

MINUTES OF REGULAR MEETING
MONTGOMERY COUNTY COMMISSION
FEBRUARY 9, 2009

INFORMATION SESSION

Chairman Strange called the Meeting to Order at 8:45 a.m. The meeting was held at the Montgomery County Administration Building, Courthouse Annex III.

The meeting was opened with prayer led by Commissioner Williams.

COMMENTS FROM SCHEDULED ATTENDEES, STAFF, AND COMMISSIONERS

PRESENTATION BY PROBATE JUDGE REESE MCKINNEY, JR.

Probate Judge Reese McKinney, Jr., requested approval of an accelerated pay increase for Assistant Chief Probate Clerk Patrick J. Murphy, retroactive to his employment start date of February 2, 2009. After discussion, the Commission agreed to waive rules and add this request to the agenda.

PRESENTATION BY COUNTY ENGINEER GEORGE SPEAKE

County Engineer George Speake informed the Commission that resurfacing work was underway on Meriwether Trail, and the contractor was pouring curbs and gutters at the Pike / Vaughn Road intersection project. Chairman Strange inquired as to when the Pike / Vaughn Road project would be completed and Mr. Speake replied that under ideal weather and working conditions, the project could possibly be completed within two weeks.

Mr. Speake mentioned that he had contacted Mr. Jay Tidwell concerning an inquiry about the County participating in the cost to construct a new connector road between Plantation Way and Wynbrook subdivision. Mr. Speake advised that this proposed road would be located entirely within the Montgomery City limits, and, in the past, the County has not participated in a construction of new roads within the City limits.

PRESENTATION BY ATTORNEY ROBERT E. L. GILPIN WITH KAUFMAN GILPIN MCKENZIE THOMAS WEISS, PC

Attorney Robert E. L. Gilpin with Kaufman Gilpin McKenzie Thomas Weiss, PC briefed the Commission regarding a Resolution for the I-65 Corridor Development Authority, which appears on the agenda. Chairman Strange stated that the Resolution requests that the members of the Alabama Legislature representing Montgomery County move to enact local legislation to create the Montgomery I-65 Corridor Development Authority; to designate an area along I-65, as the I-65 Corridor Area; and adopt the general outline of tax incentives that the County and City of

Montgomery may consider for qualifying projects in the I-65 Corridor Area, in order to encourage and promote development within the I-65 Corridor Area.

COMMENTS FROM ADMINISTRATOR MIMS

Administrator Mims presented a request from the Sheriff's Office to ratify the submission of the FY2009 Emergency Operations Center Grant from the U.S. Department of Homeland Security. After discussion, the Commission agreed to waive rules and add this item to the agenda. Administrator Mims presented a proposal from Haynes Kelley of Environment-Materials Consultants, Inc., to provide professional services for mold observations and testing at the Youth Facility, in addition to the contract that was approved at the January 26 meeting, to provide professional services at Annex I. After discussion, the Commission agreed to waive rules and add this contract to the agenda.

COMMENTS FROM DEPUTY ADMINISTRATOR MITCHELL

Deputy Administrator Mitchell briefed the Commission regarding Change Order Proposal No. 6 with Bailey-Harris Construction Company, Inc., for Annex III.

Deputy Administrator Mitchell presented a request to approve membership dues for Manager of Public Affairs DiDi Henry for the National Association of Government Communicators.

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

DISCUSSION ITEMS BY COMMISSIONERS

Chairman Strange presented a Resolution to the Commission requesting that the Montgomery County School Board and Superintendent John Dilworth delay any action to close Montgomery County schools until the full impact of the proposed federal stimulus package is known and until the County, City, State Officials and the School Board have had the opportunity to discuss alternatives given any stimulus that might be available. After discussion, the Commission agreed to waive rules and place the Resolution on the agenda.

Commission Williams requested a \$2,500 miscellaneous appropriation be added for Cleveland Avenue YMCA for the after school program from his account. The Commission agreed to waive rules and add this item to the agenda.

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 at the request of Commissioner Ingram.

The Pledge of Allegiance was led by Commissioner Polizos.

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

CONSENT AGENDA

Chairman Strange presented the Accounts Payable and Payroll Checks Authorization for Approval.

Mr. Ingram 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 2, are attached to these Minutes.)

Chairman Strange informed the attendees that the Commission owes Commissioner Polizos a debt of gratitude because of his efforts; that is why we are here in this new building.

Commissioner Polizos stated that the renovations were a vision of love. He informed the audience that he interviewed several architects to renovate the Old Advertiser Building and 2WR/Holmes Wilkins Architect Inc., was awarded the contract. He commended 2WR/Holmes Wilkins Architect Inc., and Bailey-Harris Construction Company Inc., for a great job on the renovations.

NEW BUSINESS

COUNTY COMMISSION – APPROVED COUNTY TAX LEVIES FOR THE YEAR 2009

The Administrator requested adoption of the following resolutions regarding County Tax Levies for the Year 2009:

RESOLUTION #1

RESOLVED, that it is hereby ordered by the County Commission of Montgomery County, Alabama, that for the purpose of paying the expenses of Montgomery County for the current tax year, there is hereby levied for the tax year 2009, a tax of fifty cents upon each \$100.00 of taxable property in said County liable or subject to taxation for the year 2009, which began with October, 2008.

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

RESOLUTION #2

RESOLVED, that it is hereby ordered by this County Commission of Montgomery County, that for the purpose of paying any debt or liability now existing incurred for erection, construction or maintenance of necessary public buildings, bridges, or roads, there is hereby levied a special tax of twenty-five cents upon each \$100.00 of taxable property subject to or liable to taxation in said County for the tax year 2009, which began with October, 2008.

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

RESOLUTION #3

RESOLVED, that it is hereby ordered by the County Commission of Montgomery County, Alabama, that there be and is hereby levied in the County of Montgomery, Alabama, effective on June 1, 1951, an excise tax of one-cent per gallon upon the sale of gasoline and other motor fuels, as defined in said Act of the Legislature of Alabama, approved May 30, 1951. The proceeds of said tax when collected by this Commission, less the cost of the collection of same, shall be paid monthly to the custodian of County school funds of Montgomery County, to be used for the maintenance and operation of the public school system of said Montgomery County, Alabama.

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

RESOLUTION #4

RESOLVED, that it is hereby ordered and adjudged by the County Commission of Montgomery County, Alabama, at a Regular Meeting of said Commission held in the Commission Chambers, Montgomery County, Alabama, on this Monday, February 9, 2009, that there be and is hereby levied an annual special ad valorem tax to provide funding for the Volunteer Fire Departments who provide services in the unincorporated areas of Montgomery County in the amount of twenty-five cents on each \$100.00 of taxable property in the unincorporated areas of Montgomery County for the fiscal year 2008-2009, in addition to the taxes now authorized. Said tax to be assessed and collected annually for fire and rescue service to be provided within the said unincorporated areas of Montgomery County for said fiscal year, and the Revenue Commissioner of Montgomery County be and is hereby directed to assess the tax herein levied annually as other State ad valorem taxes are assessed and the Revenue Commissioner of said Montgomery County is hereby directed to collect said tax annually as provided and directed by Act No. 93-319 of the Regular Session of the 1993 Legislature of Alabama.

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

RESOLUTION #5

RESOLVED, that it is hereby ordered and adjudged by the County Commission of Montgomery County, Alabama, at a Regular Meeting of said Commission held in the Commission Chambers, Montgomery County, Alabama, on this Monday, February 9, 2009, that there be and is hereby levied an annual special ad valorem tax to provide funding for the Volunteer Fire Departments who provide services in the unincorporated areas of Montgomery County in the amount of twenty-five cents on each \$100.00 of taxable property in the unincorporated areas of Montgomery County for the fiscal year 2008-2009, in addition to the taxes now authorized. Said tax to be assessed and collected annually for fire and rescue service to be provided within the said unincorporated areas of Montgomery County for said fiscal year, and the Revenue Commissioner of Montgomery County be and is hereby directed to assess the tax herein levied annually as other State ad valorem taxes are assessed and the Revenue Commissioner of said Montgomery County is hereby directed to collect said tax annually as provided and directed by Act No. 2001-449 of the Regular Session of the 2001 Legislature of Alabama.

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

RESOLUTION # 6

There is hereby levied upon all property and subjects of taxation within Montgomery County for the tax year that began October 1, 2008 (for which tax year taxes become due and payable on October 1, 2009), and for each succeeding tax year thereafter as set forth below, the following:

A special countywide tax at the rate of three and one-half (3-1/2) mills on each dollar of the assessed value of taxable property, for a period of twenty (20) consecutive years beginning with the levy of the tax that began October 1, 2005 (for which first tax year taxes become due and payable on October 1, 2006), pursuant to Section 1 of Amendment No. 3 of the said Constitution and the said election held in Montgomery County, Alabama, on November 2, 2004.

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

RESOLUTION # 7

There is hereby levied upon all property and subjects of taxation within the Montgomery County School District No. 2 (the boundaries of which are conterminous with the corporate limits of the City of Montgomery), for the tax year that began October 1, 2008 (for which tax year taxes become due and payable on October 1, 2009), and for each succeeding tax year thereafter for the remaining period of sixteen (16) consecutive years a special district school tax at the rate of three and one-half (3-1/2) mills on each dollar of the assessed value of taxable property, beginning with the levy that began October 1, 2005 (for which first tax year taxes

become due and payable on October 1, 2006), pursuant to Section 2 of Amendment No. 3 of the said Constitution and the said election held on November 2, 2004.

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

RESOLUTION #8

There is hereby levied upon all property and subjects of taxation within the Montgomery County School District No. 1 (the boundaries outside the corporate limits of the City of Montgomery excluding the Town of Pike Road) and Montgomery County School District No. 4 (Town of Pike Road) for the tax year that began October 1, 2008 (for which tax year taxes become due and payable on October 1, 2009), a special district school tax at the rate of six and one-half (6-1/2) mills on each dollar of the assessed value of taxable property pursuant to Amendment No. 2 of the said Constitution of the State of Alabama and the said election held on November 7, 2006.

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

RESOLUTION #9

There is hereby levied upon all property and subjects of taxation within the Montgomery County School District No. 2 (the boundaries inside the corporate limits of the City of Montgomery excluding the areas not receiving all city services) and Montgomery County School District No. 3 (the areas inside the corporate limits of the City of Montgomery not receiving all city services) for the tax year that began October 1, 2008, (for which tax year taxes become due and payable on October 1, 2009) a special district school tax at the rate of three (3) mills on each dollar of the assessed value of taxable property pursuant to Amendment No. 2 of the said Constitution of the State of Alabama and the said election held on November 7, 2006.

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

COUNTY COMMISSION – ADOPTED RESOLUTION REGARDING MONTGOMERY I-65 CORRIDOR DEVELOPMENT AUTHORITY

Chairman Strange requested adoption of the following Resolution:

RESOLUTION RESOLUTION REQUESTING STATE LEGISLATIVE DELEGATION ACT TO CREATE MONTGOMERY I-65 CORRIDOR DEVELOPMENT AUTHORITY, TO DESIGNATE THE CORRIDOR AREA, AND TO ADOPT GENERAL OUTLINE OF TAX INCENTIVES FOR THE CORRIDOR

WHEREAS, the Montgomery County Commission and the City Council of the City of Montgomery, acting jointly, desire to encourage and promote development in and along I-65 and west Montgomery;

WHEREAS, in order to facilitate development in the I-65 Corridor and west Montgomery, the County and City are encouraging and requesting that the Members of the Alabama Legislature representing Montgomery County (the "Local Legislative Delegation") enact local legislation creating the Montgomery I-65 Corridor Development Authority;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COMMISSION OF MONTGOMERY COUNTY, ALABAMA, that the Local Legislative Delegation enact local legislation relating to the formation of the Montgomery I-65 Corridor Development Authority, as they may see fit;

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE COUNTY COMMISSION OF MONTGOMERY COUNTY, ALABAMA, that the County Commission does hereby designate the area marked on the map attached hereto as Exhibit A and any property contiguous to such area as the "I-65 Corridor Area", as such area may be amended from time to time;

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE COUNTY COMMISSION OF MONTGOMERY COUNTY, ALABAMA, that the County Commission does hereby adopt the general outline of tax incentives attached hereto as Exhibit B that the County and City may consider for qualifying projects in the I-65 Corridor Area in order to encourage and promote development within the I-65 Corridor Area, as such incentives may be amended from time to time.

* * * * *

STATE OF ALABAMA)
MONTGOMERY COUNTY)

I, Donald L. Mims, Administrator of Montgomery County, DO HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution which was duly adopted by the Montgomery County Commission at a regular meeting held the ____ day of February, 2009.

GIVEN under my hand and the official SEAL of Montgomery County, Alabama, this the ____ day of February, 2009.

Donald L. Mims
Administrator of Montgomery County

APPROVED: _____, 2009.

Chairman, Montgomery County Commission

End of Resolution

Mr. Ingram made a motion to adopt the resolution. The motion was seconded by Mr. Williams and unanimously approved by the Commission. (Copies of Exhibit A and Exhibit B, Agenda Pages 2-3 through 2-7, are attached to these Minutes.)

Mr. Bobo Gilpin of the I-65 Task Force expressed his appreciation for the Commissions effort stating he is encouraging the delegation to approve the policy.

