In Expenses

MAY 24 2010

BUDGET FORM 5

MONTGOMERY COUNTY COMMISSION BUDGET CHANGE REQUEST

REQUEST NUMBER 7

District Attorney-Worthless
DEPARTMENT: Check REVIEWED: S. Thomas 5/19/2010
DATE: 5/19/2010 Finance Director Date
REQUESTED BY: Ellen Brooks APPROVED: _____
Elected Official/Dept. Head Administrator Date

ACCOUNT NAME	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE (DECREASE)	REVISED BUDGET
Office Supplies	761-51262-211	13,000	-500	12,500
Telephone	761-51262-251	750	500	1,250
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
TOTAL		13,750	0	13,750

JUSTIFICATION:

To Cover Increase In Expenses

MAY 24 2010

BUDGET FORM 5

MONTGOMERY COUNTY COMMISSION

BUDGET CHANGE REQUEST

REQUEST NUMBER 8

DEPARTMENT:	District Attorney	REVIEWED:	S. Thomas	5/19/2010
DATE:	5/19/2010	Finance Director		Date
REQUESTED BY:	Ellen Brooks	APPROVED:		
Elected Official/Dept. Head		Administrator		Date

ACCOUNT NAME	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE (DECREASE)	REVISED BUDGET
Telephone	001-51261-251	1,800	1,500	3,300
Postage	001-51261-252	7,000	-1,500	5,500
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
TOTAL		8,800	0	8,800

JUSTIFICATION:

To Cover Increase In Expenses

MAY 24 2010

BUDGET FORM 5

MONTGOMERY COUNTY COMMISSION BUDGET CHANGE REQUEST

REQUEST NUMBER 9

DEPARTMENT:	Engineering	REVIEWED:	S. Thomas	5/13/2010
			Finance Director	Date
REQUESTED BY:	George C. Speake	APPROVED:		
	Elected Official/Dept. Head 5/13/2010		Administrator	Date

ACCOUNT NAME	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE (DECREASE)	REVISED BUDGET
Fund Balance	111-35900-000	0	(20,000)	
Rd. Bldg. Mat. & Supplies	111-53199-213	174,400	20,000	194,400
TOTAL		174,400	0	194,400

JUSTIFICATION:

Cost of Phase I "Share The Road" Signage for Montgomery County Bike Routes

MAY 24 2010

BUDGET FORM 5

MONTGOMERY COUNTY COMMISSION BUDGET CHANGE REQUEST

REQUEST NUMBER 10

DEPARTMENT: Engineering REVIEWED: S. Thomas 5/19/2010
Finance Director Date
REQUESTED BY: George C. Speake APPROVED: _____
Elected Official/Dept. Head 5/19/2010 Administrator Date

ACCOUNT NAME	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE (DECREASE)	REVISED BUDGET
Construction Equipment	111-53100-561	217,690	(139,799)	77,891
Construction Equipment	111-53199-561	169,307	139,799	309,106
TOTAL		386,997	0	386,997

JUSTIFICATION:

Transfer from the Construction Equipment Code to cover the purchase of 1 - Truck Mounted Asphalt Distributor for Construction

MAY 24 2010

BUDGET FORM 5

MONTGOMERY COUNTY COMMISSION BUDGET CHANGE REQUEST

REQUEST NUMBER 1

DEPARTMENT: Risk Management REVIEWED: S. Thomas 5/19/2010
Finance Director Date
REQUESTED BY: Scott Kramer APPROVED: _____
Elected Official/Dept. Head Date Administrator Date

ACCOUNT NAME	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE (DECREASE)	REVISED BUDGET
Workers Comp - Admin. Exp.	004-51996-499	90,000	(70,000)	20,000
W/Comp - Medical Services	004-51996-158	100,000	70,000	170,000
TOTAL		190,000	0	190,000

JUSTIFICATION:

To cover additional medical payments for workers compensation claims.

**MEMORANDUM OF UNDERSTANDING
FOR
TEMPORARY EMPLOYMENT**

This Memorandum of Understanding is hereby entered into by and between the Montgomery Public Schools and the Montgomery County Commission (hereafter referred to as the "Commission") for the purpose of paying the wages and benefits of one teaching unit for summer school 2010 at the Montgomery County Youth Facility. Montgomery Public Schools and the Commission agree that the employment of a teacher is temporary beginning June 7, 2010. The employment will be for twenty hours (20) per week for seven (7) weeks at a rate of \$25.00 for the teacher for a total of \$ 3,500.00. Fringe benefits for the employee are in the amount of \$712.25. Supplies total \$ 125.00. The sum total is \$ 4,337.25. The Commission agrees to pay Montgomery Public Schools on a monthly basis. Each monthly payment will be made payable to Montgomery Public Schools (attn: Ron Glover) and mailed to P.O. Box 176, Montgomery, Alabama 36101-176.

