

MINUTES OF REGULAR MEETING
MONTGOMERY COUNTY COMMISSION

January 12, 2009

INFORMATION SESSION

Chairman Strange called the Meeting to Order at 8:00 a.m. The meeting was held at the Montgomery County Administration Building, Courthouse Annex I.

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 and reviewed items on the agenda.

DISCUSSION ITEMS BY COMMISSIONERS

Chairman Strange briefed the Commission regarding the Revenue Reports for the Month of December 2008, which represents the sales for November 2008. Chairman Strange informed the Commission that approximately \$300,000 of County revenue, was inadvertently sent to the State of Alabama Department of Revenue. He noted that with the additional money, the County is in a better financial situation than anticipated. Chairman Strange stated that the Commission should continue to enforce the hiring freeze and the reduction in overtime, but not enforce the 10% budget reduction at this time. He suggested that the Commission continue monitoring the Revenue Reports each month. The Commissioners concurred.

Chairman Strange stated that Mr. Tom Gardner, with the Montgomery Community Action Agency, had recommended Glenn Crumpton for appointment to the Montgomery Community Action Agency Board. Chairman Strange informed the Commission that Mr. Crumpton is his son-in-law and he would not be involved in the voting of this item.

Commissioner Williams briefed the Commission regarding the Trail of Tears Commemorative Motorcycle Ride. Proceeds will go to the ASU Scholarship Fund. After discussion, the Commission agreed to defer this item until the next meeting.

Chairman Strange informed the Commission that Peter R. McCoy, President of Freedom Forums, Inc. had requested a \$500 appropriation from each Commissioner. He noted that each Commissioner appropriated \$500 last year.

Chairman Strange informed the Commission that Executive Director Aieda Harris, with Empowering Communities Helping Ourselves (ECHO), requested a \$5,000 appropriation from the Commission. Chairman Strange requested a \$1,000 miscellaneous appropriation be added to the agenda from his account for this purpose.

Chairman Strange and Commissioner Polizos requested a \$1,000 appropriation be added to the agenda from each of their accounts for the 5th Annual Unity Games. Commissioner Ingram requested a \$500 miscellaneous appropriation be added from his account for the same purpose.

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

PRESENTATION BY DIRECTOR OF ELECTIONS TREY GRANGER

Director of Elections Trey Granger informed the Commission that the Election Center has been awarded a Help American Vote Act (HAVA) Grant, from the Alabama Secretary of State. He explained that the grant is a reimbursement grant for improving the accessibility of elections to individuals with disabilities, and there is no cost to the County. Mr. Granger stated that a Purchase Order for Rocker Switches and a Bid Award for AutoMark Tables appear on the agenda, and the cost of this equipment would be reimbursed by the grant.

PRESENTATION BY DISTRICT ATTORNEY ELLEN BROOKS

District Attorney Ellen Brooks requested that the Commission approve a grant application to the U.S. Department of Justice, Office on Violence Against Women (OVW) for a grant under the Encourage Arrest Policies and Enforcement of Protection Orders Program. Ms. Brooks stated that the grant would be of no cost to the County. Ms. Brooks discussed plans to use this grant to form a Family Justice Center and co-locate victim services into one location. Ms. Brooks requested that the Commission sign a building lease contingent on obtaining the grant. After discussion, the Commission agreed to waive rules and add these items to the agenda.

Ms. Brooks inquired as to when the office on the 3rd Floor of Annex II would be available for use by the Pre-Trial Diversion Program. The Commission informed Ms. Brooks that it would be available this week.

DISCUSSION ITEMS BY COMMISSIONERS

Chairman Strange inquired about the Bid Award to Armstrong Relocation in the amount of \$17,000, for moving office and records to Annex III, which was on the agenda. After discussion, the Commission agreed to consider awarding the bid to Armstrong Relocation.

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

Jackie Bushman, CEO and Lewis Figh, CFO, President with Buckmasters briefed the Commissioners regarding the 2009 Buckmasters Expo. Mr. Bushman stated that approximately 30,000 people attended the 2008 event and many vendors and visitors stayed in the hotels

downtown. Mr. Bushman requested an appropriation from the Commission to help fund this year's event. The Commission agreed to consider funding the request at the next meeting.

DISCUSSION ITEMS BY COMMISSIONERS

Commissioner Polizos requested a \$3,500 miscellaneous appropriation be added to the agenda from his account for the Snowdown Volunteer Fire Department for equipment.

The Commission agreed to waive rules and add this item to the agenda.

COMMENTS FROM ADMINISTRATOR MIMS

Administrator Mims informed the Commission that County Parks and Recreation Board had recommended approval of a grant application to the National Recreation and Park Association for the ACHIEVE Healthy Communities Grant and related Letter of Support. Administrator Mims stated that the purpose of the program is to implement Community Gardens at each of the County Park sites and teach the citizens how to grow their own gardens. He stated that the grant is for a one-time payment of \$30,000 and required no match.

Deputy Administrator Mitchell presented a proposed Professional Services Contract with Walter Hopkins Company in the amount of \$700 per day, not to exceed \$4,200 for supervising and directing the move of County Archives to Montgomery County Courthouse Annex III.

After discussion, the Commission agreed to waive rules and add these items to the agenda.

PRESENTATION BY COUNTY ENGINEER GEORGE SPEAKE

County Engineer George Speake discussed a letter from John E. Hall, Jr., requesting to have the County convey all rights and interests in an abandoned county road at Cecil in front of the John E. Hall and Son Store. Chairman Strange asked Administrator Mims to set up a meeting this week with Mr. Hall, County Engineer Speake, Commissioner Ingram and himself to further review this request.

Mr. Speake updated the Commission regarding the Pike / Vaughn Road intersection project. He stated that the contractor plans to resume work on January 13th, if favorable weather continues as forecasted. Mr. Speake indicated that recent rainy weather had delayed work progress and the weather conditions will control the estimated completion date.

Mr. Speake informed the Commission that progress on the Wasden Road resurfacing project has also been slowed due to the recent rains. Mr. Speake stated that the contractor plans to resume work on Wasden Road some time this week depending upon weather conditions.

RECESS TO FORMAL SESSION

Chairman Strange recessed the Information Session to the Formal Session.

FORMAL SESSION

Chairman Strange welcomed everyone to the Formal Session.

The meeting was opened with Prayer led by Commissioner Williams.

The Pledge of Allegiance was led by Vice Chairman Dean.

County Administrator Mims called Roll to Establish Quorum, and the following Commissioners were present: Chairman Strange, Vice Chairman Dean and Members Ingram, Polizos, and Williams. Also present were County Attorney Thomas T. Gallion, III, and County Engineer Speake.

Mr. Ingram made a motion to approve the Minutes of the Regular Meeting of December 22, 2008. The motion was seconded by Mr. Williams and unanimously approved by the Commission.

CONSENT AGENDA

Chairman Strange 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 Chairman Strange. 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.)

NEW BUSINESS

COUNTY COMMISSION APPROVED BOARD MEMBERS' APPOINTMENTS TO THE MONTGOMERY COMMUNITY ACTION AGENCY BOARD

The Administrator presented the following memorandum requesting approval of Board Members' Appointments to the Montgomery Community Action Agency Board:

January 8, 2009

MEMORANDUM

TO: Montgomery County Commission

FROM: Donald L. Mims
County Administrator

SUBJECT: Montgomery Community Action Agency Board Appointments

The County Commission, during its meeting on December 22, 2008, discussed the four vacancies on the Montgomery Community Action Agency Board and instructed me to contact Mr. Tom Gardner regarding his recommendations.

Attached is an email containing Mr. Gardner's recommendation of the reappointments of Mr. Addre Bryant, Mr. Willie Parker and Dr. John Alford. There is one additional vacancy on the board and Chairman Strange has recommended that Mr. Glenn Crumpton be appointed to this position.

I am requesting that the Commission approve these four individuals for appointment to this Board. The term of these appointments runs concurrent with that of the existing County Commission

Attachments

End of Memorandum

Vice Chairman Dean made a motion to approve the appointment of Addre Bryant, Willie Parker, Dr. John Alford, and Glenn Crumpton to the Montgomery Community Action Agency Board, with terms to run concurrently with those of the current County Commission. The motion was seconded by Mr. Ingram. Vice Chairman Dean, Mr. Polizos, Mr. Williams and Mr. Ingram voted in support of the motion. Chairman Strange abstained and the motion carried. (Copies of Email and Board Members' Appointment Page, Agenda Pages 1-2 and 1-3, are attached to these Minutes.)

SHERIFF'S OFFICE – APPROVED CONTRACTUAL AGREEMENT WITH IMPERIAL SYSTEMS, INC., FOR PREVENTIVE MAINTENANCE SERVICES ON SECURITY SYSTEM

The Administrator presented the following memorandum from Assistant Director of Support Services Pat Silas requesting approval of Contractual Agreement with Imperial Systems, Inc., for preventive maintenance services on security system:

MEMORANDUM

TO: Donald L. Mims, Administrator

FROM: Pat Silas, Assistant Director Support Services

DATE: January 6, 2009

SUBJECT: Preventive Maintenance Services on the Security System

Request approval of the attached contract with Imperial Systems, Inc. to furnish Preventive Maintenance Services on the Existing Security System and All New Equipment installed during the life of the contract, for the first year annual amount of \$77,000.00, be placed on the agenda for the County Commission meeting on January 12, 2009.

Imperial Systems, Inc. is the vendor who has had the contract for the past three (3) years. During this time, Imperial Systems, Inc. has maintained the existing security system and installed new equipment in the County buildings, including Annex 3.

The current annual price being paid to Imperial Systems, Inc. is \$67,994.64; the attached annual contract price will be \$77,000.00 for the first year, \$96,000.00 for the second year, at which time the one year warranty will be expired on equipment at Annex III. .

Provided funds are made available by the County Commission and unless the contract is cancelled by either party, the contract shall automatically renew each year after January 17, 2010. After the second year, a price escalation may be allowed, but shall not exceed 5% per year.

Coordination of award of this contract was made with Sheriff D.T. Marshall.

Since Title 3, Section 41-16-51 (15) of the Code of Alabama exempts from competitive bidding contractual services and purchases of products related to, or having an impact upon, security plans, procedures, assessments, measures, or systems, or the security or safety of persons, structures, facilities, or infrastructures, request approval of the attached contract between Montgomery County Commission and Imperial Systems, Inc.

On January 19, 2007, an opinion was also received from Mr. Matt Richards, State of Alabama Examiner, regarding the above law and upgrade to the existing security system. Mr. Richards stated that, "Upgrades to the existing security system would most definitely be exempt from bidding and that really anything relating to the security system would be exempt from bidding."

Your approval is appreciated.

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 Contractual Agreement, Agenda Pages 2-2 and 2-3, is attached to these Minutes.)

COUNTY COMMISSION – APPROVED CHANGE ORDER NUMBER 1 WITH FORRESTER DEVELOPER, LLC, REGARDING THE DETENTION FACILITY DENTAL EQUIPMENT CONTRACT

The Administrator presented the following memorandum from Deputy Administrator John A. Mitchell, Sr., requesting approval of change order number 1 with Forrester Developer, LLC, regarding the Detention Facility Dental Equipment Contract:

January 8, 2009

MEMORANDUM

TO: Montgomery County Commission

FROM: John A. Mitchell, Sr.
Deputy Administrator

SUBJECT: Change Order No. 1
Forrester Developer, LLC
Montgomery County Detention Facility
Dental Equipment Contract

Attached is Change Order No. 1 in the amount of \$13,099.00. This Change Order increases the amount on the Montgomery County Detention Facility, Dental Equipment Contract from \$34,000.00 to \$47,099.00. This order was previously discussed at the last Commission meeting.