PARKS AND RECREATION DEPARTMENT – ADOPTED RESOLUTION AUTHORIZING
TOBACCO-FREE ZONES AT PARKS AND PLAYGROUNDS

The Administrator requested approval of the following Resolution:

RESOLUTION

WHEREAS, smoking is responsible for the premature deaths of over 430,000 Americans each year from lung cancer, heart disease, respiratory illness and other diseases; and

WHEREAS, second-hand smoke is responsible for over 50,000 deaths among non-smokers each year; and

WHEREAS, tobacco kills more Americans each year than alcohol, cocaine, crack, heroin, homicide, suicide, accidents, fires, and AIDS combined; and

WHEREAS, 80% of smokers started smoking before the age of 18, and the average initiation age to smoking is 12 years old; and

WHEREAS, every day an estimated 3,900 young people under the age of 18 try their first cigarette and one-third of these children will die prematurely from tobacco related illnesses; and

WHEREAS, to help role model non-smoking behavior to children and youth; and to provide children, youth and their families with a safe, smoke-free environment;

NOW THEREFORE, be it resolved that the Montgomery County Commission, does hereby support and designate all Montgomery County parks, picnic areas, play grounds, walking trails and sport areas in the Montgomery County Parks and Recreation jurisdiction as Tobacco-Free Zones and will post appropriate signage in all its parks, stating its Tobacco-Free Zone designation.

We hereby certify that the above Resolution was adopted by the Montgomery County Commission on this, the 9th day of February, 2009.

End of Resolution

Parks and Recreation Superintendent James Williams introduced Leslie Knox of the Montgomery Area Community Wellness Coalition. Ms. Knox stated that the signs will be posted around playgrounds and walking trails to encourage the citizens to be better role models for children at the 8 Montgomery County Parks and 1 Montgomery Ball Park.

Chairman Strange read the resolution to audience and presented it to Leslie Knox. He congratulated Ms. Knox and Mr. Williams and informed the audience that this has already been implemented in Montgomery City.

Mr. Ingram held up one of the signs to the audience that will be displayed at the parks.

Mr. Ingram made a motion to adopt the resolution. The motion was seconded by Mr. Polizos and unanimously approved by the Commission. (Copy of Memorandum, Agenda Page 3-1, is attached to these Minutes.)

COUNTY COMMISSION – ADOPTED RESOLUTION PROCLAIMING FEBRUARY 23, 2009, AS “ROTARY INTERNATIONAL DAY”

Chairman Strange requested adoption of the following resolution and informed the attendees that it will be presented on February 23, 2009:

RESOLUTION

WHEREAS, Rotary International, the world’s first and one of the largest non-profit service organizations, was founded on February 23, 1905 in Chicago, Illinois; and

WHEREAS, the Rotary Club motto “Service Above Self” inspires members to provide humanitarian service; encourage high ethical standards; and promote good will and peace within the world; and

WHEREAS, Rotary leads the way in service to the communities of the world through club projects which provide medical supplies, health care, clean drinking water, food production, job training and education to millions in need, particularly to those in underdeveloped countries; and

WHEREAS, in 1985, Rotary launched Polio Plus and coordinated efforts with the World Health Organization, U.S. Centers for Disease Control and Prevention and UNICEF to immunize the world’s children against polio; and

WHEREAS, Polio cases have decreased 99 percent since 1988; and the world stands on the threshold of eradicating the disease; and

WHEREAS, Rotary is the world's largest privately-funded source of international scholarships and promotes international understanding through scholarships, exchange programs, and humanitarian grants which have allowed more than 35,000 students from 110 countries to study abroad as Rotary Ambassadorial Scholars since 1947; and

WHEREAS, there are over 1.2 million Rotary Club members comprised of professional and business leaders in approximately 31,000 clubs, in over 165 countries; and

WHEREAS, Montgomery County, proudly offers three active Rotary Clubs with over 270 members who are dedicated to addressing the critical issues of poverty, health, hunger, illiteracy, and the environment in our local community and abroad;

NOW, THEREFORE, BE IT RESOLVED that the Montgomery County Commission does hereby proclaim Monday, February 23, 2009 as Rotary International Day In Montgomery County.

We hereby certify that the above
Resolution was adopted by the
Montgomery County Commission
on this, the 9th day of February, 2009.

End of Resolution

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

COUNTY COMMISSION – APPROVED COUNTY LEVIES FOR ALCOHOLIC
BEVERAGES FOR FISCAL YEAR 2009-2010

The Administrator presented the following Memorandum regarding County Levies for Alcoholic Beverages for Fiscal Year 2009-2010:

ALABAMA ALCOHOLIC BEVERAGE CONTROL BOARD

January 15, 2009

MEMORANDUM

TO: ALL WET COUNTY COMMISSIONS

FROM: Diane Sullivan
License Section Supervisor, Enforcement Division

SUBJECT: COUNTY LEVIES FOR ALCOHOLIC BEVERAGES

Sec. 28-3A-4, Code of Alabama, requires the Alcoholic Beverage Control Board to collect all county license levies for all new applications and renewal fees.

Attached is a copy of your 2008-2009 license fees levied during the past fiscal year. In order for us to set up this program for fiscal year 2009-2010, we are asking that you complete the attached form stating all amounts set by your county in column three (3). If your county does not wish to charge a fee for a particular type license, please indicate by filling in that space with a zero.

Limitations of the maximum amount of county fees for the following ten (10) particular types of license have been set.

TYPE	MAXIMUM COUNTY FEE
Retail Beer (On or Off Premises)	\$ 75.00
Retail Beer (Off Premises Only)	50.00
Retail Table Wine (On or Off Premises)	75.00
Retail Table Wine (Off Premises Only)	75.00
Wholesale Beer Only	275.00
Wholesale Table Wine Only	275.00
Wholesale Table Wine & Beer Combined	375.00
Additional Warehouse Wine or Beer or Both	100.00
Importer	250.00
Brewpub	500.00

We are requesting that you supply us with this information no later than March 1, 2009. This form must be signed by an authorized county official. Please return your completed form to the attention of the LICENSE SECTION, ENFORCEMENT DIVISION at the address below.

If you have any questions or require assistance, please do not hesitate to contact our office by calling me at 334-213-6313 or email diane.sullivan@abc.alabama.gov.

End of Memorandum

The following proposed County License Levies were presented by the Administrator to the Commission:

TYPE	MAXIMUM COUNTY FEE
010 Lounge Retail Liquor - Class I	\$ 300.00
011 Lounge Retail Liquor - Class II (Package)	300.00
020 Restaurant Retail Liquor	300.00
031 Club Liquor - Class I	500.00
032 Club Liquor - Class II	750.00
040 Retail Beer (On or Off Premises)	75.00
050 Retail Beer (Off Premises Only)	50.00
060 Retail Table Wine (On or Off Premises)	75.00

070	Retail Table Wine (Off Premises Only)	75.00
080	Liquor Wholesale	500.00
090	Wholesale Beer Only	275.00
100	Wholesale Table Wine Only - 14.9% or Less	275.00
110	Wholesale Table Wine & Beer Combined	375.00
120	Warehouse License	200.00
130	Additional Warehouse - Wine, Beer or Both	100.00
140	Special Events Retail	150.00
150	Special Retail License - 30 Days or Less	100.00
160	Special Retail - More Than 30 Days	250.00
170	Retail Common Carrier	150.00
200	Manufacturer	275.00
210	Importer	250.00
220	Brewpub	500.00
230	International Motor Speedway	300.00

Mr. Polizos made a motion that the County License Levies, proposed above, be approved for 2009-2010, and that the Administrator be authorized to submit the levies to the Alcoholic Beverage Control Board. The motion was seconded by Vice Chairman Dean and unanimously approved by the Commission. (Copy of Montgomery 2009-2010 License Fees, Agenda Page 5-3, is attached to these Minutes.)

COUNTY COMMISSION – APPROVED AMENDMENT NUMBER 1 TO CONTRACT NUMBER 51100-08B-068 WITH ARMSTRONG RELOCATION FOR MOVING OF MEDIA FILES AND OFFICES TO ANNEX III

The Administrator presented the following memorandum from Assistant Director of Support Services Pat Silas requesting approval of amendment number 1 to contract number 51100-08B-068 with Armstrong Relocation:

MEMORANDUM

TO: Donald L. Mims, Administrator

FROM: Pat Silas, Assistant Director
Support Services

DATE: February 3, 2009

SUBJECT: Amendment No. 1 to Contract No. 51100-08B-068,
Moving of Media Files and Offices to Annex 3

Request approval of the above referenced Amendment No. 1 to Contract No. 51100-08B-068, in the amount of \$1,700.00, be placed on the agenda for the County Commission meeting on February 9, 2009. (see attached)

The Maintenance Tool Shop was left off the original Invitation to Bid and during the move it was found that this shop would need to be moved by the moving company.

Armstrong Relocation quoted a price of \$1,700.00 which does not exceed the allowable 10% increase for contracts.

Your approval is appreciated.

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

COUNTY COMMISSION – APPROVED AMENDMENT NUMBER 3 TO CONTRACT NUMBER 51202-08B-043 WITH MOFFITT COMPANY REGARDING AUDIO/VISUAL EQUIPMENT IN THE ANNEX III BUILDING

The Administrator presented the following memorandum from Deputy Administrator John A. Mitchell, Sr., requesting approval of amendment number 3 to contract number 51202-08B-043 with Moffitt Company:

MEMORANDUM

TO: Donald L. Mims, Administrator

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

DATE: February 5, 2009

SUBJECT: Amendment No. 3 to Contract No. 51202-08B-043,
Audio/Visual Equipment in the Annex III Building

Request approval of Amendment No. 3 on Contract No. 51202-08B-043, Audio/Visual Equipment in the Annex III Building, Commission Chambers and Conference Room, for the amount of \$3,802.90, for the replacement of the existing HD TV and a wireless microphone and receiver, be placed on the agenda for the County Commission meeting on February 9, 2009. (copy of amendment attached)

Approval of Amendment No. 3 will change the amount of the contract from \$90,564.00 to \$94,366.90.

Coordination of this amendment made with Mr. Larry Carter of TCU Consulting Services.

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 Amendment Contract and Quotes, Agenda Pages 7-2 through 7-4, are attached to these Minutes.)

COUNTY COMMISSION – APPROVED AMENDMENT NUMBER 1 TO CONTRACT NUMBER 51100-08B-060 WITH CAROL’S CARPET, INC., REGARDING CARPET FOR THE PARDON & PAROLES BUILDING

The Administrator presented the following memorandum from Assistant Director of Support Services Pat Silas requesting approval of amendment number 1 to contract number 51100-08B-060 with Carol’s Carpet, Inc.:

MEMORANDUM

TO: Donald L. Mims, Administrator

FROM: Pat Silas, Assistant Director
Support Services

DATE: February 5, 2009

SUBJECT: Amendment No.1 to Contract No. 51100-08B-060,
Carpet for the Pardon & Paroles Building

Request approval of Amendment No. 1 to the above referenced contract, in the amount of \$928.87, to Carol’s Carpet, Inc. be placed on the agenda for the County Commission meeting dated February 9, 2009.

Carol’s Carpet, Inc. advised that they were short 31.80 yds. of carpet, which had been miscalculated, in order to finish the job at the Pardon & Paroles Building.

The Contract amount will change from \$21,987.90 to \$22,916.77. Carol’s Carpet, Inc. would still be the low bidder with this increase.

Coordination of amendment made with Mr. John A. Mitchell, Sr., Deputy Administrator.

Your approval is appreciated.

Attachment

End of Memorandum

Mr. Williams made a motion to approve the request. The motion was seconded by Mr. Polizos and unanimously approved by the Commission. (Copies of Amendment Contract and Change Order, Agenda Pages 8-2 and 8-3, are attached to these Minutes.)

SHERIFF'S OFFICE – APPROVED CANCELLATION OF CONTRACT NO. 52110-08B-053 WITH GALLS, AN ARAMARK COMPANY, LLC, REGARDING SHERIFF'S OFFICE UNIFORMS

The Administrator presented the following memorandum from Assistant Director of Support Services Pat Silas requesting approval of cancellation of contract number 52110-08B-053 with Galls, an Aramark Company, LLC:

MEMORANDUM

TO: Donald L. Mims, Administrator

FROM: Pat Silas, Assistant Director
Support Services

DATE: February 3, 2009

SUBJECT: Cancellation of Contract No. 52110-08B-053,
Sheriff's Office Uniforms

On September 9, 2008, the County Commissioners approved the award of Contract No. 52110-08B-053, Sheriff's Office Uniforms, to low bid of Galls, An Aramark Company, LLC.

Since the award to Galls, the Sheriff's Office has had trouble getting the orders in on time and now have orders that date back to October, 2008 that have not been filled. The specifications stated that, "Each and every article of uniform clothing requested shall be delivered within seven (7) working days after receipt of order."

The contract allows for an unconditional cancellation of the contract with a thirty (30) day written notice by either party.

The Sheriff's Office has contacted the next low bid, Azar's Uniform, and they have advised that their prices are still good.

For the above reason, Sheriff D.T. Marshall has requested that this contract be cancelled and award be made to the next low bidder, Azar's Uniforms, for the amount of \$39,937.50, based on unit pricing, which will be \$4,175.00 more than the Galls bid.

Request that approval to cancel the contract to Galls, An Aramark Company, LLC and award to the next low bid of Azar's Uniforms, be placed on the agenda for the County Commission meeting on February 9, 2009.

Your approval is appreciated.

Attachment

End of Memorandum

Mr. Polizos made a motion to approve the Cancellation of Contract Number 52110-08B-053 with Galls, An Aramark Company, LLC, subject to approval by the County Attorney. The motion was seconded by Mr. Ingram and unanimously approved by the Commission. (Copies of Memorandum and Back-up, Agenda Pages 9-2 through 9-5, are attached to these Minutes.)