The Montgomery Public Schools and the Commission further agrees that this Memorandum in no way represents permanent employment. The Montgomery Public Schools and the Commission may terminate the Memorandum of Understanding without penalty by providing all parties with a seven (7) day written notice.

Mr. Ron Glover for Montgomery Public Schools

Date

Mr. Elton Dean, Sr, Chairman
Montgomery County Commission

Date

Hon. Charles Price, Presiding Circuit Judge
Montgomery Family Court

Date

Montgomery County Youth Facility
1111 Airbase Boulevard * Montgomery, AL 36108 * 334-261-4100, Ext. 297

Memo

To: Bruce Howell, Chief Probation Officer
Montgomery County Youth Facility

From: Tom Barker, Education Administrator
Montgomery County Youth Facility
Montgomery Public Schools

Date: 15 April 2010

Re: Montgomery County Youth Facility
Proposed Summer School Budget 2010

The following resources will be needed to ensure a productive Summer School Program.

(1) Teacher

One Teacher @ \$25.00/hour for 20 hours per week for seven weeks = \$ 3,500.00

Fringe Benefit amount @ 20.35% x \$3,500.00 = \$ 712.25

Fringe Benefit = \$712.25 = \$3,500.00 per Teacher unit = \$ 4,212.25

Supplies @ \$125.00 x 1 Teacher = \$ 125.00

Grand Total for Seven Weeks = ***\$ 4,337.25***

TB/awp

Montgomery City-County Public Library
Board of Trustees
2008 -2009 Directory

*

Gary Burton, President
County Appointment
13812 U.S. Hwy 31
Hope Hull, AL 36043
Phone H #288-7414
Phone W #281-9439
Cell #315-2235 Fax #281-9419
garyburton1@charter.net
Term Expires: June 1, 2010

Katie Bell, Treasurer
City Appointment
3613 Winterset Court
Montgomery, AL 36111
Phone H #284-1800
Cell #318-1509
Fax #284-4002
katierb@charter.net
Term Expires: June 1, 2012

*

Catherine Wright
County Appointment
3865 Colline Drive
Montgomery, AL 36106
Phone W #420-4252 H #277-9956
Cell #315-6854
cwright@trenholmtech.cc.al.us
Term Expires: June 1, 2010

Sylvia Harper
City Appointment
8549 Wexford Trace
Montgomery, AL 36117
Phone W #265-1594 H #207-2144
Cell #207-2144
sharper@centralalabamaoic.com
Term expires: September 21, 2013

William Fain
County Appointment
7029 Mid Pines Circle
Montgomery, AL 36117
Cell #398-3344
wtfain@charter.net
Term Expires: June 1, 2011

Jim Earnhardt, Vice President
City Appointment
4013 Meredith Drive
Montgomery, AL 36109
Phone H #279-8859 W #261-1525
jme@knology.net (H)
jearnhardt@gannett.com (W)
Term Expires: June 1, 2013

Thomas McPherson
County Appointment
321 N. Anton Drive
Montgomery, AL 36105
Phone H #834-9636
Phone W #264-7919 F #264-7917
edrs@knology.net
Term Expires: June 1, 2012

Caroline Novak
City Appointment
P.O. Box 4433
Montgomery, AL 36103
Phone W #264-2806
Fax #279-1543
caroline@aplusala.org
Term Expires: September 21, 2012

Amy Knudsen
County Appointment
3500 Eastern Blvd
Montgomery, AL 36116
Phone W #244-2587
Amy.Knudsen@aronov.com
Term Expires: June 1, 2012

Janet Waller
City Appointment
2307 Allendale Place
Montgomery, AL 36111
Phone H #264-8923
Cell #504-250-1219
jmwall@earthlink.net
Term Expires: September 21, 2010

Lynda Borden
County Appointment
1595 Peake Road
Ramer, AL 36069
Phone H #584-9294
Term Expires: June 1, 2013

Paulette Moncrief
County Appointment
4216 Green Meadow Drive
Montgomery, AL 36108
Phone W #834-0033 H #288-5584
Cell #399-2456
pmoncrief@montgomerycommaction.com
Term Expires: June 1, 2013

Bruce Pickette
President, Friends of the Library
7801 Wynlakes Blvd.
Montgomery, AL 36117
Phone H #273-4680
pickette@att.net

Jaunita Owes, Library Director
City-County Public Library
P.O. Box 1950
245 High Street
Montgomery, AL 36102-1950
Phone #240-4300
Fax #240-4977
jowes@mccpl.lib.al.us

Eddie Johnson
City Appointment
P.O. Box 302101
Montgomery, AL 36104
Phone W #242-9960
ejohnson@alsde.edu
Term expires: June 21, 2011

Chester Mallory
City Appointment
P.O. Box 6056
Montgomery, AL 36106
Phone W #262-7773
Cell #303-4802
cmallory@mindspring.com
Term expires September 21, 2010