This is being submitted for your approval at the next Commission meeting on January 12, 2009.

Attachment

End of Memorandum

Mr. Polizos made a motion to approve the request. The motion was seconded by Mr. Ingram and unanimously approved by the Commission. (Copies of Letter and Change Order Number 1, Agenda Pages 3-2 through 3-5, are attached to these Minutes.)

COUNTY COMMISSION – APPROVED DEDUCTIVE CHANGE ORDER NUMBER 1
WITH FORRESTER DEVELOPER, LLC, REGARDING THE DETENTION FACILITY
BUILDERS PACKAGE CONTRACT

The Administrator presented the following memorandum from Deputy Administrator John A. Mitchell, Sr., requesting approval of deductive change order number 1 with Forrester Developer, LLC, regarding the Detention Facility Builders Package Contract:

January 8, 2009

MEMORANDUM

TO: Montgomery County Commission

FROM: John A. Mitchell, Sr.
Deputy Administrator

SUBJECT: Deductive Change Order No. 1
Forrester Developer, LLC
Montgomery County Detention Facility

Attached is Deductive Change Order No. 1 in the amount of \$2,080.00. This Change Order reduces the amount on the Montgomery County Detention Facility project from \$144,088.00 to \$142,008.0000. This order was previously discussed at the last Commission meeting.

This is being submitted for your approval at the next Commission meeting on January 12, 2009.

Attachment

End of Memorandum

Mr. Ingram made a motion to approve the request. The motion was seconded by Mr. Polizos and unanimously approved by the Commission. (Copies of Letter and Deductive Change Order Number One, Agenda Pages 4-2 through 4-5, are attached to these Minutes.)

COUNTY COMMISSION – APPROVED MISCELLANEOUS APPROPRIATIONS
REPROGRAMMING REQUESTS

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

January 12, 2009

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 001-59320-499 (Agency, Miscellaneous Appropriations) to:

C-2009-54: Montgomery County Recreation Department, Cleveland YMCA, for
Dunbar-Ramer Basketball Team to Participate in the Cleveland YMCA
Basketball League - \$300

C-2009-55: The Southern Youth Leadership Development Institute, for Youth
Program - \$2,000

C-2009-56: Montgomery County Recreation Department, for Boys and Girls Clubs of Montgomery, for Youth Programs - \$5,000

End of Memorandum

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

C-2009-57: Empowering Communities Helping Ourselves (ECHO), for Program Services - \$1,000

NC-2009-76: City of Montgomery, for the 5th Annual Unity Games - \$2,500

NC-2009-77: Snowdoun Volunteer Fire Department, for Equipment - \$3,500

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

OMNIBUS VOTE

Chairman Strange requested for the Commission to omnibus the following two items and the Commission concurred. Mr. Williams made a motion to approve the two agenda items. The motion was seconded by Mr. Ingram and unanimously approved by the Commission.

PROBATE JUDGE'S OFFICE (ELECTIONS CENTER) – APPROVED PURCHASE ORDER TO INCLUSION SOLUTIONS FOR ROCKER SWITCHES

The Administrator presented the following memorandum from Assistant Director of Support Services Pat Silas requesting approval of purchase order to Inclusion Solutions for Rocker Switches:

MEMORANDUM

TO: Donald L. Mims, Administrator

FROM: Pat Silas, Assistant Director
Support Services

DATE: January 9, 2009

SUBJECT: Rocker Switches for
Elections Center

Request approval to issue a purchase order to Inclusion Solutions in the amount of \$8,445.12 for 57 each Rocker Switches to be utilized on the voting systems, be placed on the agenda for the County Commission meeting dated January 12, 2009. (copy of spread sheet attached)

The switches will be purchased from Inclusion Solutions and are not required by law to competitively bid.

Coordination of award made with Mr. Trey Granger of the Elections Center.

Your approval is appreciated.

Attachment

End of Memorandum

As approved in the Omnibus Vote, Mr. Williams made the motion to approve the Purchase Order to Inclusion Solutions. The motion was seconded by Mr. Ingram and unanimously approved by the Commission.

PROBATE JUDGE'S OFFICE (ELECTIONS CENTER) – APPROVED BID AWARD FOR TABLES, BID NO. 51911-09B-001

The Administrator presented the following memorandum from Assistant Director of Support Services Pat Silas requesting approval of Bid Award to Inclusion Solutions:

MEMORANDUM

TO: Donald L. Mims, Administrator

FROM: Pat Silas, Assistant Director Support Services

DATE: January 9, 2009

SUBJECT: Bid No. 51911-09B-001, Tables

Request approval of award on the above referenced bid to the only bid received, Inclusion Solutions, for the amount of \$19,467.00, be placed on the agenda for the County Commission meeting dated January 12, 2009. (copy of spread sheet attached)

Coordination of award made with Mr. Trey Granger of the Elections Center.

Your approval is appreciated.

Attachment

End of Memorandum

As approved in the Omnibus Vote, Mr. Williams made the motion to approve the Bid Award to Inclusion Solutions. The motion was seconded by Mr. Ingram and unanimously approved by the Commission.

Chairman Strange informed the audience that this would complete all changes to precincts for disabled citizens. He thanked the Director of Elections Trey Granger for bringing this forward.

COUNTY COMMISSION – APPROVED BID AWARD FOR MOVING OFFICES AND RECORDS TO ANNEX III, BID NO. 51100-08B-068

The Administrator presented the following memorandum from Assistant Director of Support Services Pat Silas requesting approval of Bid Award to Armstrong Relocation:

MEMORANDUM

TO: Donald L. Mims, Administrator

FROM: Pat Silas, Assistant Director Support Services

DATE: January 5, 2009

SUBJECT: Bid No. 51100-08B-068, Move Offices and Records to Annex 3

Request approval of award on the above referenced bid to low bid of Armstrong Relocation, for the amount of \$17,000.00, to be placed on the agenda for the County Commission meeting on January 12, 2009. (Copy of spread sheet attached)

Coordination of award made with Mr. John Mitchell, Deputy Administrator.

Your approval is appreciated.

Attachment

End of Memorandum

Mr. Williams made a motion to approve the Bid Award. The motion was seconded by Mr. Ingram and unanimously approved by the Commission. (Copy of Spread Sheet, Agenda Page 8-2, is attached to these Minutes.)

Mr. Robert Vetzal, Senior Vice President of Armstrong Relocation introduced two colleagues, Senior Sales Consultants Mr. Joe Horn and Mr. Richard Tarantino. Mr. Vetzal told the Commission that there were 23 offices of Armstrong Relocation around the United States and that they have done many high profile jobs. He stated he was grateful for the bid. Chairman Strange stated that the credentials of Armstrong Relocation are impeccable and that the Commission is looking forward to the move.

PARKS AND RECREATION DEPARTMENT – TABLED ACTION REGARDING
CONSIDERATION OF APPROVAL OF BID AWARD FOR REST ROOMS AT THE SITE
OF SNOWDOWN COMMUNITY PARK

The Administrator requested tabling the approval of Bid Award for Rest Rooms at the site of Snowdown Community Park, which was described in the following memorandum:

MEMORANDUM

TO: Donald L. Mims, Administrator

FROM: Pat Silas, Assistant Director Support Services

DATE: January 7, 2009

SUBJECT: Rest Rooms at the Site of Snowdown Community Park

Request that a place be reserved on the County Commission agenda dated January 12, 2009, for the award of the above referenced bid.

Bids will be opened on Friday, January 9, 2009, at 10:00 a.m. After review of the bids by Professional Engineering, a recommendation for award will be sent to you.

End of Memorandum

Vice Chairman Dean made a motion to table action on consideration of approval of the bid for the rest rooms at the site of Snowdown Community Park. The motion was seconded by Mr. Polizos. (Copy of Invitation to Bid Document, Agenda Page 9-2, is attached to these Minutes.)

COUNTY COMMISSION APPROPRIATIONS – APPROVED BUDGET CHANGE
REQUEST NUMBER 13

The Administrator presented Budget Change Request Number 13, County Commission Appropriations.

Vice Chairman Dean 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, Agenda Page 10-1, is attached to these Minutes.)

ENGINEERING DEPARTMENT – APPROVED BUDGET CHANGE REQUEST NUMBER 8

The Administrator presented Budget Change Request Number 8, Engineering Department.

Mr. 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, Agenda Page 11-1, is attached to these Minutes.)

PROBATE JUDGE'S OFFICE – APPROVED BUDGET CHANGE REQUEST NUMBER 7

The Administrator presented Budget Change Request Number 7, Probate Judge's Office.

Mr. Ingram made a motion to approve the Budget Change Request. The motion was seconded by Mr. Polizos and unanimously approved by the Commission. (Copies of Budget Change Request Number 7 and Budget Change Request Number 46 which was Approved at the September 23, 2008 County Commission Meeting, Agenda Pages 12-1 and 12-2, are attached to these Minutes.)

VARIOUS DEPARTMENTS – APPROVED TRAVEL/TRAINING REQUESTS

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

<u>DEPARTMENT</u>	<u>TRAVEL/TRAINING REQUESTS</u>
(1) County Commission	Request Number 10
(2) Revenue Commissioner's Office	Request Number 1
(3) Tax & Audit Department	Request Number 6
(4) Engineering Department	Request Number 8
(5) Personnel Department	Request Numbers 6 and 7
(6) Appraisal Department	Request Number 10

Mr. Williams made a motion to approve the travel/training requests. The motion was seconded by Mr. Ingram and unanimously approved by the Commission. (Copies of Travel/Training Requests, Agenda Pages 13-1 through 13-7, are attached to these Minutes.)

WAIVED AGENDA RULES

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

DISTRICT ATTORNEY'S OFFICE – APPROVED GRANT APPLICATION TO THE U.S. DEPARTMENT OF JUSTICE, OFFICE ON VIOLENCE AGAINST WOMEN (OVW) FOR A GRANT UNDER THE ENCOURAGE ARREST POLICIES AND ENFORCEMENT OF PROTECTION ORDERS PROGRAM FOR THE DISTRICT ATTORNEY'S FAMILY JUSTICE CENTER AND BUILDING LEASE, CONTINGENT UPON THE AWARD OF THE GRANT, SUBJECT TO APPROVAL BY THE COUNTY ATTORNEY.

The Administrator presented the following memorandum from Administrative Assistant to the District Attorney Rhonda B. Cape requesting approval of grant application to the U.S. Department of Justice and building lease:

MEMORANDUM

TO: Donald L. Mims
County Administrator

FROM: Rhonda B. Cape
Administrative Assistant

DATE: January 9, 2009

SUBJECT: US Department of Justice, OVW Grant

The District Attorney's Office is applying to the U.S. Department of Justice, Office on Violence Against Women (OVW) for a grant under the Encourage Arrest Policies and Enforcement of Protection Orders Program for our Family Justice Center. The County Commission serves as the grantee. Matching funds are not required for the grant.

Because of the short timeframe we have for submission, we request the Montgomery County Commission approve this grant application at their meeting on Monday, January 12, 2009.

Thank you for your assistance.

End of Memorandum

Vice Chairman Dean made a motion to approve the grant application to the U.S. Department of Justice and building lease, contingent upon the award of the grant, subject to approval by the County Attorney. The motion was seconded by Mr. Polizos and unanimously approved by the Commission.

Chairman Strange informed the audience that this grant will enable victims of crime to obtain whatever information is needed in one area. He commended the District Attorney's Office and stated that this was no cost to the citizens of Montgomery County. He stated this will pay great dividends.