COUNTY COMMISSION – APPROVED CHANGE ORDER NUMBER 5 WITH BAILEY HARRIS CONSTRUCTION COMPANY INC., REGARDING MONTGOMERY COUNTY COURTHOUSE ANNEX III

The Administrator presented the following memorandum from Deputy Administrator John A. Mitchell, Sr., requesting approval of change order number 5 with Bailey Harris Construction Company, Inc.:

January 30, 2009

MEMORANDUM

TO: Montgomery County Commission

FROM: John A. Mitchell, Sr.
Deputy Administrator

SUBJECT: Change Order No. Five
Bailey Harris Construction
Annex III

Attached is Change Order No. Five, received from the architect for the Annex III construction project. Change Order No. Five is comprised of items in the amount of \$40,576.00. This change was discussed during the previous Commission meeting on November 24, 2008 and is forwarded to you for your approval at the next County Commission meeting on February 9, 2009.

I agree with the recommendations of the architect and consultants and ask the Commission to review the attached documents. Your careful consideration of this matter is greatly appreciated.

Attachments

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 Letters and Change Order, Agenda Pages 10-2 through 10-8, are attached to these Minutes.)

COUNTY COMMISSION – APPROVED CHANGE ORDER NUMBER 9 WITH BELL AND ASSOCIATES CONSTRUCTION, LP, REGARDING MONTGOMERY COUNTY DETENTION FACILITY PROJECT

The Administrator presented the following memorandum from Deputy Administrator John A. Mitchell, Sr., requesting approval of change order number 9 with Bell and Associates Construction, LP:

February 3, 2009

MEMORANDUM

TO: Montgomery County Commission

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

SUBJECT: Change Order No. Nine
Montgomery County Detention Facility

Attached is Change Order No. Nine from the architect and consultant for the Detention Facility construction project. Change Order No. Nine is comprised of items in the amount of \$150,777.39 and is forwarded to you for your approval at the next County Commission meeting on February 9, 2009. The items included were discussed at the November 24, 2008 information session. Also included is Change Proposal 10A.

Change Order 10A was previously discussed with the Commission during the December 22, 2008 information session.

I agree with the recommendations of the architect and consultant and ask the Commission to approve the attached change order. Your careful consideration of this matter is greatly appreciated.

Attachments

End of Memorandum

Mr. Williams made a motion to approve the request. The motion was seconded by Mr. Polizos and unanimously approved by the Commission. (Copies of Letters and Change Order, Agenda Pages 11-2 through 11-5, are attached to these Minutes.)

COUNTY COMMISSION – APPROVED MISCELLANEOUS APPROPRIATIONS
REPROGRAMMING REQUESTS

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

February 9, 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-2009-61: Alabama Cattlemen's Association, for the Cattle Show during the Rodeo at the Southeastern Livestock Expo - \$1,500

C-2009-62: Central Alabama Community Foundation, to be used by BONDS to Support the Brighton Area Homeowner's Association, with Funding to Promote the Community Enhancement and Beautification Programs/Projects - \$3,000

NC-2009-78: Alabama Cooperative Extension System, for the 4-H Youth Expo – \$400

NC-2009-79: BOE, Jefferson Davis High School, for Band - \$1,000

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-2009-63: Montgomery County Recreation Department, Cleveland YMCA, for After School Program - \$5,000

Mr. Ingram made a motion to approve the requests. The motion was seconded by Mr. Polizos. Mr. Ingram and Mr. Polizos voted in favor of the motion. Chairman Strange, Vice Chairman Dean, and Mr. Williams abstained from the vote and the motion carried.

SHERIFF'S OFFICE – APPROVED PURCHASE ORDER TO STEELCASE, INC., WITH
KYSER OFFICE WORKS AS THE ASSISTING DEALER REGARDING FURNITURE FOR
THE 4TH FLOOR OF SHERIFF'S OFFICE

The Administrator presented the following memorandum from Deputy Administrator John A. Mitchell, Sr., requesting approval of purchase order to Steelcase, Inc., with Kyser Office Works as the assisting dealer:

February 6, 2009

MEMORANDUM

TO: Montgomery County Commission

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

SUBJECT: Purchase Order to Steelcase, Inc. with
Kyser Office Works as the Assisting Dealer
Office Furniture for 4th Floor of Sheriff's Office

I am requesting approval to issue a purchase order to Steelcase, Inc., with Kyser Office Works as the Assisting Dealer in the amount of \$35,358.72. This purchase order is for office furniture for the 4th floor of the Sheriff's Office in Annex I.

The Commission was briefed on this matter during the January 12, 2009 meeting.

Your consideration and approval at the next Commission meeting on February 9, 2009 is appreciated.

Attachments

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. (Copy of Memorandum and Quote, Agenda Pages 13-2 through 13-10, are attached to these Minutes.)

COUNTY COMMISSION APPROPRIATIONS – APPROVED BUDGET CHANGE
REQUEST NUMBERS, 18, 19, 20, AND 21

The Administrator presented Budget Change Request Numbers 18, 19, 20, and 21, County Commission Appropriations.

Mr. Ingram made a motion to approve the Budget Change Requests. The motion was seconded by Mr. Polizos and unanimously approved by the Commission. (Copies of Budget Change Requests, Agenda Pages 14-1 through 14-4, are attached to these Minutes.)

VARIOUS DEPARTMENTS – APPROVED TRAVEL/TRAINING REQUESTS

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

- (1) Information Systems – Request Number 6
- (2) Youth Facility – Request Number 9
- (3) Community Corrections – Request Number 3

Mr. Williams made a motion to approve the travel/training requests. The motion was seconded by Mr. Polizos and unanimously approved by the Commission. (Copies of Travel/Training Requests, Agenda Pages 15-1 through 15-3, 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:

COUNTY COMMISSION – ADOPTED RESOLUTION REQUESTING MONTGOMERY COUNTY SCHOOL BOARD AND SUPERINTENDENT JOHN DILWORTH DELAY ANY ACTION TO CLOSE MONTGOMERY COUNTY SCHOOLS

Chairman Strange requested adoption of the following resolution:

RESOLUTION

The Montgomery County Commission acknowledges the magnitude of the financial crisis facing the Montgomery County School System and encourages its search for effective ways to cut costs within its school system; and

The Montgomery County Commission wishes to support the Montgomery County School Board by working with them and Superintendent John Dilworth to explore options to closing schools in Montgomery County,

NOW, THEREFORE, BE IT RESOLVED, that the Montgomery County Commission does hereby requests the Montgomery County School Board and Superintendent John Dilworth delay any action to close Montgomery County schools until the full impact of the proposed federal stimulus package is known and until the County, City, State Officials and the School Board have the opportunity to discuss alternatives given any stimulus that might be available.

We hereby certify that the above resolution was adopted by the Montgomery County Commission, on this, the 9th day of February, 2009.

Chairman

Commissioner

Commissioner

Commissioner

Commissioner

End of Resolution

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

Chairman Strange read the resolution to the audience. He stated that critical decisions should not be made without the opportunity to look at the stimulus package.

Vice Chairman Dean stated he agreed with the resolution. Mr. Dean informed the attendees that he will be at a press conference tonight at Pintlala Elementary School and stated he opposes the closing of this school.

Mr. Ingram concurred with his fellow Commissioner that Pintlala Elementary does not need to be closed. He informed the attendees that if they should close Pintlala Elementary that the students K-6 would have to travel 50 miles round trip to go to school. He mentioned that no more schools should be closed in the unincorporated areas. He let the audience know that he would also be at the press conference tonight.

SHERIFF'S OFFICE – APPROVED RATIFICATION OF THE SUBMISSION OF THE
EMERGENCY OPERATIONS CENTER GRANT FROM THE U.S. DEPARTMENT OF
HOMELAND SECURITY

The Administrator presented the following memorandum from Deputy Administrator John A. Mitchell, Sr., requesting ratification of the submission of the Emergency Operations Center Grant from the U.S. Department of Homeland Security:

February 5, 2009

MEMORANDUM

TO: Montgomery County Commission

FROM: John A. Mitchell, Sr.
Deputy Administrator

SUBJECT: FY 2009 Emergency Operation Center Grant

The Sheriff's Office has requested to apply for the FY 2009 Emergency Operations Center Grant from the U.S. Department of Homeland Security. This grant will provide a maximum of \$250,000 for the renovation of the Sheriff's Office Communications Center and requires 25% matching funds. The grant deadline was February 6, 2009.

I recommend the Commission waive rules and ratify the submission of this grant at the next Commission meeting on February 9, 2009.

End of Memorandum

Mr. Polizos made a motion to approve ratification of The Submission of the Emergency Operations Center Grant From the U.S. Department of Homeland Security. The motion was seconded by Mr. Williams and unanimously approved by the Commission. (Copies of Memoranda, Agenda Pages 17-2 and 17-3, are attached to these Minutes.)

COUNTY COMMISSION – APPROVED CONTRACT WITH ENVIRONMENTAL MATERIALS CONSULTANTS, INC. TO PROVIDE PROFESSIONAL SERVICES AT YOUTH FACILITY

The Administrator presented the following memorandum from Deputy Administrator John A. Mitchell, Sr., requesting approval of contract with Environmental Materials Consultants, Inc.:

January 30, 2009

MEMORANDUM

TO: Montgomery County Commission

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

SUBJECT: Judge Warner's Office –
Montgomery County Youth Facility

Haynes Kelley of Environmental Materials Consultants has submitted a proposal to provide professional services for mold observations and testing of Judge Warner's Office at the Youth Facility. Thomas Lawrence of T.C.U. Consulting and I have discussed the proposal and agree this work is necessary and reasonable.

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 of the work will be \$1,830.00.

I recommend the Commission waive rules and approve this proposal at the next Commission meeting on February 9, 2009.

Attachments

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 Project Authorization Form, Agenda Pages 18-2 and 18-3, is attached to these Minutes.)

COUNTY COMMISSION – APPROVED CHANGE ORDER PROPOSAL NO. 6 WITH
BAILEY-HARRIS CONSTRUCTION COMPANY, INC., FOR ANNEX III

The Administrator presented the following letter from Larry Carter of T.C.U. Consulting Services, LLC requesting approval of change order proposal number 6 with Bailey-Harris Construction Company, Inc.:

January 30, 2009

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

Re: Attached Change Order Proposal No. 6

Dear John:

The attached Change Order Proposal No. 6 is submitted for Donnie Mims approval. I have reviewed these items with 2WR/Holmes Wilkins Architects and recommend their approval.

I believe you are familiar with these items, but please call to discuss any of them with me. Please place this COP on the agenda for the Commission's Information Meeting of 02/10. Change Order #6 will incorporate these items along with the Change Directives for the retaining wall failure and the storm drain changes along Lawrence Street that were previously approved by the Commission.

Sincerely,

/s/ Larry Carter
Enclosure (1)

End of Letter

Mr. Ingram made a motion to approve the request. The motion was seconded by Mr. Polizos and unanimously approved by the Commission. (Copy of Change Order Proposal, Agenda Page 19-2, is attached to these Minutes.)

PROBATE JUDGE'S OFFICE – APPROVED ACCELERATED PAY INCREASE FOR ASSISTANT CHIEF PROBATE CLERK

The Administrator presented the following memorandum from Judge of Probate Reese McKinney, Jr. requesting approval of accelerated pay increase for Assistant Chief Probate Clerk:

MEMORANDUM

TO: Montgomery County Commission

FROM: Reese McKinney, Jr.
Judge of Probate

DATE: January 26, 2009

Re: Approval for Accelerated Pay Increase

I am requesting that the Montgomery County Commission approve an accelerated pay increase from Grade A10/Step 1 (\$53,523) to Grade A10/Step 6 (\$62,969) for the employee that will be filling the Assistant Chief Probate Clerk position on February 2, 2009.

I understand that the County Commission normally starts an employee at Step one for an individual who simply meets the minimum qualifications; however, someone that exceeds the minimum qualifications can be hired at a higher level. The employee filling this position has been Clerk of Montgomery Municipal Court for over ten years, a Lieutenant with the Montgomery Police Department and has his Juris Doctor, magna cum laude with the Jones School of Law where he graduated #1 in his class of December, 1998. I feel sure his experience and expertise will be of great benefit to our office and Montgomery County. This is the same grade and pay step you approved for the previous employee.

Please place this request on the County Commission's agenda for February 9, 2009 for approval. I am requesting that this pay increase be retroactive to the initial hire date of February 2, 2009.

Your help and consideration in this matter are greatly appreciated.

End of Memorandum

Vice Chairman Dean made a motion to approve the accelerated pay increase for Assistant Chief Probate Clerk position from Pay Grade A10/Step 1 to Pay Grade A10/Step 6. The motion was seconded by Mr. Polizos and unanimously approved by the Commission. (Copies of Resume and Administrative Pay Plan, Agenda Pages 20-2 through 20-5, are attached to these Minutes.)

Chairman Strange welcomed Patrick J. Murphy as the new Assistant Chief Probate Clerk informing the attendees that Mr. Murphy comes to the County with a distinguished career with the City and he looks forward to Mr. Murphy's success with the County.

PUBLIC AFFAIRS DEPARTMENT – APPROVED MEMBERSHIP DUES FOR MANAGER OF PUBLIC AFFAIRS DIDI HENRY FOR THE NATIONAL ASSOCIATION OF GOVERNMENT COMMUNICATORS

The Administrator presented a memorandum from Deputy Administrator John A. Mitchell, Sr., requesting approval for payment of 2009 Membership Dues to the National Association of Government Communicators in the amount of \$120.00:

MEMORANDUM

February 5, 2009

To: Montgomery County Commissioners

From: John A. Mitchell, Sr.

Re: National Association of Government Communicators Dues

Donnie and I agree that DiDi Henry's membership into the National Association of Government Communicators will be good for her professionally and good for the citizens of Montgomery County. The membership includes online webinars, newsletters, conferences and information for governmental communicators that can only be obtained through membership to the organization. The dues are \$120.00.

Thank you for your consideration.