Kenneth Coleman
City Appointment
P.O. Box 160
Montgomery, AL 36101-0160
Phone W #832-3301
Cell #850-4213
kecoleman@southernco.com
Term expires: September 21, 2012

Vivian White, Asst. Director
City-County Public Library
P.O. Box 1950
245 High Street
Montgomery, AL 36102-1950
Phone #240-4300
Fax #240-4977
vwhite@mccpl.lib.al.us

4 Year Terms

Library Home Page
<http://www.mccpl.lib.al.us>
4/28/09

Agenda

MAY 24 2010

2010 MAY 26 AM 9:53

MONTGOMERY COUNTY
COMMISSION

May 24, 2010

Members of the Montgomery County Commission
101 S. Lawrence Street
Montgomery, AL 36104

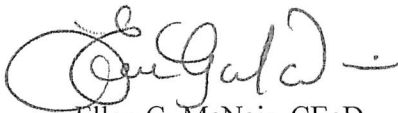
Re: Opinion on Applicability of Executive Session

Dear Montgomery County Commission Members:

Please be advised that I have reviewed the commerce or trade matter which the Montgomery County Commission proposes to discuss in executive session. It is my opinion that an executive session is authorized for this discussion under Section 7(a)(7) of Act No. 2005-40, and that it will have a detrimental effect upon the competitive position of the Montgomery County Commission.

Pursuant to Section 7(a)(7) of Act No. 2005-40, a copy of this letter should be attached to the minutes of the County Commission meeting wherein the body considers a motion to convene an executive session to discuss this matter.

Sincerely,

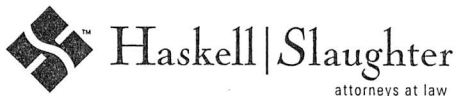


Ellen G. McNair, CEcD
Senior Vice President
Corporate Development



BUILDING BUSINESS. BUILDING THE River REGION.

15-1



Haskell Slaughter Young & Rediker, LLC
1400 Park Place Tower
2001 Park Place North
Birmingham, Alabama 35203
t. 205.251.1000 | f. 205.324.1133

Haskell Slaughter Young & Gallion, LLC
305 South Lawrence Street
Montgomery, Alabama 36104
Post Office Box 4660
Montgomery, AL 36103-4660
t. 334.265.8573 | f. 334.264.7945

J. Vernon Patrick, Jr.

Bert S. Nettles
Wyatt R. Haskell
William M. Slaughter
J. Michael Rediker
Frank M. Young, III
Robert E. Lee Garner
Benjamin B. Spratling III
Thomas T. Gallion, III
Thomas L. Krebs
J. Mark Hart
Mark E. Ezell
Thomas E. Reynolds
Ross N. Cohen
John M. Fraley
Constance C. Walker
Gwen L. Windle
Michael K.K. Choy
Allen R. Trippier, Jr.
R. Scott Williams

F. Lane Finch, Jr.
Mark D. Hess
William K. Holbrook
C. Dennis Hughes
Patricia C. Diak
N. Andrew Rotenstreich
Peter J. Tepley
Brennan C. Ohme
Joseph L. Cowan II
Kimberly L. Hager
S. Jason Nabors
Jamie A. Johnston

David R. Baker
Leo Kayser
Peyton D. Bibb, Jr.
William W. Horton
Charles M. Elmer
Michael C. Skotnicki
Dorothy R. Drake
Theresa A. Tkacik

Matthew T. Franklin
Page A. Poerschke
Khristi Doss Driver
John H. McEniry, IV
Meredith Jowers Lees
Latanishia D. Watters
John S. Steiner
Paul W. Fowler
Laura Ellen Lewis
Vincent J. Graffeo
Reginald L. Jeter
Felicia A. Long

Agenda

MAY 24 2010

Respond to Montgomery Address

Date: 5-24-2010

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

Re: Executive Session to Discuss Pending Litigation

Re: Bev Dept - Personal

Dear Mr. Mims:

Please inform the Commissioners that I reviewed the matter on which the County Commission is considering convening an executive session for discussion with me as the County Attorney. It is my opinion that this matter involves pending litigation should the Commissioners proceed in a certain course of action; therefore, this matter is appropriate for executive session under Act No. 2005-40 § 7(a)(3).

Pursuant to the Act, a copy of this letter should be attached to the minutes of the County Commission meeting wherein the body considers a motion to convene an executive session to discuss this matter.

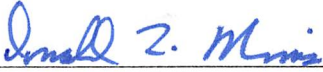
Sincerely,

Thomas T. Gallion, III

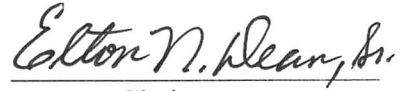
50051-317
#22,333

ADJOURNMENT

There being no further business to come before the Commission at this time, the meeting stood adjourned until Monday, June 14, 2010, at 8:00 in the morning.



Administrator



Chairman