SHERIFF'S OFFICE – APPROVED CONTRACT WITH TRI-COUNTY TRANSPORT SERVICES FOR THE TRANSPORTATION OF BODIES AND APPROVED RELATED BUDGET CHANGE REQUEST

The Administrator presented a memorandum from Sheriff D.T. Marshall requesting approval of contract with Tri-County Transport Services for the transportation of bodies and approval of related budget change request.

Vice Chairman Dean made a motion to approve the contract and related budget change request. The motion was seconded by Mr. Ingram and unanimously approved by the Commission. (Copies of Email, Memoranda, Letter, Contract Agreement and Budget Change Request, Agenda Pages 15-1 through 15-14, are attached to these Minutes.)

PARKS AND RECREATION DEPARTMENT – APPROVED GRANT APPLICATION TO THE NATIONAL RECREATION AND PARK ASSOCIATION FOR THE ACHIEVE HEALTHY COMMUNITIES GRANT AND RELATED LETTER OF SUPPORT

The Administrator presented the following memorandum from Superintendent of Montgomery County Parks and Recreation James Williams, requesting approval of grant application to the National Recreation and Park Association for the Achieve Healthy Communities Grant and related letter of support:

January 8, 2009

MEMORANDUM

TO: Donald Mims
County Administrator

FROM: James Williams, Superintendent
County Parks and Recreation

CC: John A. Mitchell, Sr.

RE: ACHIEVE Grant

At the Montgomery County Parks and Recreation Board meeting on January 7, 2009, the Recreation Board approved recommendation to the Montgomery County Commission for application to the National Recreation and Park Association for the ACHIEVE Healthy Communities Grant Funding. This grant is for a one-time payment of \$30,000 to implement a Policy, Environmental Intervention, or Systems Change. It requires no match and will help us provide Community Gardens at each of the nine County Park sites.

Please place this item on the agenda for the January 12, 2009 County Commission meeting. Your help in this matter is greatly appreciated.

End of Memorandum

Mr. Polizos made a motion to approve the grant application and letter of support. The motion was seconded by Mr. Ingram and unanimously approved by the Commission. (Copies of Letter and Grant Information Document, Agenda Pages 16-2 and 16-3, are attached to these Minutes.)

Jimmy Smitherman, with the Alabama Cooperative Extension, explained that this grant is designed to teach citizens how to cultivate their own gardens. Superintendent of Parks and

Recreation James Williams told the Commission that the gardens would be planted around different sites on or near Montgomery County owned property. He stated that if the gardens are planted adjacent to Montgomery County owned property there would be an agreement drawn up with the landowner. Commissioner Ingram stated that this was a great project.

PROBATE JUDGE'S OFFICE – APPROVED PROPOSAL FOR PROFESSIONAL SERVICES CONTRACT WITH WALTER HOPKINS COMPANY FOR SUPERVISING AND DIRECTING THE MOVE OF COUNTY ARCHIVES TO MONTGOMERY COUNTY COURTHOUSE ANNEX III

The Administrator presented the following memorandum from Deputy Administrator John A. Mitchell, Sr., requesting approval of proposal for Professional Services Contract with Walter Hopkins Company:

January 9, 2009

MEMORANDUM

TO: Montgomery County Commission

FROM: John A. Mitchell, Sr., Deputy County Administrator

SUBJECT: Montgomery County Courthouse Annex 3 - County Archives Move

Walter Hopkins Company has submitted a proposal to provide professional services supervising the move of county archives to the new Annex 3 building. The proposal is attached for your review which also includes a breakdown of the scope of work and the times and duration of the project.

The cost will be \$700.00 per day, not to exceed \$4,200.00. I recommend the Commission waive rules and approve this proposal at the next Commission meeting on January 12, 2009.

Attachments

End of Memorandum

Vice Chairman Dean made a motion to approve the proposed Personal Services Contract with Walter Hopkins Company. The motion was seconded by Mr. Williams and unanimously approved by the Commission. (Copy of Proposed Personal Services Contract, Agenda Page 17-2, is attached to these Minutes.)

COMMENTS BY COMMISSIONERS AND ATTENDEES

County Engineer George C. Speake informed the Commission that due to the rainy weather the Vaughn and Pike Road Intersection Project has been delayed. He stated that all they need is a week or two of good weather and the land to dry up, then they can proceed with the finalization of the project.

District Attorney Ellen Brooks commended the Commission on going forward and approving the Office on Violence Against Women grant. She informed them that the one-stop-shop for victims was suggested 28 years ago. She stated that law enforcement, social services agencies and District Attorney's Office participate and that this is a community wide effort. She informed them that this will assist victims in getting the help they need. She mentioned that this started in San Diego and it is the first such program in the State of Alabama. She told the Commission that County Administrator Donnie Mims was a big supporter and she appreciated the County's stamp of approval.

Chairman Strange thanked District Attorney Ellen Brooks stating that this is more efficient and is less costly.

Mr. Jimmy Smitherman of the Alabama Extension Office introduced Ms. Danielle Rudolph, the new Urban Regional Extension Agent for Metro Montgomery in Family and Child Development and Youth Development. Ms. Rudolph stated she look forward to serving the County.

Revenue Commissioner Sarah G. Spear introduced the new Chief Appraiser Mr. Will Martin, stating she is glad he is here with the County and that he started on January 5, 2009.

Chairman Strange informed the audience that the Revenue ad valorem tax was up \$1.8 million for the County, and \$2.5 million for the City. He stated that the staff's goal is to find every dollar and he thanked them.

Commissioner Ingram wished everyone a Happy New Year.

Commissioner Williams requested that Sara Jane Byard introduce herself. Ms. Byard stated she works for Central Alabama Regional Planning and Development Commission, as a grant writer, and she is pleased to be working with them and encouraged the Commissioners to contact her if they had any needs or questions.

Commissioner Williams thanked the employees for a good job. He expressed his appreciation about what the department heads are doing to keep the County on good solid ground.

Commissioner Polizos stated that he knew it wasn't easy to tighten the belts and that everyone is doing a good job. He added that it was nice to see everyone there.

Vice Chairman Dean wished everyone a Happy New Year. He stated that the County is off to a good start and he concurred with Commissioner Williams comments.

Chairman Strange stated that the County has taken significant steps in finding new revenue for the County. He informed the audience that because of this, the County may be in a good position not to have to take additional drastic cost reduction steps. He stated he appreciates the Shop Montgomery Campaign and that when the figures come in for December sales the Commission might be pleasantly surprised. He also expressed his appreciation for all the work the Elected Officials have done.

RECESS TO INFORMATION SESSION

Chairman Strange recessed the Formal Session to the Information Session.

INFORMATION SESSION

COMMENTS FROM SCHEDULED ATTENDEES, STAFF, AND COMMISSIONERS

PRESENTATION BY KEN UPCHURCH WITH T.C.U. CONSULTING SERVICES, LLC

Ken Upchurch, with T.C.U. Consulting Services, LLC, updated the Commission on the ongoing construction of Annex I, Annex III and the Detention Facility.

Mr. Upchurch briefed the Commission regarding arbitration with Bell and Associates concerning the exterior metal panels that were installed at the Detention Facility.

Mr. Upchurch informed the Commission that Bailey Harris Construction should be receiving the Temporary Certificate of Occupancy for Annex III this week

Mr. Upchurch stated that he would continue to work with the Architect, District Attorney Brooks and Judge McKinney regarding the renovations of the 3rd Floor of Annex I and will present a proposal to the Commission at a later date. After discussion, Chairman Strange recommended that the revised budget for the project not exceed \$2.5 million.

PRESENTATION BY REVENUE COMMISSIONER SARAH G. SPEAR

Revenue Commissioner Sarah G. Spear briefed the Commission regarding projected Ad Valorem Tax collections for the current year and estimated that the County could collect approximately \$1.8 million for the General Fund in excess of the prior year's collections.

Chairman Strange informed the Commission that Ms. Spear will receive the Woman of Distinction award from the Girl Scouts of South Central Alabama. She was nominated for this award by the Commission last November.

COMMENTS FROM ADMINISTRATOR MIMS

Administrator Mims presented an Agreement with Central Alabama Regional Planning and Development Commission for Specialized Grant Development Services. After discussion, the Commission agreed to place this item on the next agenda.

Administrator Mims presented a list of the current Board Members of the Southeast Alabama Emergency Medical Services Council, Inc., all of whom have agreed to be reappointed. Commissioner Ingram stated that he would like to make a recommendation at the next meeting.

Administrator Mims presented a list of the current Board Members of the Montgomery County Community Punishment & Correction Authority. Chairman Strange stated that he would like to make a recommendation at the next meeting.

Administrator Mims presented the 2008 Homeless Continuum of Care Summary Report from Mid-Alabama Coalition for the Homeless.

Administrator Mims presented overtime reports from County departments that have exceeded their overtime budgets.

COMMENTS FROM DEPUTY ADMINISTRATOR MITCHELL

Deputy Administrator Mitchell briefed the Commission on the Financial Recovery Plan that was recently developed by the Financial Committee. Their goals, as assigned by the Commission, are to develop cost saving measures and find new sources of revenue throughout the County. Deputy Administrator Mitchell stated that the Committee suggested charging a fee for the mailing of automobile tags. The Commission asked Deputy Administrator Mitchell to provide the Commission with more details, including the amount that would be charged. Deputy Administrator Mitchell stated that the Committee suggested raising the Lodging Tax from \$1.00 to 2% per room. Chairman Strange stated that he would discuss this issue with the Montgomery Area Chamber of Commerce. Deputy Administrator Mitchell is researching the possibility of placing Revenue & Probate Kiosks in area banks and is to work with the two departments. Deputy Administrator Mitchell presented the committee recommendation to charge a \$1.00 fee to local cell phones for 911 calls but this was already being done. Deputy Administrator Mitchell presented the following for consideration:

Immediate Action:

- a.) Transfer Engineering & Appraisal and all funds to the fund in which they retire. (i.e., Retiree Health Insurance, General Fund to their cost center. Also other post retirement benefits.)
- b.) Change administrative cost for Sales & Tax & Audit from 40% of budget to 1 to 5% of taxes collected.
- c.) Continue hiring freeze
- d.) Contract the cleaning duties of Annex III

Future Action:

- a.) Implement at merit freeze in the 2010 budget

Legislation Required Action:

- a.) Smoking tax
- b.) Whiskey tax
- c.) Paper serving fee
- d.) Mobile home late fee
- e.) Late fee on property taxes

Chairman Strange instructed Deputy Administrator Mitchell to further research some of the suggestions and report back to the Commission.

DISCUSSION ITEMS BY THE COMMISSIONERS

Chairman Strange stated that he would like the Commissioners to meet local legislators prior to the Legislative Session. After discussion, Chairman Strange asked Manager of Public Affairs DiDi Henry to work with Cassandra Crosby, of Crosby Drinkard Group, LLC, to coordinate a Legislative Breakfast.

Chairman Strange recommended that the Commission continue to enforce the overtime reduction and the hiring freeze, but not to enforce the 10% budget reduction at this time. He stated that through attrition and the hiring freeze, the 10% budget reduction may not be necessary at this time. The Commission agreed to monitor the budget reports each month.

COMMENTS FROM DEPUTY ADMINISTRATOR MITCHELL

Deputy Administrator Mitchell briefed the Commission regarding a contract with Alabama Gas Company for the Detention Facility and Courthouse. The Commission agreed to place this item on the next agenda.

COMMENTS FROM MANAGER OF PUBLIC AFFAIRS DIDI HENRY

Manager of Public Affairs DiDi Henry updated the Commissioners regarding upcoming meetings and events.

Ms. Henry requested permission to recruit Public Relations Interns from ASU, AUM and Huntingdon College. She informed the Commission that the students would work for Public Affairs and the Election Center, at no cost to the County. She stated that students are required to complete 15 – 20 hours a week, for internships in their field of study prior to graduation. They receive a grade from their intern supervisor. The Commission agreed to Ms. Henry's request.