End of Memorandum

Mr. Williams made a motion to approve the request. The motion was seconded by Mr. Polizos and unanimously approved by the Commission. (Copy of Memorandum, Agenda Page 21-2, is attached to these Minutes.)

COMMENTS BY COMMISSIONERS AND ATTENDEES

Chairman Strange thanked County Engineer George C. Speake for fixing pavement on Washington Street stating that Mr. Speake got the architect to cover the cost.

Commission Williams asked the Director of Community Corrections Paul Brown about the travel request for Assistant Director of Community Corrections ReBecca Johnson on where she was going. Mr. Brown explained that she would be attending a week long course on contemporary practices for offenders sponsored by Alabama Administrative of Courts.

Commissioner Williams commended Commissioner Polizos for his vision regarding the renovations of the Old Advertiser Building which is now Annex III and the cost savings of the project.

Commissioner Ingram thanked everyone for a smooth transition into the new building and wished everyone a Happy Valentines Day.

Commissioner Polizos thanked everyone for attending and stated he hopes they enjoy the new building.

Vice Chairman Dean stated that he and Commissioner Williams were on board for renovating the Old Advertiser Building and that it has been an honor to work with Commissioner Polizos and fellow Commissioners. He thanked Mr. Ken Upchurch, President of T.C.U. Consulting Services, LLC, informing the audience that Mr. Upchurch had saved the County money.

Chairman Strange invited everyone to come and tour the building at the open house on February 18, 2009 at 8:00 a.m. and informed them that there would be coffee and refreshments available.

Chairman Strange elaborated on the current status of revenue collections. He that the County is still on a hiring freeze and thanked the department heads and elected officials for getting us through. He also thanked Mr. Larry Curvin, Director of the Tax and Audit Department for his hard work.

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 COMMUNITY CORRECTIONS EXECUTIVE DIRECTOR PAUL BROWN AND COMMUNITY CORRECTIONS ASSISTANT DIRECTOR REBECCA JOHNSON

Community Corrections Executive Director Paul Brown briefed the Commission regarding two vacant County Probation Officer positions with Community Corrections and requested permission to fill the vacancies. The Commission asked Mr. Brown to prepare a cost justification for his request and submit it to the Commission.

Community Corrections Assistant Director ReBecca Johnson stated that Montgomery County Community Corrections was chosen to participate in the Cooperative Community Alternative Sentencing Project (CCASP) pilot program for the State of Alabama. Chairman Strange stated that Chief Justice Sue Bell Cobb would like to visit later this month regarding the program.

Mr. Brown informed the Commission that the specifications for the GPS Electronic Monitoring RFP are being sent to County Attorney Thomas T. Gallion, III for review.

PRESENTATION BY KEN UPCHURCH WITH T.C.U. CONSULTING SERVICES, LLC,
AND MIKE RUTLAND WITH 2WR/HOLMESWILKINS ARCHITECTS

Ken Upchurch with T.C.U. Consulting Services, LLC, and Mike Rutland with 2WR/Holmes Wilkins Architect, Inc., briefed the Commission regarding the exterior renovation of Annex I.

Chairman Strange elaborated upon several projects that he would be proposing for the Federal stimulus package funding.

Mr. Upchurch briefed the Commission regarding funding for the 3rd Floor interior renovation of the Judge of Probate and District Attorney Offices.

PRESENTATION BY RISK MANAGER SCOTT KRAMER

Risk Manager Scott Kramer briefed the Commission regarding the County's Flexible Spending Account and informed them that several cards have been potentially breeched. He stated that the cards will be deactivated and the employees will be issued replacement cards.

PRESENTATION BY DOROTHY WALKER WITH THE ALABAMA BLACK BELT
NATIONAL HERITAGE AREA INITIATIVE AND TASK FORCE

Dorothy Walker with the Alabama Black Belt National Heritage Area Initiative and Task Force briefed the Commission regarding the Task Force. Ms. Walker asked that a representative from the County be appointed to the Steering Committee. Chairman Strange appointed Manager of Public Affairs DiDi Henry.

PRESENTATION BY CITY/COUNTY EMERGENCY MANAGEMENT AGENCY
DIRECTOR STEVE JONES

City/County Emergency Management Agency Director Steve Jones briefed the Commission regarding the increase in power company rates for weather sirens and the effect it will have on the EMA's FY09 Budget.

PRESENTATION BY JULLIETTE BENNETTE WITH AN JUSTICE FOR ALL, INC.

Julliette Bennette with An Justice For All, Inc., briefed the Commission regarding the services provided by this program and requested a \$5,000 appropriation to help fund these services. After discussion, Chairman Strange indicated that the Commission would get back to her.

PRESENTATION BY CHIEF DEPUTY DERRICK CUNNINGHAM

Chief Deputy Derrick Cunningham briefed the Commission regarding furniture and other items needed for the Sheriff's Office on the 4th Floor of Annex I. The Commission agreed to place the request on the next agenda.

Chief Deputy Cunningham briefed the Commission regarding a request for supplies for the new jail. After discussion, the Commission agreed that a budget change should be submitted and that the request be funded from salaries.

PRESENTATION BY JUVENILE COURT ADMINISTRATOR BRUCE HOWELL

Juvenile Court Administrator Bruce Howell requested authorization to fill three vacant Juvenile Detention Officer positions to be used as relief works. After discussion, the Commission agreed to place this item on the next agenda.

RECESS TO EXECUTIVE SESSION

County Attorney Thomas T. Gallion explained to the Commission that they needed to discuss a matter regarding DHR litigation. (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 Vice Chairman Dean and unanimously approved by the Commission.

RECESS TO INFORMATION SESSION

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

COMMENTS FROM ADMINISTRATOR MIMS

Administrator Mims presented a letter from Presiding Judge of the District Court Sharon G. Yates regarding additional office space. The staff is to research the request.

Administrator Mims briefed the Commission regarding an invoice for the water main relocation at Montgomery Industrial Park. After discussion, the Commission agreed to place this item on the next agenda.

DISCUSSION ITEMS BY COMMISSIONERS

Commissioner Ingram briefed the Commission regarding a letter from Joe M. Garner concerning Merle's Truck Stop, and stated that the Alabama Department of Transportation is requiring that street lights be installed at the intersection. Mr. Garner has requested that the County and Town of Pike Road pay for the monthly utilities and maintenance for the lights. The Commission will consider the request further after receiving a proposed agreement.

COMMENTS FROM ADMINISTRATOR MIMS

Administrator Mims presented a letter from Bellingrath Junior High School Community Center Director Greg Crawford requesting a \$2,500 appropriation to the Athletic Department. Also, he presented a letter from Forest Avenue Academic Magnet Elementary Principal Jan Hill requesting funding to help purchase interactive “Smartboards”. After discussion, the Commission agreed to consider the requests at the next Commission meeting.

Administrator Mims presented a letter from Jeff Harrison with Goodwyn, Mills and Cawood, Inc., regarding final testing of the sewer mains at the Montgomery Industrial Park. After discussion, the Commission agreed to place this item on the next agenda.

DISCUSSION ITEMS BY COMMISSIONERS

Chairman Strange presented the Revenue Reports for the Month of January 2009 and informed the Commission that the County was down 6.79% in Sales Tax Collection for the month compared to FY 08.

Vice Chairman Dean suggested that the School Board submit an itemized report to the County regarding the \$.01 sales tax they receive from the County. Chairman Strange stated that those funds are not earmarked.

COMMENTS FROM DEPUTY ADMINISTRATOR MITCHELL

Deputy Administrator Mitchell informed the Commission that he had received bids for janitorial services for Annex III and they were too high. He stated that the services would be re-bid.

PRESENTATION BY JAY TIDWELL AND PAUL HODGES

Jay Tidwell and Paul Hodges briefed the Commission regarding the proposed Plantation Way Connector.

COMMENTS FROM MANAGER OF PUBLIC AFFAIRS DIDI HENRY

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

ADJOURNMENT

Vice Chairman Dean made a motion to adjourn the meeting of the Montgomery County Commission on February 9, 2009, at 12:33 p.m. The motion was seconded by Commissioner Ingram and unanimously approved by the Commission.

02-09-09 Meeting

MONTGOMERY COUNTY COMMISSION

THE FOLLOWING ACCOUNTS PAYABLE WERE AUDITED AND
ORDERED PAID

CHECKS ARE DATED 02-06-09

Check Number	To	Check Number
98169		98458
Total Checks Paid		\$2,097,803.17

CHECK #	PAYEE	AMOUNT	DATE
98164	Office of Justice Programs	\$ 22,164.40	01/23/09
98165	Quality Correctional Health	\$ 156,042.00	01/26/09
98166	Advanced Disposal	\$ 1,009.32	01/30/09
98167	Eagle Business Systems, Inc.	\$ 1,180.00	02/02/09
98168	Postmaster Bulk Mailing	\$ 3,000.00	02/02/09

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

02/09/09 Meeting

MONTGOMERY COUNTY COMMISSION

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

**CHECKS ARE DATED
01/30/09**

Payroll Check Number	56316	To	Payroll Check Number	56498	\$ 136,253.94
Direct Deposits					\$ 710,559.29
Payroll Check Number	56499	To	Payroll Check Number	56526	\$ 64,712.37
Direct Deposits					\$ 753,610.18
Federal Deposits					\$ 330,722.50
Total Payroll Paid					\$ 1,995,858.28

<u>CHECK #</u>	<u>PAYEE</u>	<u>AMOUNT</u>	<u>DATE</u>
56313	Torry Manley	\$ 3,544.94	01/15/09
56314	Connie Star	\$ 100.00	01/15/09
56315	VOIDED		

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

Exhibit "A"

I-65 Corridor Area

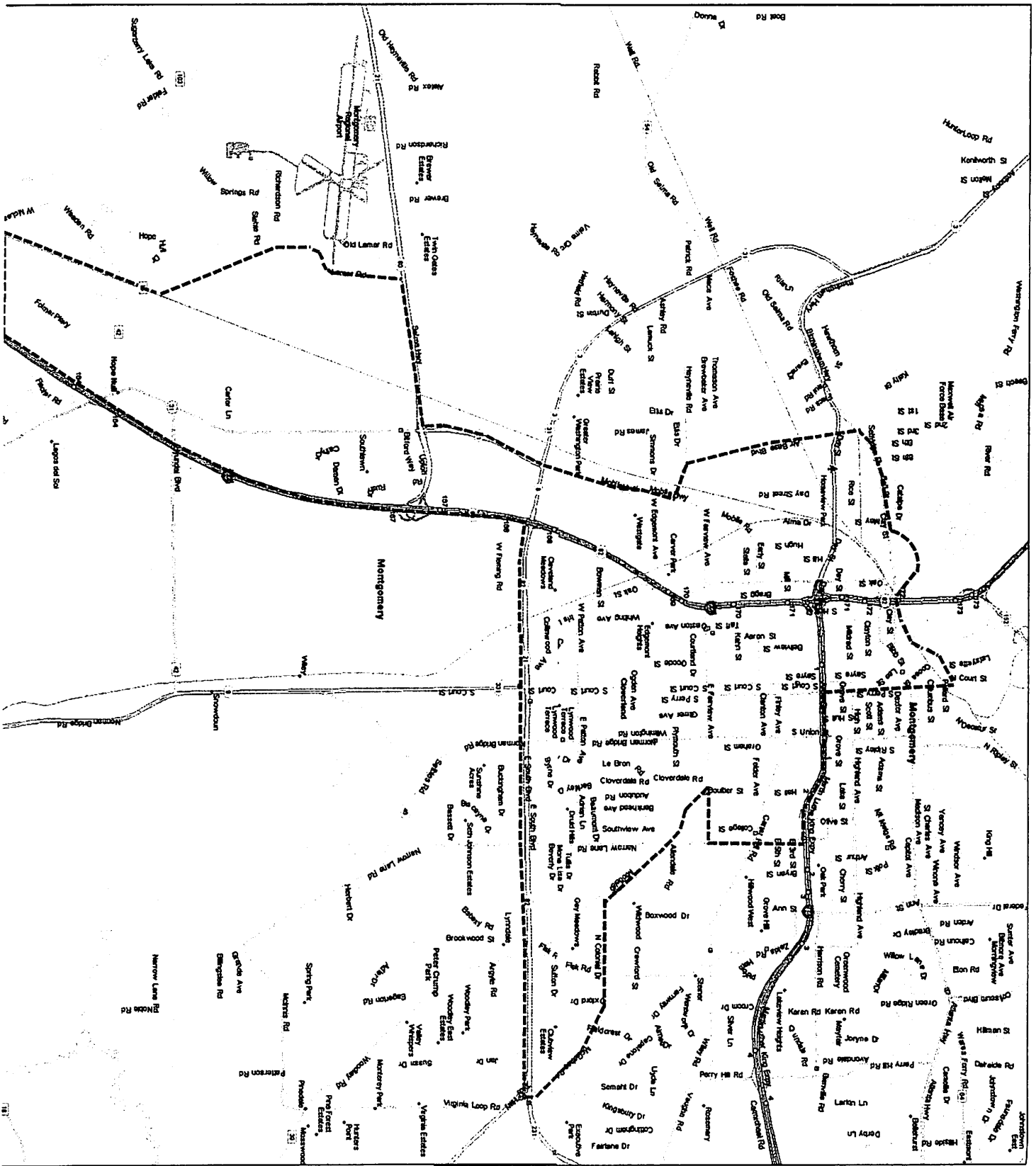


Exhibit “B”

General Outline of Potential Tax Incentives

Summary of Potential Tax Incentives for Montgomery I-65 Corridor Area

Project	Eligible Project	Incentives
Destination Project within the Targeted Area for the first 500 million of investment	A qualifying project¹ with • a capital investment of at least \$100,000,000 • creating at least 200 direct jobs • generating at least 1,000,000 visitors per year • generating new taxable sales of at least \$45,000,000	• Up to 75% local non-educational sales tax abatement on taxable sales at Project • Up to 100% local non-educational property tax abatements for 20 years on the increase in property tax value and 50% of existing values. • 100% local non-educational construction related sales tax
Destination Project outside Targeted Area for first 250 million of investment	A qualifying project with • a capital investment of at least \$200,000,000 • creating at least 400 direct jobs • generating at least 2,000,000 visitors per year • generating new taxable sales of at least \$90,000,000	• Up to 50% local non-educational sales tax abatement on taxable sales at Project • Up to 50% local non-educational property tax abatements for 10 years on the increase in property tax value. • 50% local non-educational construction related sales tax
Impact Project within the Targeted Area first \$250 million of investment	A qualifying project with • a capital investment of at least \$10,000,000 • creating at least 50 direct jobs • generating taxable sales of at least \$20,000,000	• Up to 50% local non-educational sales tax abatement on taxable sales at Project up to \$500,000 per year. • Up to 50% local non-educational property tax abatements for 10 years on the increase in property tax value and 50% of existing values. • 100% local non-educational construction related sales tax.

¹ Qualifying project are those projects which have not been defined as excluded projects (i.e., predatory lending, massage parlors, or truck stops).

Summary of Potential Tax Incentives for Montgomery I-65 Corridor Area

Supporting Project within Targeted Area first \$250 million of investment	A qualifying project with • a capital investment of at least \$1,000,000 • creating at least 20 direct jobs	• Up to 50% local non-educational property tax abatements for 10 years on the increase in property tax value up to \$50,000 per year. • 100% local non-educational construction related sales tax.
Targeted Businesses/Industries for Targeted Area	Possible ideas include: banks, grocery stores or movie theater. Businesses that grant right of way to city for streetscaping projects. Focus on quality of life issues.	• Up to 50% local non-educational property tax abatements for 10 years on the increase in property tax value and 50% of existing values. • 100% local non-educational construction related sales tax.

TODD STRANGE
CHAIRMAN

ELTON N. DEAN, SR.
VICE CHAIRMAN

REED INGRAM
DIMITRI POLIZOS
JILES WILLIAMS, JR.

A COUNTY OLDER THAN THE STATE

MONTGOMERY COUNTY COMMISSION

P.O. BOX 1667
MONTGOMERY, ALABAMA 36102-1667

ESTABLISHED 1816

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

Agenda

FEB - 9 2009

February 5, 2009

MEMORANDUM

TO: Montgomery County Commission

FROM: John A. Mitchell, Sr.
Deputy Administrator

RE: Young Lungs at Play Resolution

The above-referenced item has been discussed by James Williams, and Leslie Knox, BS, Physical Activity Coordinator of the Montgomery Area Community Wellness Coalition/Steps to a Healthier Alabama River Region. The Montgomery County Parks and Recreation Board later approved a Tobacco-Free Park and Playground Resolution.

This resolution was discussed during the working session of the January 26, 2009 Commission meeting. I agree with the need for a resolution concerning this matter and ask the Commission to present this resolution at the next Commission meeting on February 9, 2009.

Thank you for your consideration and again, this Tobacco-Free Park and Playground Resolution will greatly benefit children using Montgomery County parks and playgrounds.

JAM/rw

Attachments

COUNTY (51) MONTGOMERY 2009 - 2010

TYPE LICENSE & CODE	*FILING FEE	STATE LICENSE FEE	COUNTY LICENSE FEE	RENEWAL TOTAL	NEW LICENSE TOTAL
010 - LOUNGE RETAIL LIQUOR - CLASS I	\$ 50.00	300.00			
011 - LOUNGE RETAIL LIQUOR - CLASS II - (PACKAGE)	50.00	300.00			
020 - RESTAURANT RETAIL LIQUOR	50.00	300.00			
031 - CLUB LIQUOR - CLASS I	50.00	300.00			
032 - CLUB LIQUOR - CLASS II	50.00	750.00			
**					
040 - RETAIL BEER - (ON OR OFF PREMISES)	50.00	150.00			
**					
050 - RETAIL BEER (OFF PREMISES ONLY)	50.00	100.00			
**					
060 - RETAIL TABLE WINE (ON OR OFF PREMISES)	50.00	150.00			
**					
070 - RETAIL TABLE WINE (OFF PREMISES ONLY)	50.00	150.00			
080 - LIQUOR WHOLESALE	50.00	500.00			
**					
090 - WHOLESALE BEER ONLY	50.00	550.00			
**					
100 - WHOLESALE TABLE WINE ONLY - 14.9% OR LESS	50.00	550.00			
**					
110 - WHOLESALE TABLE WINE & BEER COMBINED	50.00	750.00			
120 - WAREHOUSE LICENSE	50.00	200.00			
**					
130 - ADDITIONAL WAREHOUSE-WINE, BEER OR BOTH	50.00	200.00			
140 - SPECIAL EVENTS RETAIL	50.00	150.00			
150 - SPECIAL RETAIL LICENSE - 30 DAYS OR LESS	50.00	100.00			
160 - SPECIAL RETAIL - MORE THAN 30 DAYS	50.00	250.00			
170 - RETAIL COMMON CARRIER	50.00	150.00			
200 - MANUFACTURER	50.00	500.00			
**					
210 - IMPORTER	50.00	500.00			
**					
220 - BREWPUB	50.00	1,000.00			
230 - INTERNATIONAL MOTOR SPEEDWAY	50.00	300.00			
240 - NON-PROFIT - TAX EXEMPT	N/A	N/A	N/A	N/A	N/A

* A \$50.00 non-refundable filing fee is charged to all new licenses.

** May not charge more than one-half of the state fee for this type of license.

SIGNED: _____
Authorized County Official

Title

Date

MONTGOMERY COUNTY COMMISSION
PURCHASING OFFICE
P.O. BOX 1667
MONTGOMERY, ALABAMA 36102

AMENDMENT
TO
CONTRACT NO. 51100-08B-068

Amendment No. 1

Date: February 9, 2009

Contract No. 51100-08B-068, Moving of Media Files and Offices to Annex 3, is hereby amended as follows:

By adding the following location that was originally left off the bid:

-Maintenance Tool Shop - \$1,700.00

By increasing the Contract price by \$1,700.00, changing to read \$18,700.00.

WITNESS:

ARMSTRONG RELOCATION

BY: _____

TITLE: _____

WITNESS:

MONTGOMERY COUNTY
COMMISSION

BY: _____

TITLE: _____

MONTGOMERY COUNTY COMMISSION
PURCHASING OFFICE
P.O. BOX 1667
MONTGOMERY, ALABAMA 36102

AMENDMENT
TO
CONTRACT NO. 51202-08B-043

Amendment No. 3

Date: February 9, 2009

Contract No. 51202-08B-043, Audio/Visual Equipment in the Annex III Building, Commission Chambers and Conference Room is hereby amended as follows:

By increasing the contract by \$3,802.90, which will be for replacement of the existing HD TV for the amount of \$2,339.00 and \$1,463.90 for a wireless microphone and receiver, changing the contract amount to \$94,366.90.

All other provisions of the contract shall remain the same.

WITNESS:

MOFFITT COMPANY

BY: _____

TITLE: _____

WITNESS:

MONTGOMERY COUNTY
COMMISSION

BY: _____

TITLE: _____

Moffitt Company, Inc.
P. O. Box 680398
Prattville, AL 36068

QUOTATION

Quote Number: nm0109104
Quote Date: Feb 4, 2009
Page: 1

Voice: 800-262-1222
Fax: 800-262-7618

Quoted To:

Montgomery County Commission
Attn: Accounts Payable
P.O. Box 1667
Montgomery, AL 36102-1667

Customer ID	Good Thru	Payment Terms	Sales Rep
i36104mcaY	3/6/09	Net 15 Days	Norman

Quantity	Item	Description	Unit Price	Amount
1.00	iMISC-PARTS	Credit for Sony KDL-52V4100	1,799.00	-1,799.00
1.00	iLCD-LC65D64U	Sharp LC65D64U 65" LCD TV, VGA, ATSC/QAM/NTSC, RS-232, HDMI, 1920x1080, Full HD 1080P, 10000:1 contrast ratio	3,899.00	3,899.00
1.00	iMISC-PARTS	Credit for SF-660 mount	110.00	-110.00
1.00	iMOU-ST680	Peerless Mount ST680 Tilting Wall Mount - Universal Tilting Wall Mount for TV'2 61"-102" or up to 300lbs.	199.00	199.00
Subtotal				2,189.00
Sales Tax				
Freight				150.00
TOTAL				2,339.00

Moffitt Company, Inc.

P. O. Box 680398
Prattville, AL 36068

QUOTATION

Quote Number: nm0209102

Quote Date: Feb 2, 2009

Page: 1

Voice: 800-262-1222

Fax: 800-262-7618

Quoted To:

Montgomery County Commission
Attn: Accounts Payable
P.O. Box 1667
Montgomery, AL 36102-1667

Customer ID	Good Thru	Payment Terms	Sales Rep
i36104mcaY	3/4/09	Net 15 Days	Norman

Quantity	Item	Description	Unit Price	Amount
1.00	iMIC-ULXS4-J1	Shure UHF wireless receiver, rack mount.	730.00	730.00
1.00	iMIC-ULX2/BETA58-J1	SHURE UHF HANDHELD TRANS.	438.90	438.90
1.00	iLAB-INSTALL	Installation and Integration of entire system as required	280.00	280.00
Subtotal				1,448.90
Sales Tax				
Freight				15.00
TOTAL				1,463.90

MONTGOMERY COUNTY COMMISSION
PURCHASING OFFICE
P.O. BOX 1667
MONTGOMERY, ALABAMA 36102

AMENDMENT
TO
CONTRACT NO. 51100-08B-060

Amendment No. 1

Date: February 9, 2009

Contract No. 51100-08B-060, Carpet for the Pardon & Paroles Building, is hereby amended as follows:

By increasing the contract by \$928.87, which will be for 31.80 yds. of carpet at \$29.21 per yard, changing the contract amount to \$22,916.77.

All other provisions of the contract shall remain the same.

WITNESS:

CAROL'S CARPET, INC.

BY: _____

TITLE: _____

WITNESS:

MONTGOMERY COUNTY
COMMISSION

BY: _____

TITLE: _____

REQUESTED BY H. Allen Brannon

CHANGES REQUESTED

[illegible]

TOTAL CHANGE AMOUNT

928.87

**APPROVAL
SIGNATURE**



D.T. MARSHALL, SHERIFF

OFFICE: (334) 832-4980
FAX: (334) 832-2500

January 28, 2009

MEMORANDUM

TO : Mr. Donnie Mims
County Administrator

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

SUBJECT : Uniform Contract
52110-08B-053

I am requesting to terminate immediately the uniform contract with Galls that was approved in September 2008.

The reason for the termination is the failure of Galls to abide by the contract. I am attaching a list of uniform items that they have not been able to furnish the Sheriff's Office with in a timely fashion.

I am requesting that the next lowest bid from Azar's be accepted. Azar's has been contacted and they have agreed to honor the bid they submitted in September 2008.

DTM/tb

Date Submitted	Items Submitted
October 30, 2008	1 short sleeve shirt 2 long sleeve shirts 2 brown uniform pants 1 pair of Bates shoes 1 Horace Small heavy jacket
October 31, 2008	2 Horace Small heavy jacket
November 10, 2008	3 pairs of Dickies pants 2 brown uniform pants 1 pair of ATAC boots
November 12, 2008	1 long sleeve tac shirt 2 short sleeve tac shirts 3 pairs of BDU pants
November 18, 2008	2 pairs of Bates shoes 1 pair of uniform pants
December 10, 2008	1 short sleeve shirt 3 short sleeve shirts 2 long sleeve shirts 2 brown uniform pants
December 18, 2008	3 short sleeve shirts
December 24, 2008	2 short sleeve shirts 2 brown uniform pants
December 31, 2008	1 pair of Dickies pants 1 pair of ATAC boots
January 5, 2009	1 pair of ATAC boots
January 7, 2009	2 short sleeve shirts
January 14, 2009	3 short sleeve shirts 2 long sleeve shirts 2 brown uniform pants
January 15, 2009	1 long sleeve shirts 1 pair of brown pants 1 Blackington name bar
January 21, 2009	1 pair of brown uniform pants
January 27, 2009	2 pairs of Dickies pants 1 pair of Bates shoes 1 windbreaker

Montgomery County Detention Facility

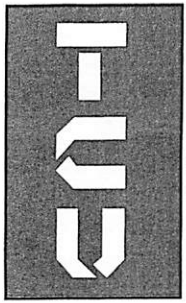
ITEMS ORDERED BUT NOT RECEIVED FROM GALLS
October 2008 – January 27, 2009

Pants:	64
Polo Shirts:	80
T-Shirts:	87
Jackets:	38
Belts:	10
Shoes:	12

Class A

Pants	4
Shirts	3
Badge	3
Nametag	5

Employee's Name	Date Submitted to Gall's
Deputy David Talley (K-9)	October 30, 2008
Civilian Sheila Wrubel	October 30, 2008
Deputy Kenneth Kilpatrick	October 30, 2008
Cornelius Calhoun (academy)	October 31, 2008
S. Tarver (academy)	October 31, 2008
Civilian Jackie Weatherington	November 10, 2008
Deputy Rudy Byrts	November 10, 2008
Deputy Marcus Davis	November 10, 2008
Deputy Dewayne Ferguson	November 12, 2008
Civilian Lisa Herring	November 18, 2008
Deputy Mike Malone	November 18, 2008
Captain Anna Thrash	November 18, 2008
Sgt. Donnie Byrd	December 10, 2008
Sgt. Mary Griffith	December 10, 2008
Lt. Randall Brown	December 18, 2008
Deputy AD Lewis	December 24, 2008
Civilian Chrissell Hamilton	December 31, 2008
Deputy Fred Perkins	December 31, 2008
Sgt. Jorge Crawford	January 5, 2009
Cpl. Wesley Richerson (K-9)	January 7, 2009
S. Tarver (academy)	January 14, 2009
S. Tarver (academy)	January 15, 2009
Deputy Jimmy Pace	January 15, 2009
Deputy Michael Williams	January 21, 2009
Civilian Larry Harvey	January 27, 2009



T.C.U. CONSULTING SERVICES, LLC

CONSTRUCTION CONSULTANTS

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

January 28, 2009

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

Re: Attached Change Order No. 5 for Annex III

Dear John:

The attached Change Order No. 5 is submitted for approval by the Commission. The items included in this Change Order were presented to the Commission on 11/24/08 in the Information Session.