RECESS TO EXECUTIVE SESSION

County Attorney Thomas T. Gallion explained to the Commission that they needed to discuss a matter regarding pending litigation concerning a condemnation matter. (Attached to these minutes is a letter from County Attorney Gallion regarding convening the Executive Session.) Commissioner Ingram made a motion to go into the Executive Session. The motion was seconded by Commissioner Williams and unanimously approved by the Commission.

RECESS TO INFORMATION SESSION

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

DISCUSSION ITEMS BY THE COMMISSIONERS

Chairman Strange briefed the Commission on a proposed Memorandum of Understanding regarding the Outer Loop Project.

Commissioner Ingram briefed the Commission regarding a town hall meeting in Ramer concerning a proposed recycling facility in the community.

ADJOURNMENT

Commissioner Williams made a motion to adjourn the meeting of the Montgomery County Commission on January 12, 2009, at 11:40 a.m. The motion was seconded by Commissioner Ingram and unanimously approved by the Commission.

JAN 12 2009

01-12-09 Meeting

MONTGOMERY COUNTY COMMISSION

THE FOLLOWING ACCOUNTS PAYABLE WERE AUDITED AND
ORDERED PAID

CHECKS ARE DATED 12-24-08

Check Number	To	Check Number
97376		97411
Total Checks Paid		\$449,713.85

CHECK #	PAYEE	AMOUNT	DATE
97375	Silver Spoon Caterers, Inc.	\$ 7,300.00	12/19/08

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

JAN 12 2009

01-12-09 Meeting

MONTGOMERY COUNTY COMMISSION

THE FOLLOWING ACCOUNTS PAYABLE WERE AUDITED AND
ORDERED PAID

CHECKS ARE DATED 01-02-09

Check Number	To	Check Number
97415		97619
Total Checks Paid		\$1,393,283.48

CHECK #	PAYEE	AMOUNT	DATE
97412	KI	\$ 311,482.00	12/24/08
97413	Harley Davidson of Montgomery	\$ 75,600.00	12/29/08
97414	Ben Atkinson Motors, Inc.	\$ 18,302.00	12/30/08

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

JAN 12 2009

01-12-09 Meeting

MONTGOMERY COUNTY COMMISSION

THE FOLLOWING ACCOUNTS PAYABLE WERE AUDITED AND
ORDERED PAID

CHECKS ARE DATED 01-09-09

Check Number	To	Check Number
97623		97772
Total Checks Paid		\$679,144.85

CHECK #	PAYEE	AMOUNT	DATE
97620	Wilson Price	\$ 56,494.10	12/31/08
97621	Postmaster Bulk Mailing	\$ 5,000.00	01/05/09
97622	Ken Boggs Ford Dodge Chrysler	\$ 19,057.00	01/06/09

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

Agenda

JAN 12 2009

01/12/09 Meeting

MONTGOMERY COUNTY COMMISSION

THE FOLLOWING TRANSACTIONS WERE AUDITED AND
ORDERED PAID

CHECKS ARE DATED
01/02/09

Payroll Check Number	55887	To	Payroll Check Number	56082	\$ 176,107.68
Direct Deposits					\$ 814,140.80
Payroll Check Number	56083	To	Payroll Check Number	56097	\$ 7,434.51
Direct Deposits					\$ 282,927.95
Federal Deposits					\$ 356,403.48
Total Payroll Paid					\$ 1,637,014.42

<u>CHECK #</u>	<u>PAYEE</u>	<u>AMOUNT</u>	<u>DATE</u>
55885	Nagatha L. Monday	\$ 42.40	12/19/08
55886	Dewayne D. Sankey	\$ 43.30	12/19/08

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

Donald Mims

From: Kimberly Cobb-Ray [kcray@montgomerycommaction.com]
Sent: Wednesday, January 07, 2009 2:59 PM
To: Donald Mims
Cc: Tom Gardner Jr.
Subject: MCAC Board of Directors

Mr. Mims,

Per our conversation this afternoon and after speaking with Mr. Gardner, we would like to reappoint the current Board Directors for another term;

Mr. Addre Bryant

Mr. Willie Parker

Dr. John Alford

Vacant (TBA)

If you have any questions please feel free to contact our office.

*Kimberly Cobb-Ray
Executive Assistant
Montgomery Community Action Agency
1066 Adams Avenue
Montgomery, AL. 36104
334.263.3474 ext. 260 (office)
334.312.5642 (cell)*

Montgomery Community Action Agency

Members:

Addre Bryant
3706 Menlo Court
Montgomery, AL 36116

Willie J. Parker
3207 Woodley Road
Montgomery, AL 36116

John Alford
P.O. Box 10011
Montgomery, AL 36108

Term Expires:

11/11/2008

11/11/2008

11/11/2008

Term: 4 years

STATE OF ALABAMA
MONTGOMERY COUNTY

CONTRACTUAL AGREEMENT

THIS CONTRACTUAL AGREEMENT made and entered into on the 18th day of January, 2009, by and between Imperial Systems, Inc. of Millbrook, Alabama and Montgomery County Commission, Montgomery, Alabama.

WITNESSETH

WHEREAS, Imperial Systems, Inc. agrees to furnish Preventive Maintenance Services on the Existing Security System and All New Equipment installed during the life of the contract for the Montgomery County Courthouse, Courthouse Annex I, Courthouse Annex II, Courthouse Annex III and Parking Deck, (after the first year warranty), Detention Facility, Carnegie Building, Lawrence Street Parking Deck, Revenue Department Parking Area, Community Corrections and the Youth Facility.

WHEREAS, In Consideration thereof, Imperial Systems, Inc. and Montgomery County Commission agree as follows:

1. That the Contract period will begin on January 18, 2009 and will end on January 17, 2010, and shall automatically renew each year, providing funds are made available by the Montgomery County Commission and unless cancelled by Montgomery County Commission or Imperial Systems, Inc., upon written notice by certified mail, given sixty (60) days before the expiration of such initial or renewal term.
2. That the annual maintenance price of \$77,000.00 shall be firm for the first year and that after the first year, at which time Annex III will be added, the 2nd year annual price will be \$96,000.00 and any year after that the price may be adjusted by a mutually agreeable amount but shall not exceed 5% each year, which will be added to the annual cost.
3. It is agreed upon by and between the parties that if a dispute arises out of or relates to this agreement or its breach, the parties shall endeavor to settle the dispute first through direct discussions and negotiations. If the dispute cannot be settled through direct discussions or negotiations, the parties shall endeavor to settle the dispute by non-binding mediation. The location of the mediation shall be Montgomery, Alabama. Either party may terminate the mediation at any time after the session, but the decision to terminate must be delivered in person to the other party and the mediator. Engaging in mediation is a condition precedent to any other form of binding dispute resolution. If the parties cannot agree on a mutual

resolution then any disputes not resolved by mediation shall be decided in the Circuit Court of Montgomery County, Alabama and governed by the laws of the State of Alabama between the Montgomery County Commission and Imperial Systems, Inc.

IN WITNESS WHEREOF, the undersigned have executed this Contract as of the 18th day of January, 2009.

WITNESS:

IMPERIAL SYSTEMS, INC.

BY: _____

TITLE: _____

WITNESS

MONTGOMERY COUNTY COMMISSION

BY: _____

TITLE: _____



T.C.U. CONSULTING SERVICES, LLC

CONSTRUCTION CONSULTANTS

334-279-8765 • 334-272-5731 Fax
P.O. Box 230487
MONTGOMERY, ALABAMA 36123-0487

January 7, 2009

John Mitchell
Montgomery County Commission
P. O. Box 1667
Montgomery, AL. 36102-1667

Re: MCDF FFE Dental Equipment Change Order #1

Dear John:

Attached are four original copies of Change Order #1 to the Dental Equipment Contract. These items are as approved in COP #1 which is attached to the Change Order. Please secure Commission approval and Mr. Strange's signature. Return (3) originals to me.

If you have any questions, please call.

Sincerely,

A handwritten signature in black ink, appearing to read "Larry Carter", written over a horizontal line.

Larry Carter
Enclosures (1)

cc: file MCDF: a1.1.4, c5.1
W. K. Upchurch III, letter only
Melanie Bryant, GMC, " "
Vicki Loyd, Goodwin, Mills & Cawood, Inc., letter only
Donnie Mims, letter only

2009 JAN -8 PM 2:25
MONTGOMERY COUNTY
COMMUNITY



AIA® Document G701™ – 2001

Change Order

PROJECT (Name and address): Montgomery County Detention Facility Furniture & Equipment Dental Equipment Package Montgomery, Alabama	CHANGE ORDER NUMBER: 001 DATE: January 6, 2009	OWNER: ☒ ARCHITECT: ☒ CONTRACTOR: ☒ FIELD: ☐ OTHER: ☒
TO CONTRACTOR (Name and address): Forrester Developer, LLC 219 Hill Street Wetumpka, AL 36092	ARCHITECT'S PROJECT NUMBER: 6-5-010B CONTRACT DATE: September 29, 2008 CONTRACT FOR: Dental Equipment Package	

THE CONTRACT IS CHANGED AS FOLLOWS:

(Include, where applicable, any undisputed amount attributable to previously executed Construction Change Directives)

RFP #1: Provide additional Dental Equipment per Change Order Directive No. 1 Add \$ 13,099.00

The original Contract Sum was	\$ 34,000.00
The net change by previously authorized Change Orders	\$ 0.00
The Contract Sum prior to this Change Order was	\$ 34,000.00
The Contract Sum will be increased by this Change Order in the amount of	\$ 13,099.00
The new Contract Sum including this Change Order will be	\$ 47,099.00

The Contract Time will be increased by Zero (0) days.

The date of Substantial Completion as of the date of this Change Order therefore is February 4, 2009

NOTE: This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

Goodwyn, Mills and Cawood, Inc.
ARCHITECT (Firm name)

2660 EastChase Lane, Suite 200
Montgomery, AL 36117

ADDRESS

Freddie E. Lynn, Jr.
BY (Signature)

Freddie E. Lynn, Jr., AIA, VP/Arch
(Typed name)

1.6.09

DATE

Forrester Developer, LLC
CONTRACTOR (Firm name)

219 Hill Street
Wetumpka, AL 36092

ADDRESS

Beth Forrester
BY (Signature)

BETH FORRESTER
(Typed name)

1.6.09

DATE

Montgomery County Commission
OWNER (Firm name)

P O Box 1667
Montgomery, AL 36102-1667

ADDRESS

[Signature]
BY (Signature)

(Typed name)

DATE

CHANGE ORDER PROPOSALS for CHANGE ORDER NO. 1

Total

Accept

Reject

Date: 12/19/08

Please review line by line and initial in the appropriate space whether item is accepted or rejected. Also sign on signature line at the bottom.

1. Furnish and install the following Dental items:

\$ 13,099.00

1. IF-324D Air Water Separator, Quantity: 1
2. IF-324E Air Compressor & Control Panel, Quantity: 1
3. IF-324F Dental Vacuum Pump, Quantity: 1

Total Add:

\$ 13,099.00

Goodwyn, Mills and Cawood, Inc.
Vendor's Firm Name

M. Bryant
By (Signature)

Melanie Bryant, HDA
(Typed Name)

December 22, 2008
Date

T.C.U. Consulting, Inc.
Owner's Representative (Firm Name)

Larry Carter
By (Signature)

Larry Carter
(Typed Name)

12/22/08
Date

Montgomery County Commission
Owner's Firm Name

Donald L. Mims
By (Signature)

Donald L. Mims, County Admin.
(Typed Name)

12/31/08
Date

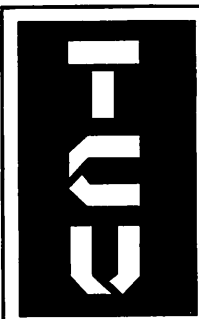
3-4

Forrester Developer
Dental Equipment
22-Dec-08
RFP #1

BACK UP
RFP #1

Cost to add dental equipment

ACTIVITY DESCRIPTION	Quantity	Cost	Cost Total	Model #	Notes
Dental Equipment					
IF-324D	1	355	\$ 355	PN-770000115	Air Water Seperator
IF-324E	1	5190	\$ 5,190	Midmark P-21	Air Compressor
IF-324E	1	388	\$ 388	Midmark P-21	Air Compressor Control Panel
IF-324F	1	2390	\$ 2,390	Midmark CV3	Vacuum Pump
Sales Tax			\$ 832		
contractor P/O	10%		\$ 916		
shipping & handling	1	725	\$ 725		
installation	4	435	\$ 1,740		
Insurance & Bonds	0.0025		\$ 563		
			\$ 12,536		
Dental Equipment Total			\$ 13,099		
Total add/deduct			\$ 13,099		



T.C.U. CONSULTING SERVICES, LLC

CONSTRUCTION CONSULTANTS

334-279-8765 • 334-272-5731 Fax
P.O. Box 230487
MONTGOMERY, ALABAMA 36123-0487

January 7, 2008

John Mitchell
Montgomery County Commission
P. O. Box 1667
Montgomery, AL. 36102-1667

Re: MCDF FFE Builders Package Change Order #1

Dear John:

Attached are four original copies of Change Order l #1 to the Builders Package Contract. This corresponds to the approved Change Proposal #1 that is attached to the Change Order. Please secure Commission approval and Mr. Strange's signature.

If you have any questions, please call.

Sincerely,

A handwritten signature in black ink, appearing to read 'Larry Carter', is written over the word 'Sincerely,'.

Larry Carter
Enclosures (1)

cc: file MCDF: a1.1.4, c5.1
W. K. Upchurch III, letter only
Melanie Bryant, GMC, " "
Vicki Loyd, Goodwin, Mills & Cawood, Inc., letter only
Donnie Mims, letter only

2009 JAN -8 PM 2:25

MONTGOMERY COUNTY
COMMISSION

AIA® Document G701™ – 2001

Change Order

PROJECT (Name and address): Montgomery County Detention Facility Furniture & Equipment Builder's Package Montgomery, Alabama	CHANGE ORDER NUMBER: 001 DATE: January 6, 2009	OWNER: ☒ ARCHITECT: ☒ CONTRACTOR: ☒ FIELD: ☐ OTHER: ☒
TO CONTRACTOR (Name and address): Forrester Developer, LLC 219 Hill Street Wetumpka, AL 36092	ARCHITECT'S PROJECT NUMBER: 6-5-010B CONTRACT DATE: September 29, 2008 CONTRACT FOR: Builder's Package	

THE CONTRACT IS CHANGED AS FOLLOWS:

(Include, where applicable, any undisputed amount attributable to previously executed Construction Change Directives)

RFP #2: Omit Riot Gear Lockers, 1F-208 C, Quantity: 7, and replace with two (2) Custom Built Shelves \$ (2,080.00)

The original Contract Sum was	\$ 144,088.00
The net change by previously authorized Change Orders	\$ 0.00
The Contract Sum prior to this Change Order was	\$ 144,088.00
The Contract Sum will be decreased by this Change Order in the amount of	\$ (2,080.00)
The new Contract Sum including this Change Order will be	\$ 142,008.00

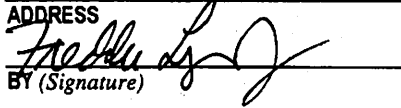
The Contract Time will be increased by Zero (0) days.

The date of Substantial Completion as of the date of this Change Order therefore is February 28, 2009

NOTE: This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

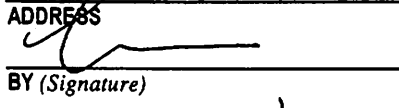
NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

Goodwyn, Mills & Cawood, Inc.
ARCHITECT (Firm name)

2660 EastChase Lane, Suite 200
Montgomery, AL 36117
ADDRESS

BY (Signature)

Freddie E. Lynn, Jr., AIA, VP/Arch
(Typed name)
1-6-09
DATE

Forrester Developer, LLC
CONTRACTOR (Firm name)

219 Hill Street
Wetumpka, AL 36092
ADDRESS

BY (Signature)

BETH Forrester
(Typed name)
1-6-09
DATE

Montgomery County Commission
OWNER (Firm name)

P O Box 1667
Montgomery, AL 36102-1667
ADDRESS

BY (Signature)

(Typed name)

DATE

CHANGE ORDER PROPOSALS for CHANGE ORDER NO. 1

Total

Accept

Reject

Date: 12/19/08

Please review line by line and initial in the appropriate space whether item is accepted or rejected. Also sign on signature line at the bottom.

- 1.01 Omission of Riot Gear Lockers, Item no. IF-208C. Quantity:
And replace with (3) two Custom built shelves

(2,080.00)

Total deduct:

\$ 2,080.00

Goodwyn, Mills and Cawood, Inc.
Architect (Firm Name)

Michael Bryant
By (Signature)

Michael Bryant, DDA
(Typed Name)

December 12, 2008

Date

T.C.H. Consulting, Inc.
Owner's Representative (Firm Name)

[Signature]
By (Signature)

Larry Carter
(Typed Name)

12/22/08
Date

Montgomery County Commission
Mayor (Firm Name)

[Signature]
By (Signature)

Donald L. Miles, County Architect
(Typed Name)

12/31/08
Date

Forrester Developer

BACK UP FOR RIOT GEAR LOCKERS Room 1050

22-Dec-08

RFP #2

**BACK UP
RFP #2**

Cost to construct 2- 36" deep X 96" shelves, painted, stationary, mounted by heavy duty shelf brackets to CMU as described in RFP #2 Drawing reference I-102

ACTIVITY DESCRIPTION	Quantity	Cost	Cost Total	Notes
Locker Pro Credit	-7	560	\$ (3,920)	
<i>Credit subtotal</i>			\$ (3,920)	
Custom Built Shelves				
<i>materials</i>	2	325	\$ 650	Includes K&V hd brackets
<i>labor</i>	2	595	\$ 1,190	
<i>contractor O/P</i>			\$ -	
<i>Add subtotal</i>			\$ 1,840	
<i>Total add/deduct</i>			\$ (2,080)	

[illegible]

WNEXT PAGE 2.xls

SNOWDOWN COMMUNITY PARK REST ROOMS INVITATION TO BID

The Montgomery County Commission, Alabama, hereinafter called the "County" will receive sealed bids for Rest Rooms at the site of Snowdown Community Park in Snowdown, Alabama, respectively, until 10:00 A.M. on the 9th day of January, 2009, in the Purchasing Office, 100 S. Lawrence Street, Montgomery, AL 36104, at which time and place all bids will be publicly opened and read aloud. Work will include the construction of Rest Rooms, Septic Tank, Field Lines, Electrical and Water Connections for the Park. The construction will be part of a Federally assisted contract and compliance with applicable Federal, State and local laws, rules and regulations is required.

Drawings and specifications may be examined at the office of Professional Engineering Consultants, LLC, 822 South McDonough Street, Montgomery, Alabama 36104.

Bid Documents may be obtained from the Engineer upon deposit of \$25.00 per set, which will be refunded in full on the first 2 sets issued to each general contract bidder submitting a genuine bid, upon return of documents in good condition within ten days after bid date. Other sets for general contractors, and sets for subcontractors, and dealers may be obtained with the same deposit, which will be refunded as above, less cost of printing, reproduction, handling, and distribution.

A Bid Bond in the amount of five-percent (5%) of the amount of the bid, but in no event more than \$10,000.00 must accompany the bidder's proposal. A certified check or money order payable to the Montgomery County Commission will be acceptable. Performance and Payment Bonds and evidence of insurance required in the bid documents will be required at the signing of the Contract. No bid may be withdrawn after the scheduled closing time for receipt of bids for a period of sixty (60) days.

Bids must be submitted as Lump Sum.

The County reserves the right to reject any or all bids or to waive any informalities in the bidding.

Time of completion for the work shall be 30 Working Days.

Bids may be held by the County for a period not to exceed thirty (30) calendar days from the date of the opening of bids for the purpose of reviewing the bids and investigation the qualifications of the bidders prior to awarding the contract.

Envelopes containing bids must be sealed, marked as : " Bid for Construction of Snowdown Rest Rooms", addressed and delivered to the Purchasing Office, attention Ms. Pat Silas, 100 South Lawrence Street, Montgomery, Alabama 36104. All bids must be submitted in a sealed envelope bearing on the outside the name and address of the party placing the bid and contractor license number.

JAN 12 2009

BUDGET FORM 5

MONTGOMERY COUNTY COMMISSION BUDGET CHANGE REQUEST

REQUEST NUMBER 13

DEPARTMENT:	County Commission	REVIEWED:	S. Thomas	1/8/2009
DATE:	1/8/2009	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
Probate Consulting Project	001-59310-307	26,640	34,680	61,320
Commissioner's Contingency	001-59310-500	18,677	-18,677	0
In House Misc. Appropriations	001-59310-499	500,000	-3,138	496,862
Fund Balance	001-35900-000	0	-12,865	-12,865
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
TOTAL		545,317	0	545,317

JUSTIFICATION:

To carryover unused funds from the 2008 Probate consulting project budget and provide an additional amount for the payment of accounting consultant fees.

JAN 12 2009

BUDGET FORM 5

MONTGOMERY COUNTY COMMISSION BUDGET CHANGE REQUEST

REQUEST NUMBER 8

DEPARTMENT: Engineering REVIEWED: S. Thomas 12/30/08
Finance Director
REQUESTED BY: George C. Speake APPROVED: Date
Elected Official/Dept. Head 12/29/2008 Administrator Date

ACCOUNT NAME	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE (DECREASE)	REVISED BUDGET
Fund Balance	111-35900-000		(50,000)	(50,000)
Revenue Account	111-47908-400	(120,257)	(94,493)	(214,750)
Professional Services	111-53101-307	10,000	10,000	20,000
Contract	111-53101-330	108,775	134,493	243,268
				0
				0
				0
				0
				0
				0
				0
				0
TOTAL		(1,482)	0	(1,482)

JUSTIFICATION:

To add \$94,493.03 revenue reimbursement for Estimate No. 3 from the State of Alabama and \$50,000 from Fund Balance for the construction of Pike/Vaughn Road intersection improvement project in order to make payment to vendors.

JAN 12 2009

BUDGET FORM 5

MONTGOMERY COUNTY COMMISSION BUDGET CHANGE REQUEST REQUEST NUMBER 7

DEPARTMENT:	Judge of Probate	REVIEWED:	S. Thomas	12/24/2008
DATE:	12/24/2008	Finance Director		Date
REQUESTED BY:	Judge Reese McKinney	APPROVED:		
Elected Official/Dept. Head		Administrator		Date

ACCOUNT NAME	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE (DECREASE)	REVISED BUDGET
Equipment and Furniture	782-51305-540	20,000	100,000	120,000
Fund Balance	782-35900-000		-100,000	-100,000
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
TOTAL		20,000	0	20,000

JUSTIFICATION:

To increase the equipment and furniture budget for the purchase of shelving in the Probate records offices in Annex III. See County Commission Appropriations budget change #46 dated 9/19/08 for reference to the funding of this purchase.