These changes total \$40,576.00, bringing the total to date to \$229,205.00 vs. expected tax savings of \$400,000. Total changes to the contract are expected to be approximately \$400,000.

When approved and signed by Mr. Strange, please retain one copy for your file and return (3) to me.

Sincerely,

Larry Carter
Enclosure (1) lot of (4) Change Orders for signature

cc: file: Advertiser i2.6 and i1.1.4
W. K. Upchurch, III, w/o enclosure
Donnie Mims, " "
David Sawicki, 2WR/HW Architects, w/o enclosure

2WR Holmes Wilkins ARCHITECTS

15 December 2008

Mr. Larry Carter
TCU Consulting Services, LLC
P.O. Box 230487
Montgomery, AL 36123-0487
Phone: 334.270.4255

**RE: Montgomery County Courthouse Annex 3
 2WR PROJECT NO. 600
 Change Order Proposal No. Five (5)**

Dear Mr. Carter:

Listed below are Justification for Needs in order as listed in Change Proposal Five (5);

Wall Mounted Stainless Steel Sink in workroom 107; This item generated due to the involvement of the Owners work personnel and their request.

Chambers Conference Room 342; This modification was generated due to unforeseen condition during demolition stage. Change will accommodate or cover the existing ceiling (exposed nails and rough concrete).

Relocate Data Room 333; The Owners data representative generated the referenced item out of concern for data equipment, which was located in same room as a water heater. An Alternative was provided to protect all Equipment from any potential water hazard, but was not accepted by the Owner. The other alternate was to move Data room below; the referenced cost reflects just that.

Relocate Exterior data box @ parking deck; This item had been coordinated before installation began. The Owner's data representative requested it be relocated from third level parking deck to second level.

Electrical Data /Raceways for Upper Furniture located in Chambers; The Owner requested power and data raceways to upper landing in the Commissioner Chambers room to accommodate furniture chosen by the Owner.

Window wall 207-Glazing Wall; This modification and deductive cost was generated due to an unforeseen condition (column). A new design incorporated and accommodated the existing column. This due diligence resulted in the net savings offered.

Fire Rate S. Wall of room 141; The Owner, for future offices taken into consideration, generated this modification to fire rate the wall and the door.

Elevated Slab at Service Elevator; This modification was generated, to accommodate the Owners use of referenced area. In addition, elevated slab at referenced area will comply with the City of Montgomery ordinance.

Stucco Ceiling @ Service Vestibule; This item was generated to accommodate / cover new piping in the service vestibule area. Owner voiced concerns for exposed piping being in the way of service vehicles.

Drain Pans under water – sanitary-storm lines in basement; This item generated by the Owner. Drip pans referenced are incorporated at their previous location. Concern for their inventory the Owner requested the Drip Pans be implemented into this design.

Should you have any questions, please call.

Respectfully,
2WR / HolmesWilkins Architects Inc.

A handwritten signature in black ink that reads "David D. Sawicki". The signature is written in a cursive, flowing style.

David D. Sawicki
Construction Administrator

Copy: Project File

August 2001

**TO: STATE OF ALABAMA
BUILDING COMMISSION**

 770 Washington Avenue, Suite 444
 Montgomery, Alabama 36130
 (334) 242-4082 FAX (334) 242-4182

CHANGE ORDER JUSTIFICATION

Change Order No. Five (5)Date: December 09, 2008B.C. No. N/A

(A)	PROJECT: Montgomery County Courthouse Annex 3 Alternation / Additions to the Old Advertiser Bldg. Montgomery, Alabama	OWNER: Montgomery County Commission 100 south Lawrence Street Montgomery, Alabama 36104 Phone No.: (334) 832-1210						
	CONTRACTOR: Bailey-Harris Construction Company, Inc. 1552 Bailey Harris Drive Auburn, Alabama 36830 Phone No. : (334) 821-0807	ARCHITECT/ENGINEER: 2WR/HolmesWilkins Architects P.O. Box 4834 166 Commerce Street Montgomery, Alabama 36103 Fax: (334) 263-6400						
(B)	DESCRIPTION OF PROPOSED CHANGE(S): 5.1-Wall Mounted Stainless Steel Sink 5.2-Chamber Conference Room 342 5.3-Relocate Data Room 333 5.4-Relocate Exterior Data Box (parking deck) 5.5-Raceways for Upper Furniture in Chambers 5.6-Window Wall 207/Glazing wall 5.7-Fire Rate Wall room 141 5.8-Elevated Slab(service elevator) 5.9-Stucco Ceiling @ Service Vestibule 5.10-Drip Pans and water-sanitary-storm lines							
	AMOUNT: ☒ ADD ☐ DEDUCT \$ <u> </u> TIME EXTENSION: <u>0</u> CALENDAR DAYS							
(C)	<table border="0"> <tr> <td>ORIGINAL CONTRACT</td> <td>PREVIOUS C.O.'s <u>1</u> THRU <u>4</u></td> <td>CURRENT CONTRACT</td> </tr> <tr> <td>\$ <u>16,378,900.00</u></td> <td>\$ <u>188,255.00</u></td> <td>\$ <u>16,594,837.00</u></td> </tr> </table>		ORIGINAL CONTRACT	PREVIOUS C.O.'s <u>1</u> THRU <u>4</u>	CURRENT CONTRACT	\$ <u>16,378,900.00</u>	\$ <u>188,255.00</u>	\$ <u>16,594,837.00</u>
ORIGINAL CONTRACT	PREVIOUS C.O.'s <u>1</u> THRU <u>4</u>	CURRENT CONTRACT						
\$ <u>16,378,900.00</u>	\$ <u>188,255.00</u>	\$ <u>16,594,837.00</u>						
(D)	JUSTIFICATION FOR NEED OF CHANGE(S): See attached							
(E)	JUSTIFICATION OF CHANGE ORDER vs. COMPETITIVE BID: This Change Order is an integral part of the work to be completed by Bailey-Harris construction Co., Inc. and does not warrant a separate bidding process. All items associated with this Change Order have been comparatively priced and validated or adjusted							
(F)	ARCHITECT/ENGINEER'S EVALUATION OF PROPOSED COST: After negotiation and comparative pricing this change order has been documented as fair and accurate compensation for the work involved							
(G)	CHANGE ORDER RECOMMENDED <u>2WR/HolmesWilkins Architect, Inc.</u> NAME OF ARCHITECTURAL/ENGINEERING FIRM By: <u>David D. Sawicki</u> David D. Sawicki / Construction Administrator	CHANGE ORDER JUSTIFIED AND APPROVED _____ LOCAL OWNER By: _____ SIGNATURE By: _____ OWNER'S LEGAL COUNSEL						

AIA® Document G701™ – 2001

Change Order

PROJECT (Name and address):	CHANGE ORDER NUMBER: 005	OWNER: ☒
Montgomery County Courthouse Annex Montgomery, Alabama	DATE: December 15, 2008	ARCHITECT: ☒
TO CONTRACTOR (Name and address):	ARCHITECT'S PROJECT NUMBER: 600	CONTRACTOR: ☒
Bailey-Harris Construction Company, Inc.	CONTRACT DATE: August 29, 2007	FIELD: ☐
1552 Bailey Harris Drive	CONTRACT FOR: General Construction	OTHER: ☐
Auburn, Alabama 36830		

THE CONTRACT IS CHANGED AS FOLLOWS:

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

The original Contract Sum was	\$ 16,378,900.00
The net change by previously authorized Change Orders	\$ 188,255.00
The Contract Sum prior to this Change Order was	\$ 16,594,837.00
The Contract Sum will be increased by this Change Order in the amount of	\$ 40,576.00
The new Contract Sum including this Change Order will be	\$ 16,635,413.00

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

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.

2WR HolmesWilkins Architects, Inc.
ARCHITECT (Firm name)

166 Commerce Street, P. O. Box 4834,
Montgomery, Alabama 36104

ADDRESS

BY (Signature)

J. Michael Rutland
(Typed name)

December 15, 2008
DATE

Bailey-Harris Construction Company, Inc.
CONTRACTOR (Firm name)

1552 Bailey Harris Drive, Auburn,
Alabama 36830

ADDRESS

BY (Signature)

Allen Harris
(Typed name)

December 15, 2008
DATE

Montgomery County Commission
OWNER (Firm name)

100 South Lawrence Street, Montgomery,
Alabama 36104

ADDRESS

BY (Signature)

Todd Strange
(Typed name)

December 15, 2008
DATE

MONTGOMERY COUNTY COURTHOUSE ANNEX 3
FOR THE MONTGOMERY COUNTY COMMISSION

Date: 11/11/08

CHANGE ORDER PROPOSAL No. Five (5)

	<u>Total</u>	<u>Accept</u>	<u>Rejected</u>
5.1 Wall Mounted Stainless Steel Sink in workroom 107-Owner requested item	\$4,058.00	☒	☐
5.2 Chamber Conference 342- action required to accommodate existing ceiling that would have been visible	\$1,515.00	☒	☐
5.3 Relocate data room 3/3-Owner requested item	\$2,638.00	☒	☐
5.4 Relocate exterior data box @ Parking deck-Owner requested item	\$1,668.00	☒	☐
5.5 Electrical/Data raceways for Upper Furniture Located in Commissioners Chambers 343- Owner requested item	\$1,041.00	☒	☐
5.6 Window wall/207-Glazing Wall- Accomodate new location of ramp	<11,278.00>	☒	☐
5.7 Fire Rate S. Wall of Room 141- Owner Requested item	\$1,865.00	☒	☐
5.8 Elevated slab at Service Elevator- Requirement for City Ordinance	\$12,000.00	☒	☐
5.9 Stucco Ceiling @ Service Vestibule 311-furring to cover plumbing piping	\$3,150.00	☒	☐
TOTAL	\$13,507.00		

Recommended by:

QWR/HolmesWilkins Architects Inc.
Architect Firms Name
David Sawicki
 By Signature

David Sawicki, Construction Administrator
 (Typed Name)

11/12/08
 Date

Recommended by:

TCU Consulting Inc.
Owner Representative (Firm name)
Larry Carter
 By Signature

Larry Carter
 (Typed Name)

11/17/08
 Date

Recommended by:

Montgomery County Commission
Owner Representative (Firm name)
Donnie Mims
 By Signature

Donnie Mims, County Administrator
 (Typed Name)

11/24/08
 Date

2 WR / HOLMES WILKINS ARCHITECTS
 P.O. Box 4834 - 166 Commerce Street - Montgomery Alabama 36103

10-7

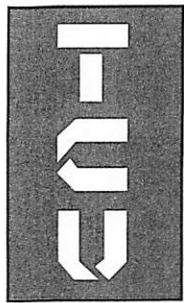
Date: 11/11/08

Rejected

\$27,069.00

Date _____

10-8



T.C.U. CONSULTING SERVICES, LLC

CONSTRUCTION CONSULTANTS

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

February 3, 2009

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

Dear John:

Attached are three (3) originals of Change Order #9 for approval by the Commission. The Commission was briefed on Change Order Proposal #9 at the November 24, 2008 Information Meeting. Also included in this Change Order is Change Proposal #10A which was intended to be included in Change Order #10 but is being processed now. This Proposal was presented to the Commission at the December 22, 2008 Information Meeting. Please include on the agenda for approval at the February 9th meeting. Secure Todd Strange's signature and return one to me.

Sincerely,

Larry Carter
Enclosures (3)

cc: file MCDF: a1.1.4 and i2.6
W. K. Upchurch III, letter only
Vicki Loyd, Goodwin, Mills & Cawood, Inc., letter only
Donnie Mims, letter only

AIA® Document G701™ – 2001

Change Order

PROJECT (Name and address):	CHANGE ORDER NUMBER: 009	OWNER: ☒
Montgomery County Detention Facility Montgomery, Alabama	DATE: January 15, 2009	ARCHITECT: ☒
TO CONTRACTOR (Name and address):	ARCHITECT'S PROJECT NUMBER: 6-5-010	CONTRACTOR: ☒
Bell and Associates Construction, LP 255 Wilson Pike Circle Brentwood, TN 39249	CONTRACT DATE: October 17, 2006	FIELD: ☐
	CONTRACT FOR: General Construction	OTHER: ☐

THE CONTRACT IS CHANGED AS FOLLOWS:

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

COP Numbers 9.01 thru 9.08	\$42,162.67
COP Number 10.10 thru 10.12	\$107,912.22
Change Order Directive No. 11	\$702.50
(See Attached)	Total \$150,777.39

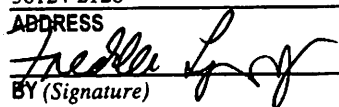
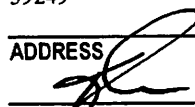
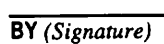
The original Contract Construction Sum was	\$ 46,362,000.00
The net change by previously authorized Change Orders	\$ 495,180.07
The Contract Sum prior to this Change Order was	\$ 46,857,180.07
The Contract Sum will be increased by this Change Order in the amount of	\$ 150,777.39
The new Contract Sum including this Change Order will be	<u>\$ 47,007,957.46</u>

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 September 15, 2008

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.

<u>Goodwyn, Mills and Cawood, Inc.</u>	<u>Bell and Associates Construction, LP</u>	<u>Montgomery County Commission</u>
ARCHITECT (Firm name)	CONTRACTOR (Firm name)	OWNER (Firm name)
2660 EastChase Lane, Suite 200 (36117), P O Box 242128, Montgomery, AL 36124-2128	255 Wilson Pike Circle, Brentwood, TN 39249	P O Box 1667, Montgomery, AL 36102- 1667
ADDRESS	ADDRESS	ADDRESS
		
BY (Signature)	BY (Signature)	BY (Signature)
<u>Freddie E. Lynn, Jr., AIA, VP/Arch.</u>	<u>Elvis H. Butler, Jr.</u>	<u>Todd R. Strange</u>
(Typed name)	(Typed name)	(Typed name)
<u>1-30-09</u>	<u>1-22-09</u>	
DATE	DATE	DATE



January 27, 2009

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

Re: Bell & Associates Construction, LP
Bond No. PRF08851391
Construction of Montgomery County
Detention Facility, Montgomery, Alabama

Dear Mr. Mims:

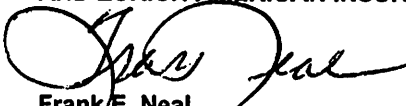
Please be advised that we, as Surety, hereby Consent and Agree to the following:

Original Contract Price: Dated October 9, 2006	\$46,362,000.00
Previously authorized Change Orders	\$ 495,180.07
Change Order No. 009 AIA Document G701-2001 Dated January 15, 2009	\$ 150,777.39
New Contract Sum, including this Change Order:	\$47,007,957.46

If we can be of further assistance, please advise.

Yours very truly,

FIDELITY AND DEPOSIT COMPANY OF MARYLAND
AND ZURICH AMERICAN INSURANCE COMPANY



Frank E. Neal
Attorney-in-Fact

FEN:gmg

CC: Mr. Elvis Butler
Bell & Associates Construction, LP
P.O. Box 363
Brentwood, Tennessee 37024

2223 8th Avenue, South, Nashville, Tennessee 37204
(615) 383-8874 Fax (615) 383-8939

CHANGE ORDER PROPOSALS for CHANGE ORDER NO. 9

Total

Accept

Reject

Date: 11/12/08

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.

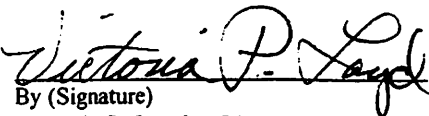
9.01	Add sump pumps, piping and associated electrical in Elevators in New Facility. Owner request.	\$ 12,635.85	<u>✓</u>	<u> </u>
9.02	Add conditioned air to Elevator Equipment Room 4000B. Required by Elevator Equipment Manufacturer.	\$ 12,629.34	<u>✓</u>	<u> </u>
9.03	Furnish and install starter for EF-1 per RFI #345. Required But not on plans.	\$ 2,129.45	<u>✓</u>	<u> </u>
9.04	Furnish and install jockey pump circuit in new facility per RFI #346. Required but not on plans.	\$ 2,588.69	<u>✓</u>	<u> </u>
9.05	Relocate Bussman Power Modules and add three disconnects per RFI #342. Required by Elevator Code Official.	\$ 1,307.00	<u>✓</u>	<u> </u>
9.06	Relocate glazing panel at speak-through in Master Control in New Facility. Owner request.	\$ 504.00	<u>✓</u>	<u> </u>
9.07	Add corner security mirrors in cells in Booking and Release. Requested by Owner to improve visibility.	\$ 3,700.00	<u>✓</u>	<u> </u>
9.08	Add door control station in Room 224 of the existing jail. Owner request.	\$ 6,668.34	<u>✓</u>	<u> </u>

CHANGE ORDER PROPOSAL #9 TOTAL

\$ 42,162.67

Recommended by:

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



By (Signature)

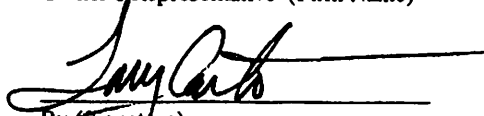
Victoria P. Loyd, AIA

(Typed Name)

Date: November 12, 2008

Recommended by:

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



By (Signature)

Larry Carter

(Typed Name)

Date: 11/13/08

Reviewed by:

Montgomery County Commission
Owner (Firm Name)



By (Signature)

Donald L. Mims, County Admin.

(Typed Name)

Date: 11-18-08



February 4, 2009

MEMORANDUM

TO : Mr. John Mitchell
Assistant County Administrator

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

SUBJECT : Requesting Approval for Low Bid
Office Furniture for 4th Floor of Sheriff's Office

Per our previous discussion, I am requesting final approval for approximately \$35,000.00 for office furnishings on the newly renovated fourth floor. We have received quotes for furniture from three vendors. All the quotes are equally balanced as far as items requested that meet the needs of the Sheriff's Office. All quotes have been reviewed.

I am requesting that the low bid from Kyser Office Works be accepted for \$35,358.72, Contract Number 4008450, Commodity Code: 425-00-087222, Line: 00580. (FYI – The quote leaves off one bid for a cubicle that the architect failed to send Kyser at an approximate cost of \$2,000.00, which we have included in the total price. The final price for that cubicle has been requested.)

I would appreciate your presenting this item to the County Commission for approval so that we may move forward with the plans for relocation of our personnel.

DC/tb

2009 FEB 10 10 20 AM



OfficeWorks
A KYSER COMPANY

2400 Spruce Street
Montgomery, Alabama 36107
334/834-9400
334/262-0701 FAX
www.kyser.com

Quotation

Page 1 of 9

Quote Number	Quote Date	Customer Order Number	Customer Number	Account Representative	Project Number
24392	01/05/09		320436	Crawford Slaton	

QUOTE TO: Chief Cunningham
Sheriffs Office
100 SOUTH LAWRENCE STREET
P.O.BOX 1667
Montgomery, AL 36107

SHIP TO: Chief Cunningham
Sheriffs Office
100 SOUTH LAWRENCE STREET
P.O.BOX 1667
Montgomery, AL 36107

P: 1.334.832.1646
F: 1.334.831.7113

P: 1.334.832.1646
F: 1.334.831.7113

Terms: NET DUE 10 DAYS

Sheriffs Dept-Panels

Line	Quantity	Catalog No. / Description	Unit Price	Extended Amount
8	14	TSAPF6648 STEELCASE Panel-Tackable, 66x48 BASIC :7238 FIELDSTONE SURF-1 :G226 CANTATA SURF-2 :G226 CANTATA OPTIONS * * OPTIONS * * POWER *OPT:POWER AT BASE OPTIONS FACT INS STD:FACTORY INSTALLED OPTIONS POWER POWERWAY OPTIONS SHRD PWY 3-CIRCT PWWAY W/SHRD NTRL	293.28 624.00 53.00%	4,105.92
9	10	TSAPF6648 STEELCASE Panel-Tackable, 66x48 BASIC :7238 FIELDSTONE SURF-1 :G226 CANTATA SURF-2 :G226 CANTATA	239.70 510.00 53.00%	2,397.00

Accepted by _____ Title _____ Date _____ /3-3



OfficeWorks
A KYSER COMPANY

2400 Spruce Street
Montgomery, Alabama 36107
334/834-9400
334/262-0701 FAX
www.kyser.com

Quotation

Page 2 of 9

Quote Number	Quote Date	Customer Order Number	Customer Number	Account Representative	Project Number
24392	01/05/09		320436	Crawford Slaton	

Line	Quantity	Catalog No. / Description	Unit Price	Extended Amount
11	17	TS2PBBF22U STEELCASE Pedestal-Box/Box/File, Under Worksurface, 22"D BASIC :7238 FIELDSTONE KEYS :SK PLUG OPTIONS * * OPTIONS * * PULLS *OPT:PULL OPTIONS HDL PULL HANDLE PULL PULL PULL NICKEL *PULL:NICKEL 9211 NICKEL 	180.01 383.00 53.00%	3,060.17
12	17	TS2PFF22U STEELCASE Pedestal-File/File, Under Worksurface, 22"D BASIC :7238 FIELDSTONE KEYS :SK PLUG OPTIONS * * OPTIONS * * PULLS *OPT:PULL OPTIONS HDL PULL HANDLE PULL PULL PULL NICKEL *PULL:NICKEL 9211 NICKEL 	170.61 363.00 53.00%	2,900.37
19	14	TSATCANT STEELCASE Cantilever BASIC :7238 FIELDSTONE 	37.13 79.00 53.00%	519.82
23	16	TSAPTC66 STEELCASE Trim-Vertical, Corner, 66" BASIC :7238 FIELDSTONE	29.61 63.00 53.00%	473.76

Accepted by _____ Title _____ Date _____ 13-4



OfficeWorks^{INC.}
A KYSER COMPANY

2400 Spruce Street
Montgomery, Alabama 36107
334/834-9400
334/262-0701 FAX
www.kyser.com

Quotation

Page 3 of 9

Quote Number	Quote Date	Customer Order Number	Customer Number	Account Representative	Project Number
24392	01/05/09		320436	Crawford Slaton	

Line	Quantity	Catalog No. / Description	Unit Price	Extended Amount
25	28	TSAPTE66 STEELCASE Trim-Vertical, End Of Run, 66" BASIC :7238 FIELDSTONE	20.21 43.00 53.00%	565.88
29	17	TS5ACTRD STEELCASE Center Drawer-18x24x2 BASIC :6000 BLACK	63.45 135.00 53.00%	1,078.65
42	16	LSM24K STEELCASE Light-Shelf, Electronic Ballast, 17 Watt, Lamp, 9' Cord, 25w	158.86 338.00 53.00%	2,541.76
44	5	TSATTIE STEELCASE Tie Plates-Package/6	39.48 84.00 53.00%	197.40
45	4	TSAE98669 STEELCASE Base Power In-3 Circuit OPTIONS * * OPTIONS * * WIRE OPT *OPT:WIRING OPTIONS SHRD PWY STD:3 CIRCUIT SHARED NEUTRAL	101.99 217.00 53.00%	407.96

Accepted by _____ Title _____ Date _____ 135



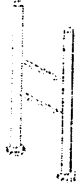
OfficeWorks^{INC.}
A KYSER COMPANY

2400 Spruce Street
Montgomery, Alabama 36107
334/834-9400
334/262-0701 FAX
www.kyser.com

Quotation

Page 4 of 9

Quote Number	Quote Date	Customer Order Number	Customer Number	Account Representative	Project Number
24392	01/05/09		320436	Crawford Slaton	

Line	Quantity	Catalog No. / Description	Unit Price	Extended Amount
46	2	TSAE31DA15S STEELCASE Receptacle-4 Circuit 3+D, Line 1, 15 Amp, Package 6 	83.66 178.00 53.00%	167.32
47	2	TSAE32DA15S STEELCASE Receptacle-4-Circuit 3+D, Line 2, 15 Amp, Package 6	83.66 178.00 53.00%	167.32
48	2	TSAE33DA15S STEELCASE Receptacle-4 Circuit 3+D, Line 3, 15 Amp, Package 6 	83.66 178.00 53.00%	167.32
51	10	TSATH2711 STEELCASE Leg-H, 11"Wx27"H BASIC :7238 FIELDSTONE 	78.96 168.00 53.00%	789.60
52	17	TSAPF6624 STEELCASE Panel-Tackable, 66x24 BASIC :7238 FIELDSTONE SURF-1 :G226 CANTATA SURF-2 :G226 CANTATA 	160.27 341.00 53.00%	2,724.59

Accepted by _____ Title _____ Date _____ 13-6



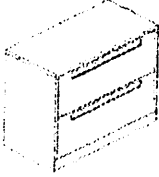
OfficeWorks
A KYSER COMPANY

2400 Spruce Street
Montgomery, Alabama 36107
334/834-9400
334/262-0701 FAX
www.kyser.com

Quotation

Page 5 of 9

Quote Number	Quote Date	Customer Order Number	Customer Number	Account Representative	Project Number
24392	01/05/09		320436	Crawford Slaton	

Line	Quantity	Catalog No. / Description	Unit Price	Extended Amount
53	5	TS218362 STEELCASE Lateral File-2 Drawer, 18x36x28 BASIC :7238 FIELDSTONE LOCK :9201 POLISHED CHROME KEYS :SK PLUG OPTIONS * * OPTIONS * * WGHT PKG *OPT:COUNTERWEIGHT PKG NO WGHT NO COUNTERWT PKG 	263.67 561.00 53.00%	1,318.35
54	16	TSASUB48L STEELCASE Bin-Kick, Otc, Flat Front, Lock, 48" BASIC :7238 FIELDSTONE KEYS :SK PLUG 	210.56 448.00 53.00%	3,368.96
55	8	TSAWLE2247 STEELCASE Worksurface-Corner, Curved, Extended, Low Pressure Laminate, 24x24x48x72 EDGE :6654 SAND TOP-SURF:2L50 VANADIUM FIBER LPL 	253.33 539.00 53.00%	2,026.64
56	9	TSAWLE2274 STEELCASE Worksurface-Corner, Curved, Extended, Low Pressure Laminate, 24x24x72x48 EDGE :6654 SAND TOP-SURF:2L50 VANADIUM FIBER LPL 	253.33 539.00 53.00%	2,279.97