SEP 23 2008

BUDGET FORM 5

MONTGOMERY COUNTY COMMISSION

BUDGET CHANGE REQUEST

REQUEST NUMBER 46

DEPARTMENT: County Commission Appropriations REVIEWED: S. Thomas 9/19/2008
 DATE: 9/19/2008 Finance Director
 REQUESTED BY: Donald Mims, Administrator APPROVED: *S. Thomas* 9/23/08
 Elected Official/Dept. Head Administrator Date

ACCOUNT NAME	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE (DECREASE)	REVISED BUDGET
In House Misc.Appropriations	001-59310-499	166,750	-100,000	66,750
Probate Consulting Contract	001-59310-307	100,000	100,000	200,000
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
TOTAL		266,750	0	266,750

JUSTIFICATION:

To increase the budget for the payment of consulting fees for the Judge of Probate office operations. This amount to be paid by the General Fund and later reimbursed by the Special Index fund in the form of payment for index fund eligible expenses.

Montgomery County Commission
Travel / Training Request Approval

Agenda

JAN 12 2009

Request # 10

Date: January 6, 2009
To: Donald L. Mims, Administrator
From: Donald L. Mims, Administrator
Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Montgomery, AL
Departure Date: February 18, 2009 Return Date: February 19, 2009
Conference Leave (Days / Hours): 2 Days
Purpose of Travel: Conflict Management

Traveler (s) Name: 1. John Mitchell, Sr. 4. _____
2. _____ 5. _____
3. _____ 6. _____

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

Total (est.) Cost: \$155.00 Advance Registration Required: \$155.00

Department Name: County Commission Fund Name: General

Additional Comments: Registration - 155.00

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

The above request is app. 01/12/09 reimbursement of actual and necessary expenses in the
approximate amount of \$155.00 and advance registration of \$155.00 is authorized.

To be completed by the Finance Department

Fund Code:	<u>001-51100-265</u>	(ex: 000-00000-000)
Description:	<u>Registration & Training</u>	
Current Budget:	<u>\$40,000.00</u>	
Approved Requests:	<u>\$8,453.91</u>	
Budget Available:	<u>\$31,546.09</u>	
Current Requests:	<u>\$155.00</u>	
Budget Balance:	<u>\$31,391.09</u>	

Donald L. Mims, Administrator



Reviewed by: S. Thomas
Date: 1/6/2009
cc: Finance Director / Buyer

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Montgomery County Commission
Travel / Training Request Approval

Appendix C
Agenda

JAN 12 2009

Request # 1

Date: December 30, 2008
To: Donald L. Mims, Administrator
From: Sarah G Spear, Revenue Commissioner
Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Montgomery
Departure Date: February 8, 2009 Return Date: February 11, 2009
Conference Leave (Days / Hours): 3 Days
Purpose of Travel: Attend the Association of Alabama Tax Administrators Mid-Winter Conference

Traveler (s) Name: 1. Sarah G Spear 4. _____
2. John Ashmore 5. _____
3. _____ 6. _____

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

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

Department Name: Revenue Commissioner Fund Name: 001-51500-265

Additional Comments: _____

To: Sarah G Spear, Revenue Commissioner
From: Donald L. Mims, Administrator

The above request is app. 01/12/08 reimbursement of actual and necessary expenses in the
approximate amount of \$300.00 and advance registration of \$300.00 is authorized.

To be completed by the Finance Department

Fund Code:	<u>001-51500-265</u>	(ex: 000-00000-000)
Description:	<u>Registration & Training</u>	
Current Budget:	<u>\$3,400.00</u>	
Approved Requests:	<u>\$0.00</u>	
Budget Available:	<u>\$3,400.00</u>	
Current Requests:	<u>\$300.00</u>	
Budget Balance:	<u>\$3,100.00</u>	

Donald L. Mims, Administrator



Reviewed by: S. Thomas

Date: 12/30/2008

cc: Finance Director / Buyer

Montgomery County Commission
Travel / Training Request Approval

Appendix C
Agenda

JAN 12 2009

Request # 6

Date: January 8, 2009
To: Donald L. Mims, Administrator
From: Larry R. Curvin
Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Auburn, Alabama
Departure Date: February 25, 2009 Return Date: February 27, 2009

Conference Leave (Days / Hours): 3 days

Purpose of Travel: To attend the GFOAA Annual Conference. This conference agenda has several timely tax/revenue workshops and attendance is needed to maintain the required level of continuing professional education needed by each attendee.

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

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

Total (est.) Cost: \$925.00 Advance Registration Required: \$550.00

Department Name: Tax & Audit Fund Name: General Fund 00151800265

Additional Comments: This conference in Auburn won't require the cost of hotel accomodations and the attendees will receive 16 hours continuing professional education.
GFOAA = Government Finance Officers Association of Alabama.

To: Larry R. Curvin
From: Donald L. Mims, Administrator

The above request is app. 01/12/09 reimbursement of actual and necessary expenses in the approximate amount of \$925.00 and advance registration of \$550.00 is authorized.

To be completed by the Finance Department

Fund Code:	<u>001-51800-265</u>	(ex: 000-00000-000)
Description:	<u>Registration & Training</u>	
Current Budget:	<u>\$11,000.00</u>	
Approved Requests:	<u>\$3,829.64</u>	
Budget Available:	<u>\$7,170.36</u>	
Current Requests:	<u>\$925.00</u>	
Budget Balance:	<u>\$6,245.36</u>	

Donald L. Mims, Administrator



Reviewed by: S. Thomas

Date: 1/8/2009

cc: Finance Director / Buyer

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Montgomery County Commission
Travel / Training Request Approval

Appendix C

Agenda

JAN 12 2009

Request # 8

Date: January 8, 2009
To: Donald L. Mims, Administrator
From: George C. Speake, County Engineer
Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Bryant Conference Center, Tuscaloosa, AL
Departure Date: February 24, 2009 Return Date: February 25, 2009
Conference Leave (Days / Hours): 20 hrs.
Purpose of Travel: Attend Alabama Vegetation Management Society Annual Meeting

Traveler (s) Name: 1. Danise D. Nettles 4. _____
2. _____ 5. _____
3. _____ 6. _____

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

Total (est.) Cost: \$250.00 Advance Registration Required: \$75.00

Department Name: Engineering Department Fund Name: Gasoline Tax 111-53600-265

Additional Comments: Includes registration, lodging & meals

To: George C. Speake, County Engineer
From: Donald L. Mims, Administrator

The above request is app. 01/12/09 reimbursement of actual and necessary expenses in the
approximate amount of \$250.00 and advance registration of \$75.00 is authorized.

<i>To be completed by the Finance Department</i>		
Fund Code:	<u>111-53600-265</u>	(ex: 000-00000-000)
Description:	<u>Registration & Training</u>	
Current Budget:	<u>\$5,000.00</u>	
Approved Requests:	<u>\$475.00</u>	
Budget Available:	<u>\$4,525.00</u>	
Current Requests:	<u>\$250.00</u>	
Budget Balance:	<u>\$4,275.00</u>	

Donald L. Mims, Administrator



Reviewed by: S. Thomas

Date: 1/9/2009

cc: Finance Director / Buyer

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Montgomery County Commission
Travel / Training Request Approval

Appendix C

Agenda

JAN 12 2009

Request # 6

Date: December 30, 2008
To: Donald L. Mims, Administrator
From: Barbara M. Montoya, Director
Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Nashville, Tennessee
Departure Date: September 12, 2009 Return Date: September 16, 2009
Conference Leave (Days / Hours): 3 days
Purpose of Travel: 2009 IPMA-HR Training Conference

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

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

Total (est.) Cost: \$1,900.00 Advance Registration Required: \$575.00

Department Name: Personnel Fund Name: Merit System

Additional Comments: _____

To: Barbara M. Montoya, Director
From: Donald L. Mims, Administrator

The above request is app. 01/12/08 reimbursement of actual and necessary expenses in the
approximate amount of \$1,900.00 and advance registration of \$575.00 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>\$2,918.00</u>
Budget Available:	<u>\$12,082.00</u>
Current Requests:	<u>\$1,900.00</u>
Budget Balance:	<u>\$10,182.00</u>

Donald L. Mims, Administrator



Reviewed by: S. Thomas

Date: 12/30/2008

cc: Finance Director / Buyer

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Montgomery County Commission
Travel / Training Request Approval

Appendix C

Agenda

JAN 12 2009

Request # 7

Date: January 8, 2009
To: Donald L. Mims, Administrator
From: Barbara M. Montoya, Director
Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Mobile, AL
Departure Date: January 15, 2009 Return Date: January 16, 2009
Conference Leave (Days / Hours): 12 hours
Purpose of Travel: Southern Region IPMA-HR Meeting

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

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

Total (est.) Cost: \$300.00 Advance Registration Required: _____

Department Name: Personnel Fund Name: Merit System

Additional Comments: _____

To: Barbara M. Montoya, Director

From: Donald L. Mims, Administrator

The above request is app. 01/12/09 reimbursement of actual and necessary expenses in the
approximate amount of \$300.00 and advance registration of \$0.00 is authorized.

To be completed by the Finance Department

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>\$2,918.00</u>	
Budget Available:	<u>\$12,082.00</u>	
Current Requests:	<u>\$2,200.00</u>	
Budget Balance:	<u>\$9,882.00</u>	

Donald L. Mims, Administrator



Reviewed by: S. Thomas

Date: 1/8/2009

cc: Finance Director / Buyer

Montgomery County Commission
Travel / Training Request Approval

Appendix C

Agenda

JAN 12 2009

Request # 10

Date: January 8, 2009
To: Donald L. Mims, Administrator
From: Will Martin, Chief Appraiser
Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Tuscaloosa, AL
Departure Date: January 27, 2009 Return Date: January 29, 2009
Conference Leave (Days / Hours): 3 Days
Purpose of Travel: Attend AAND Winter Training

Traveler (s) Name: 1. Jane Reed 4. _____
2. _____ 5. _____
3. _____ 6. _____

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

Total (est.) Cost: \$900.00 Advance Registration Required: \$200.00

Department Name: ECD Fund Name: ECD

Additional Comments: _____

To: Will Martin, Chief Appraiser
From: Donald L. Mims, Administrator

The above request is app. 01/12/09 reimbursement of actual and necessary expenses in the
approximate amount of \$900.00 and advance registration of \$200.00 is authorized.

<i>To be completed by the Finance Department</i>	
Fund Code:	<u>784-51986-265</u> (ex: 000-00000-000)
Description:	<u>Registration & Training</u>
Current Budget:	<u>\$10,000.00</u>
Approved Requests:	<u>\$1,706.82</u>
Budget Available:	<u>\$8,293.18</u>
Current Requests:	<u>\$900.00</u>
Budget Balance:	<u>\$7,393.18</u>

Donald L. Mims, Administrator



Reviewed by: S. Thomas

Date: 1/8/2009

cc: Finance Director / Buyer

Agenda**JAN 12 2009****Tammy Nix**

From: Mary Pons [MPons@acca-online.org]
Sent: Thursday, January 08, 2009 8:31 AM
To: alex@shelbycountyalabama.net; ahodge@leeco.us; vondawebb@yahoo.com; commission@talladegacountyal.org; loism_48RF@yahoo.com; barbara.harrell@dallascounty-al.org; collinsbfine@jccal.org; wjdempsey@houstoncounty.org; billlamb@tuscco.com; bbeck@tallaco.com; humphryesb@jccal.org; mhughes@tuscco.com; bpetty@alaweb.com; brenda.wood@dallascounty-al.org; mcc@sonet.net; cheryl_gary@hotmail.com; cnaugher@shelbyal.com; chgreen@co.blount.al.us; carrington56@hotmail.com; wilcoxco@frontiernet.net; cmadden@hiwaay.net; franklin@hiwaay.net; dbrewer@co.baldwin.al.us; dhsrbs01@yahoo.com; landerson@chamberscounty.com; dok@butlercoal.us; DiDi Henry; dhoyt@chamberscounty.com; Donna Key; dllewellyn@colbertco.org; Donald Mims; Renee Wood; ECarter@shelbycountyalabama.net; fsnipes@tuscco.com; froberts@calhouncounty.org; dccom@graceba.net; gestis@hiwaay.net; ccco@co.cullman.al.us; gary@co.cullman.al.us; George Bowman; ghodge@mobile-county.net; mccomm@frontiernet.net; hsanders@pikecommission.com; hbaites@co.madison.al.us; lococom@htcnet.net; jbrumley@colbertco.org; commission@jcch.net; jan315@yahoo.com; marian@bullockco.com; jmedders@elmoreco.org; jbevis@lauderdalecountyal.gov; wcadm@bellsouth.net; carnsj@jccal.org; jmiley@co.madison.al.us; jcclark@houstoncounty.org; winstoncounty@ala.nu; fccjg@centurytel.net; John Mitchell; ieubanks@mobile-county.net; jpafenbach@mobile-county.net; jtsm@bellsouth.net; admin@conecuhcounty.us; kscotthcc37@comcast.net; klolley@co.coffee.al.us; klong@stclairco.com; kjoiner@calhouncounty.org; kdollar@etowahcounty.org; kchamberlain@elmoreco.org; kstell@barbourcountyclayton.com; kbaggett@co.baldwin.al.us; lmlawley@stclairco.com; lhorne@rcc-al.org; lhall@bullockco.com; lmorris@clarkecountyal.com; Lori Quiller; ccockerel@yahoo.com; lschoener@elmoreco.org; ckrell@bellsouth.net; mwebster@genevacounty.org; markt07@bellsouth.net; ccockerel@yahoo.com; Mary Pons; mthomas@cleburnecounty.us; mary.wood@alacourt.gov; msharp@dekalbcountyal.us; gcmattie@greene-county.us; mwood@cleburnecounty.us; mvines@tuscco.com; marengocounty@bellsouth.net; nlbristow@houstoncounty.org; nwilson@marshallco.org; pam.ball@limestonecounty-al.gov; peggyk@lawrenceco-al.org; psimms@etowahcounty.org; rtnorris@chamberscounty.com; lamarcountycommission@yahoo.com; rrendleman@leeco.us; nita@ustconline.net; sallieha@autaugaco.org; slittleton@rcc-al.org; screel07@bellsouth.net; smoots@jccal.org; skelleyadm@hotmail.com; sherryhenryco37@comcast.net; Sonny Brasfield; sonyak@millry.net; stevego@autaugaco.org; swafford@cleburnecounty.us; swoodard@etowahcounty.org; terrywest@jcch.net; tburgess@cherokeecounty-al.gov; tsanks@co.escambia.al.us; tgalbreathhaleco@bellsouth.net; vanessa@chiltoncounty.org; vflorine@tallaco.com; wayne.hall@talladegacountyal.org; wswann@leeco.us; pickens_cocommission@hotmail.com

Cc: Bryant Raby
Subject: Transportation of Bodies
Attachments: Autopsy Transportation.pdf

As you are probably aware, the Department of Forensic Sciences has announced that, due to budget restraints, they will no longer accept responsibility for the transportation of bodies for the autopsy purposes. This was communicated to ACCA Executive Director Buddy Sharpless by e-mail dated January 5, 2009, which reads as follows:

Dear Mr. Sharpless:

I am writing to inform you of a change in the Alabama Department of Forensic Science (ADFS) service. Historically ADFS has provided transportation of decedents for examination when authorized by district /5-1

attorneys, circuit judges, the Attorney General or the Governor. This transportation is not a constitutionally mandated function to be performed by ADFS. The Governor's call for a 10% reduction in expenditures for 2009 has made this service unaffordable by ADFS. Therefore, ADFS will cease the transportation of decedents effective January 19, 2009. I am sorry for the inconvenience this unavoidable action will cause. ADFS will resume this service as quickly as additional funds become available.

Sincerely,

Michael F. Sparks
Director
Alabama Department of Forensic Sciences
334-821-6255 ext. 235
Cell- 334-539-2203

Some of you may recall that this same issue came up in 2002 when the Department of Forensic Sciences had budget problems. At that time, sheriffs and coroners immediately began contacting county commissions for assistance in performing this function. The Association advised counties in a memo dated August 28, 2002 that it was our opinion that nothing in Alabama law required the county to assume this responsibility. A copy of that memorandum is attached. This remains the position of the Association staff, and counties are advised to be careful about agreeing to accept this responsibility.

The ACCA staff will keep you apprised of any developments related to this matter. If you have any questions in the meantime, please contact the ACCA office.

Mary E. Pons

ACCA Staff Attorney
100 N. Jackson Street
Montgomery, AL 36104
334-263-7594 -- phone
334-263-7678 -- fax

OFFICERS

HON. BILLY RAY WILLIAMS
PRESIDENT
ETOWAH COUNTY

HON. JOHNNY FLOWERS
FIRST VICE PRESIDENT
PERRY COUNTY

HON. MARY BUCKELEW
SECOND VICE PRESIDENT
JEFFERSON COUNTY



O.H. SHARPLESS
EXECUTIVE DIRECTOR

OFFICE

100 NORTH JACKSON STREET
MONTGOMERY, ALABAMA 36104
PHONE (334) 263-7594
FAX (334) 263-7878
WWW.ACCA-ONLINE.ORG

ASSOCIATION OF COUNTY COMMISSIONS OF ALABAMA
A Nonprofit Corporation

August 28, 2002

MEMORANDUM

TO: County Commission Chairs and Administrators

FROM: ACCA Office

RE: Transportation for Autopsies

In recent days a number of county commissions have been contacted by either the District Attorney, Sheriff or some other law enforcement representatives concerning the funding difficulties now facing the Alabama Department of Forensics Sciences (DFS). As a result of a number of requests from county officials, the ACCA staff has collected information that may be useful to your county, should it be contacted regarding this issue.

Because of budget constraints, the DFS is making a number of alterations in its operation. Some of the changes will begin on Sept. 1, 2002 and others will not begin until the onset of the new budget year on Oct. 1, 2002. Most of the changes will impact the ability of the District Attorneys to collect and process evidence that is needed to carry out the state's duty of prosecuting those accused of felony crimes.

One of the program changes involves the transportation of bodies to DFS labs for the conducting of autopsies. According to the Executive Director of DFS, the Department has accepted the responsibility of transporting bodies to one of the regional labs for autopsy activities since the early 1970s. DFS has announced that it will stop providing this transportation services beginning Oct. 1 and will rely on some other agency to deliver the bodies to the regional labs.

According to the director of DFA, the conducting of an autopsy by DFS occurs only after it has been ordered by one of three state officials -- a district attorney, a circuit judge or the governor. Although the county coroner is charged with certifying a person's death and has often been present when bodies have been picked up by DFS for transporting to the labs for autopsies, the coroner (who is a county official) cannot order such an autopsy, the DFS director said.

Many counties are now being asked to replace the transportation services being discontinued by DFS either through the funding of contract drivers or by providing a county vehicle and employee to do the transportation. The Association recognizes that this decision is one that rests with each county commission and it respects whatever decision is made on the county level. But the staff feels an obligation to point out a few additional issues that counties should consider before making a final determination.

First of all, if counties begin to shoulder the responsibility for transporting bodies, the ACCA staff cannot be optimistic about any future funding for DFS to resume the transportation. This function has been a state responsibility for almost 30 years and during this budget year cost the DFS about \$250,000. Both candidates for governor have expressed their opposition to any new taxation in Alabama. The DFS is funded primarily by the proceeds from fines levied against those persons who are convicted of driving vehicles under the influence of alcohol or other substances. DUI convictions are declining in Alabama and, therefore, so are the revenues to DFS.

The executive director of the Alabama District Attorneys Association has stated that many of the other services being cut by DFS are more important to law enforcement than the transportation of bodies for autopsies. So one can reasonably assume that any new money DFS receives will be used to fund those other more important activities. Any county that begins to provide transportation services should do so under the assumption that this process is a permanent -- not a temporary -- change.

Secondly, counties that begin transportation in this arena should do so knowing that they are taking custody of evidence in a state criminal proceeding. Such transportation will result in the employees involved in the transportation being called as witnesses to testify about the custody of the body during transportation and the security of the vehicle used for the transportation.

The director of DFS has stated that in addition to the cost of transportation, he is also concerned about the "liability" his department and the drivers have when assuming custody of the body and when driving the body on the roads in Alabama. Certainly counties that begin this transportation should do so knowing that they are assuming this liability that is now a concern of the department.

The state of Alabama and its employees and officers enjoy immunity protect that does not extend to county government, employees and officials. A county that makes the decision to transport bodies for this purpose should contact its liability insurance carrier to arrange coverage.

Thirdly, the conducting of an autopsy by the state is clearly, in the opinion of the ACCA staff, a state function. In the lawsuit regarding the housing of state prisoners in county jails, the circuit judge wrote that the state is in a much better position to fund state activities than are the counties. And that same reasoning applies in this case.

In addition, many of the law enforcement officers now asking counties to provide this transportation service have special funds at their own discretion that could be used for this purpose. The use of those funds seems to be a much more appropriate avenue for funding this state function.

Again, the Association staff recognizes that each county must respond to this issue in whatever way it determines proper. However, it is the Association's responsibility to gather information that counties can use in making such important decisions and to make recommendations to counties regarding such matters. It is the recommendation of the Association staff that counties refrain from funding or participating in the transportation of bodies for the conducting of autopsies.

Any county officials who have questions or comments are encouraged to contact the ACCA staff.

D.T. MARSHALL, SHERIFF



OFFICE: (334) 832-4980

FAX: (334) 832-2500

Memo To : Donnie Mims
From : Sheriff D.T. Marshall *D1m*
Date : January 7, 2009
Subject : Transportation of Bodies from crime scenes

The Alabama Department of Forensic Sciences has announced that it will not longer transport bodies from crime scenes to their facility, effective January 19th, 2009. This has put an additional burden on us due to the fact that we do not have the ability to transport or store bodies.

The County has a contract with Phillips Riley Funeral home to store bodies recovered in traffic accidents or when a family member is not available to claim the body. This is not a suitable solution for us due to the fact that a body that has died under either criminal or suspicious circumstances is considered to be evidence. There is no way that a body at a funeral home can be preserved to the extent that it could be considered secured and not tampered with. This could be very damaging in court and any evidence recovered from the body during an autopsy could be thrown out in court and a guilty person released.

Tri-County Transport Service is currently being used and is recommended by the Alabama Department of Forensic Sciences in Montgomery. Background checks have been done by DFS on all of the employees at Tri-County Transport Service and this company has been given after hours access to the DFS morgue. This helps in the preservation of evidence and will make it easier to present any evidence found during an autopsy to the courts.

Tri-County is under State contract and is available 24 hours a day, 7 days a week. They charge \$60 to transport a body within a 20 mile radius of our office with an additional charge of \$1.50 per mile after the first 20 miles. There are no additional charges; body bags and locks are furnished by the Department of Forensic Sciences.

Please present this recommendation to the County Commission for their consideration at their next meeting. Additional funding is also needed, due to no fault of the Sheriff's Office. I believe that \$600 to \$800 would be sufficient, barring any catastrophes, for this year. I believe that this is also going to be a permanent addition to our budget unless the Alabama Department of Forensic Sciences is able to find additional funding.

CS:3 HJ L- NVC 600Z
2009 JAN 7 PM 3:53

MONTGOMERY COUNTY
COMMISSION



Tri-County Transport Services

P.O. Box 240974

Montgomery, Alabama 36124

Phone: 334-467-5694 Fax: 334-244-9708

tricountytrans@aol.com

Thursday, Jan. 08, 2009

RE: Transporting Decedents

Attn: Montgomery County Sheriff Department,

Tri-County Transport Services is one of Alabama's leading names in Mortuary Transport. Tri-County Transport Services makes removals for some of Alabama's and Georgia's leading funeral homes. Tri-County Transport Services was established in October 2003 based in Montgomery, Alabama. Tri-County Transport Services is individually owned by the McKinnon Family, we are not corporate owned. We base our services on cleanliness, timeliness and service with respect and dignity. Tri-County Transport Services makes an average of 350 or more removals each month. Our attire is very professional we wear suits and ties on every removal no matter what time of day or night. We would like to assist the Montgomery County Sheriff Dept. with their transportation/removal needs. Our prices are very reasonable rated; we charge \$60.00 for local removals within a 20 mile radius, \$1.10 per mile outside the 20 mile radius. Enclosed is a list of references of funeral homes we serve, copies of different information forms including State of Alabama Dept. Forensic Science Body of Receipt Form and Personal Effect form. We are independent contractors for the Alabama Dept. of Forensic Science Transporting Division. You may contact any of the State, County or Local agencies on the reference list. Thank you in advance for your time and the opportunity to serve the Montgomery County Sheriff Dept.

Tri-County Transport Services

Contract Agreement		VENDOR NAME :
		VENDOR NUMBER: Montgomery County Sheriff Dept.
		PAGE 1

Contract Agreement

1. Days you would need services _____.
2. Charges/Fees valid until Dec. 31, 2009 (page3).
3. Billing terms: 30 days
4. Date service will start _____.

I/We have read the entire contract and agree to each item offered at the quoted price. This contract will start on the date on item (4) above until Dec. 31, 2009. The renewal date is Dec. 15th of each year if services are still needed.

Authorized Signature (Ink)

Phone Number

Standard Terms & Conditions	VENDOR NAME : VENDOR NUMBER: Montgomery County Sheriff Dept.	
		PAGE 2

Standard Terms & Conditions

1. After being dispatched we will arrive at the scene within one hour. (Montgomery County)
2. After arriving at the scene we will follow instructions given.
3. The decedents will be placed in a body bag and locked in the presence of the authorized person in charge of the scene.
4. The decedent will then be transported to the Alabama Dept. of Forensic Science. Tri-County Transport Service has access to the outside cooler at Alabama Dept of Forensic Science. We will also contact Forensic and assign a case number.
5. Alabama Dept of Forensic Science have preformed a background check on all of Tri-County Transport Services employees and owners through ABI.
6. We preform random drug test through out the year on all of our employees.

Charges and Fees	VENDOR NAME : VENDOR NUMBER: Montgomery County Sheriff Dept.	
		PAGE 3

Charges & Fees

1. Transporting rates are \$60.00 within 20 miles radius, There will be a fee of a \$1.10 per mile there after.
2. If the call is cancelled before or after the driver arrives at the scene there will be a \$30.00 service fee.
3. If two or more persons is needed there will be a \$30.00 fee for each person.
4. When Alabama Dept. of Forensic Science stops supplying body bags there will be a \$35.00 fee per body bag supplied by Tri-County Transport Svc.
5. There will be a \$15.00 charge per call on holidays (New Years, Thanksgiving, Christmas Eve and Christmas Day).

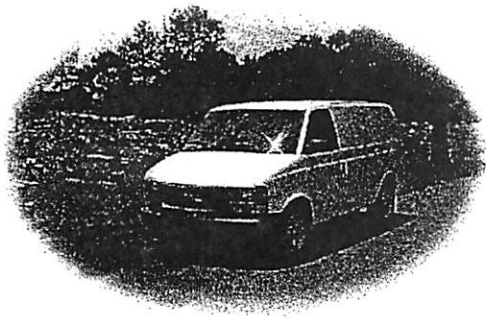
Billing Terms	VENDOR NAME : VENDOR NUMBER: Montgomery County Sheriff Dept.	
		PAGE 4

Billing Terms

Billed To

Tri-County Transport Services
 P.O. Box 240974
 Montgomery, Alabama 36124

334-467-5694 Dispatch
 334-213-0074 Office
 334-244-9708 Fax
 tricountytrans@aol.com email



Tri-County Transport Services

P.O. Box 240974

Montgomery, Alabama 36124

Phone: 334-467-5694 Fax: 334-244-9708

tricountytrans@aol.com

Facilities

Phone Number

Contact Person

Abank Mortuary	800-264-9855	Jed L. Nagel
Agee Bros Funeral Home	205-755-5075	Bobby Agee
Alabama Dept. of Forensic Science	334-202-0049	Dr. BoJo
Alabama Dept. of Forensic Science	334-242-4049	Dr. Kenneth Snell
Alabama Heritage Funeral Home	334-215-0182	Edgar Grant
Bell Funeral Home	334-548-5122	Karl K. Bell
Currie-Jefferson Funeral Home	205-987-0068	Phil Currie
Charter Funeral Home	205-621-0800	
Dillard's Funeral Home	334-566-1720	Stan
E G Cummings Funeral Home	334-265-9221	James Cummings, Jr.
Elmore County Sheriff Dept.	334-514	Det. Lowery
Gassett Funeral Home	334-567-8433	
George F. Grubbs Funeral Home	334-566-7695	Noah Turner
Harris Mortuary	334-749-6583	Jeffrey Harris
Harrison Funeral Home	334-382-6621	Dusty Harrison
Hillside Mortuary	334-514-5350	Yancey Mitchell
HM Patterson & Son Funeral Home	404-851-9900	
Holman-Headline Funeral Home	334-693-3371	
Jonson Funeral Home	334-376-2500	
Julia Tutwiler Prison	334-567-4369	
Leak Memory Chapel	334-272-6501	
Lee's Funeral Home	334-265-0756	Burt Richardson
Lemley Funeral Home	205-274-2323	William Haynes
Peck Funeral Home	256-773-2541	
The Peoples Funeral Home	334-727-0140	Brian
Phillip-Riley Funeral Home	334-263-0477	Hal Bently
Prattville Memorial Funeral Home	334-365-0819	Ann Phillip
Ridout Elmwood Chapel	205-251-7227	Carolyn Huntington
Ridout Prattville Chapel	334-365-0448	
Ridout Southside Chapel	205-251-5254	Paul Brooker
Southern Memorial Funeral Home	334-277-0182	
Turner Funeral Home	334-335-5891	Bian Gallion
Ward-Wilson Funeral Home	334-792-4194	Ronald Turner
		Lewis Presley

Wages & Son Funeral Home
Webster-Progressive Funeral Home
White Chapel-Greenwood Funeral Home
Wright's Funeral Home
Wyatt Funeral Home

770-277-4550
334-271-4273
334-272-3181
256-234-63-55
334-493-2506

Jeff Wages
Sarah Webster
Wade Hughes
Gregory Wright
John

JAN 12 2009

BUDGET FORM 5

MONTGOMERY COUNTY COMMISSION BUDGET CHANGE REQUEST

REQUEST NUMBER 14

DEPARTMENT: County Commission
 DATE: 1/13/2009
 REQUESTED BY: Donald Mims, Administrator
 Elected Official/Dept. Head

REVIEWED: S. Thomas
 Finance Director
 APPROVED: *Dr Mims*
 Administrator

1/13/2009
 Date
 1/13/09
 Date

ACCOUNT NAME	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE (DECREASE)	REVISED BUDGET
Medical and Dental Services	001-52110-306	24,005	800	24,805
In House Misc. Appropriations	001-59310-499	496,862	-800	496,062
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
				0
TOTAL		520,867	0	520,867

JUSTIFICATION:

For the Transportation of Bodies.

CARPDC

CENTRAL ALABAMA REGIONAL PLANNING
AND DEVELOPMENT COMMISSION

AUTAUGA, ELMORE & MONTGOMERY COUNTIES

Jiles Williams, Jr.
Chairman

Bill J. Tucker
Executive Director

January 8, 2009

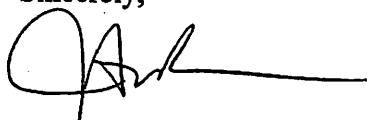
Donald L. Mims, Administrator
Montgomery County Commission
100 S. Lawrence St.
Montgomery, Alabama 36104

Dear Mr. Mims:

On January 7, 2009 the Montgomery County Parks and Recreation Board approved recommendation to the Montgomery County Commission for application to the National Recreation and Park Association for the ACHIEVE Healthy Communities Grant Funding. This grant is for a one time payment of \$30,000 to implement a Policy, Environmental Intervention, or Systems Change. It requires no match and will help us provide Community Gardens at each of the nine County Park sites. At this time a letter of support is needed from the County Commission for inclusion with the grant application packet.

We appreciate your assistance in this matter. Please feel free to contact me concerning this matter at: (334) 262-4300 or by email at: janderson@carpdc.com.

Sincerely,



Jennifer Anderson, Planner
Central Alabama Regional Planning and
Development Commission

**National Recreation and Park Association ACHIEVE Communities
Grant Funding Opportunity**

Scope of the Proposal:

Construct a community garden within walking distance of every County Park

Purpose:

To provide access to healthy food in rural communities

Justification:

- 17% of Montgomery County youth are overweight
- 15.2% of Montgomery County youth are obese
- 35.7% of Montgomery County adults are overweight
- 30.9% of Montgomery County adults are obese
- Montgomery County is in the top quartile of obesity percentages
- 50.6 per 100,000 persons in Montgomery County suffer diabetes related deaths
- Studies show that children living in rural areas are more likely to be overweight or obese than their urban peers (www.sph.sc.edu/news/ruralkids.htm)

Cost:

Grant Funding: \$30,000

County Funding: \$0

Grant Time Period:

1-year of funding with a 3-year monitoring period

Potential Partners:

- Cooperative Extension
- Jackson Hospital
- YMCA
- Healthy Steps
- CARPDC
- Montgomery Public Schools
- Local Churches

**Montgomery County
Proposal for Professional Services**

Project Overview

Provide a Project Manager for supervision and direction to oversee the media move to the Montgomery County Archives in the new "Advertiser" Building.

Scope of Work

The scope of the work is to manage the move by providing supervision to movers on the offload and refile of media being moved. The Project Manager would ensure the media will be moved in an organized manner and the alpha or numeric flow maintained at all times. The Project Manager would also work with the County Archivist on allocation and the use of space on each Spacesaver system based on per type of media to maximize shelving use.

Total Cost Per Day @ \$700.00

Time Availability & Duration

January 22nd and January 23rd

Return February 2nd, continuous 5-day work week until task is complete. If break in service, other than weekend, additional \$400 cost per new start up.

17-2



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. Trippeer, 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

Respond to Montgomery Address

Date: 1-12-09

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

Re: Executive Session to Discuss Pending Litigation

Condemnation matter

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,

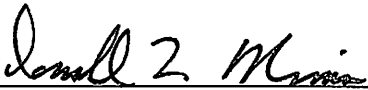
Thomas T. Gallion

Thomas T. Gallion, III

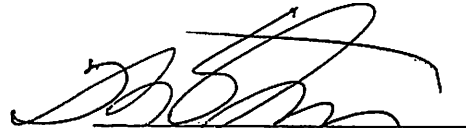
50051-317
#22,333

ADJOURNMENT

There being no further business to come before the Commission at this time, the meeting stood adjourned until Monday, January 26, 2009, at 8:00 in the morning.



Administrator



Chairman