Accepted by _____ Title _____ Date _____ 13-7



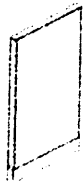
OfficeWorks^{INC.}
A KYSER COMPANY

2400 Spruce Street
Montgomery, Alabama 36107
334/834-9400
334/262-0701 FAX
www.kyser.com

Quotation

Page 6 of 9

Quote Number	Quote Date	Customer Order Number	Customer Number	Account Representative	Project Number
24392	01/05/09		320436	Crawford Slaton	

Line	Quantity	Catalog No. / Description	Unit Price	Extended Amount
57	17	TSAWLR2448 STEELCASE Worksurface-Straight, Low Pressure Laminate, 24x48 EDGE :6654 SAND TOP-SURF:2L50 VANADIUM FIBER LPL 	80.84 172.00 53.00%	1,374.28
58	53	LOCK9201FR STEELCASE Lock Cylinder-FR Series, Polished Chrome LOCK :9201 POLISHED CHROME KEYS :SK SPEC 4-FR310 4-FR311 4-FR312 4-FR312 4-FR313 3-FR314 3-FR315 3-FR316 3-FR319 3-FR320 3-FR321 3-FR322 3-FR323 3-FR324 3-FR325 3-FR326	N/C 0.00 0.00%	N/C
59	1	TSAPF4224 STEELCASE Panel-Tackable, 42x24 BASIC :7238 FIELDSTONE SURF-1 :G226 CANTATA SURF-2 :G226 CANTATA 	148.99 317.00 53.00%	148.99
60	2	TSAPF4236 STEELCASE Panel-Tackable, 42x36 BASIC :7238 FIELDSTONE SURF-1 :G226 CANTATA SURF-2 :G226 CANTATA	170.14 362.00 53.00%	340.28

Accepted by _____ Title _____ Date _____ 13-8



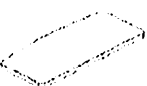
OfficeWorks^{INC.}
A KYSER COMPANY

2400 Spruce Street
Montgomery, Alabama 36107
334/834-9400
334/262-0701 FAX
www.kyser.com

Quotation

Page 7 of 9

Quote Number	Quote Date	Customer Order Number	Customer Number	Account Representative	Project Number
24392	01/05/09		320436	Crawford Slaton	

Line	Quantity	Catalog No. / Description	Unit Price	Extended Amount
61	1	 TSAPTC42 STEELCASE Trim-Vertical, Corner, 42" BASIC :7238 FIELDSTONE	29.61 63.00 53.00%	29.61
62	2	 TSAPTE42 STEELCASE Trim-Vertical, End Of Run, 42" BASIC :7238 FIELDSTONE	20.21 43.00 53.00%	40.42
63	2	 TSAWLT1636 STEELCASE Worksurface-Transaction, Low Pressure Laminate, 16x36 EDGE :6654 SAND TOP-SURF:2L50 VANADIUM FIBER LPL	83.19 177.00 53.00%	166.38

Accepted by _____ Title _____ Date _____ 13-9



OfficeWorks_{INC.}
A KYSER COMPANY

2400 Spruce Street
Montgomery, Alabama 36107
334/834-9400
334/262-0701 FAX
www.kyser.com

Quotation

Page 8 of 9

Quote Number	Quote Date	Customer Order Number	Customer Number	Account Representative	Project Number
24392	01/05/09		320436	Crawford Slaton	

Line	Quantity	Catalog No. / Description	Unit Price	Extended Amount
		STATE OF ALABAMA T390 FURNITURE CONTRACT STEELCASE 53% OFF LIST PRICE DELIVERED AND INSTALLED CONTRACT NO: 4008450 COMMODITY CODE: 425-00-087222 LINE: 00580 PLEASE SUBMIT YOUR PO TO STEELCASE, INC AND LIST KYSER OFFICE WORKS AS THE ASSISTING DEALER ON YOUR PO AND PLEASE SEND A COPY OF THE PO TO CRAWFORD SLATON AT KYSER TO EXPEDITE AND TRACK.		
			Sub Total	33,358.72
		NON-TAXABLE/MUST HAVE TAX EXEMPT NUMBER!		0.00
			Grand Total	33,358.72
		<i>Images are provided as a preliminary color and type representation and should not be used for final color and product selection. Due to individual computer/monitor/printer settings: color, texture, pattern, size and feature rendering may vary from the actual sample. For accuracy, order and view an actual sample.</i>		
		*****End of Quotation*****		

Accepted by _____ Title _____ Date _____ 13-10

County Commission			
DEPARTMENT:	Appropriations	REVIEWED:	S. Thomas
	2/4/2009	Finance Director	Date
REQUESTED BY:	Donald L. Mims, Administrator	APPROVED:	
Elected Official/Dept. Head		Administrator	Date

JUSTIFICATION:

69

14-1

FEB - 9 2009

BUDGET FORM 5

MONTGOMERY COUNTY COMMISSION BUDGET CHANGE REQUEST

REQUEST NUMBER 19

DEPARTMENT:	County Commission Appropriations	REVIEWED:	S. Thomas	2/4/2009
	2/4/2009		Finance Director	Date
REQUESTED BY:	Donald L. Mims, Administrator	APPROVED:		
	Elected Official/Dept. Head		Administrator	Date

ACCOUNT NAME	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE (DECREASE)	REVISED BUDGET
Alabama State University	001-58300-293	5,000	5,000	10,000
In House Misc. Appropriations	001-59310-499	471,062	-5,000	466,062
				0
TOTAL		476,062	0	476,062

JUSTIFICATION:

To provide funding for security for the Alabama High School Athletic Association Game.

MONTGOMERY COUNTY COMMISSION BUDGET CHANGE REQUEST

REQUEST NUMBER 20

County Commission			
DEPARTMENT:	Appropriations	REVIEWED:	S. Thomas
	2/4/2009	Finance Director	Date
REQUESTED BY:	Donald L. Mims, Administrator	APPROVED:	
Elected Official/Dept. Head		Administrator	Date

ACCOUNT NAME	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE (DECREASE)	REVISED BUDGET
Southeastern Livestock Expedition	001-57201-294	0	3,500	3,500
In House Misc. Appropriations	001-59310-499	466,062	-3,500	462,562
				0
TOTAL		466,062	0	466,062

JUSTIFICATION:

Provide funding for the Cattle Show during the Rodeo at the Southeastern Livestock Expo

FEB - 9 2009

BUDGET FORM 5

MONTGOMERY COUNTY COMMISSION BUDGET CHANGE REQUEST

REQUEST NUMBER 21

DEPARTMENT:	County Commission Appropriations	REVIEWED:	S. Thomas	2/6/2009
	2/6/2009		Finance Director	Date
REQUESTED BY:	Donald L. Mims, Administrator	APPROVED:		
	Elected Official/Dept. Head		Administrator	Date

ACCOUNT NAME	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE (DECREASE)	REVISED BUDGET
Blue-Gray Tennis	001-57201-334	0	5,000	5,000
In House Misc. Appropriations	001-59310-499	462,562	-5,000	457,562
				0
TOTAL		462,562	0	462,562

JUSTIFICATION:

To provide funding for the Blue-Gray National Collegiate Tennis Classic.

Montgomery County Commission
Travel / Training Request Approval

Appendix C

Request # 6

Agenda

FEB - 9 2009

Date: February 5, 2009
To: Donald L. Mims, Administrator
From: Louis Ialacci, Director of Information Systems
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: to attend ACCA Course: Conflict Management

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

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

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

Department Name: Information Systems Fund Name: General

Additional Comments: _____

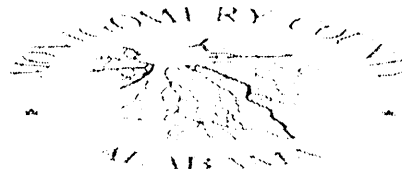
To: Louis Ialacci, Director of Information Systems
From: Donald L. Mims, Administrator

The above request is app. 02/09/09 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>001-51965-265</u>	(ex: 000-00000-000)
Description:	<u>Registration & Training</u>	
Current Budget:	<u>\$30,000.00</u>	
Approved Requests:	<u>\$7,378.64</u>	
Budget Available:	<u>\$22,621.36</u>	
Current Requests:	<u>\$155.00</u>	
Budget Balance:	<u>\$22,466.36</u>	

Donald L. Mims, Administrator



Reviewed by: S. Thomas

Date: 2/5/2009

cc: Finance Director / Buyer

Montgomery County Commission
Travel / Training Request Approval

Appendix C

Agenda

FEB - 9 2009

Request # 9

Date: January 27, 2009
To: Donald L. Mims, Administrator
From: Bruce R. Howell
Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Orange Beach, Ala.
Departure Date: February 25, 2009 Return Date: February 27, 2009
Conference Leave (Days / Hours): 3 days
Purpose of Travel: Attend the annual Alabama Conference of Social Work

Traveler (s) Name: 1. Warren Brantley 4. Patricia Strickland
2. Linda Parsley-Engle 5.
3. 6.

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

Total (est.) Cost: \$800.00 Advance Registration Required:

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

Additional Comments:

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

The above request is app. 2/9/09 reimbursement of actual and necessary expenses in the
approximate amount of \$800.00 and advance registration of \$0.00 is authorized.

To be completed by the Finance Department

Fund Code:	<u>001-52603-265</u>	(ex: 000-00000-000)
Description:	<u>Registration & Training</u>	
Current Budget:	<u>\$13,000.00</u>	
Approved Requests:	<u>\$12,150.00</u>	
Budget Available:	<u>\$850.00</u>	
Current Requests:	<u>\$800.00</u>	
Budget Balance:	<u>\$50.00</u>	

Donald L. Mims, Administrator



Reviewed by: S. Thomas

Date: 1/27/2009

cc: Finance Director / Buyer

Montgomery County Commission
Travel / Training Request Approval

Appendix C

Agenda

FEB - 9 2009

Request # 3

Date: January 27, 2009
To: Donald L. Mims, Administrator
From: Paul Brown, Executive Director
Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Reno, Nevada
Departure Date: February 15, 2009 Return Date: February 20, 2009
Conference Leave (Days / Hours): five days
Purpose of Travel: To attend a Conference on Evidence-Based Sentencing

Traveler (s) Name: 1. ReBecca Johnson 4. _____
2. _____ 5. _____
3. _____ 6. _____

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

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

Department Name: Community Correction Fund Name: Community Corrections

Additional Comments: No fee to the County

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

The above request is app. 02/09/09 reimbursement of actual and necessary expenses in the
approximate amount of \$0.00 and advance registration of \$0.00 is authorized.

To be completed by the Finance Department

Fund Code:	<u>124-57202-265</u>	(ex: 000-00000-000)
Description:	<u>Registration & Training</u>	
Current Budget:	<u>\$9,810.00</u>	
Approved Requests:	<u>\$4,545.00</u>	
Budget Available:	<u>\$5,265.00</u>	
Current Requests:	<u>\$0.00</u>	
Budget Balance:	<u>\$5,265.00</u>	

Donald L. Mims, Administrator



Reviewed by: S. Thomas

Date: 1/27/2009

cc: Finance Director / Buyer

D.T. MARSHALL, SHERIFF



OFFICE: (334) 832-4980

FAX: (334) 832-2500

January 28, 2009

MEMORANDUM

TO : Mr. Donnie Mims
County Administrator

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

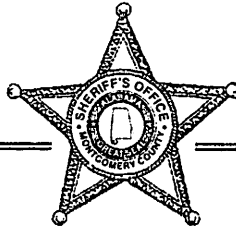
SUBJECT : FY 2009 Emergency Operations Center Grant
Homeland Security

The deadline for applying for the FY 2009 Emergency Operations Center Grant is fast approaching. If the County Commission is still planning on renovating the first floor of Courthouse Annex I, this grant does have an allotment for buildings and construction. We feel that if we can obtain this grant, which requires 25% in matching funds, we can off set \$250,000.00 of the renovation costs for the Sheriff's Office dispatch center.

Please advise whether the County Commission plans on the renovation. The deadline for applying for this grant is February 6, 2009.

DTM/tb

D.T. MARSHALL, SHERIFF



OFFICE: (334) 832-4980
FAX: (334) 832-2500

27 January, 2009

MEMORANDUM

TO : Chief Deputy Derrick Cunningham
Montgomery County Sheriffs Office

FROM : Sgt Jon G. Briggs
Montgomery County Sheriff's Office

SUBJECT : FY 2009 Emergency Operations Center Grant
Homeland Security

The Sheriff's Office will be applying for the FY 2009 Emergency Operations Center Grant from the U.S. Department of Homeland Security. As required, we will need to notify our local unit of government of our intention of applying for this grant. Please place this on the agenda for the 2 February, 2009 County Commission meeting for the Commission to consider approval of the submission of the application. The Grant will provide a maximum of \$250,000.00 for the renovation of the Sheriffs Office Communications Center. This grant requires a 25% matching funds. Deadline for submission to the State is 6 February, 2009.

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

17-3



ENVIRONMENTAL
MATERIALS
CONSULTANTS, INC.

PROJECT AUTHORIZATION FORM

Project Name: Mold Observations and Testing Date: January 29, 2009

Project Location: Judge Warner's Offices, Montgomery County Youth Facility

Proposed Services: In accordance with your request, and after visiting the site and meeting Judge Warner earlier today, I propose the following services: 1) Perform additional observations of Judge Warner's offices in the company of Mr. Jimmy Mills, the Facility Maintenance Supervisor, to learn more about, and to observe for indications of mold, condensation and/or water intrusion issues. 2) Collect nine airborne particulate samples using air-o-cell cassettes, four from within Judge Warner's offices, two from within the modular units, where the air quality is thought to be better, one from the courtyard area outside Judge Warner's office, and two from other outside areas. 3) Have the samples analyzed for fungal structures by direct microscopic examination. 4) Prepare a brief report that presents the findings of my observations and testing, and may include recommendations.

Note: I am not aware of any regulatory standards regarding surface or airborne mold in office type environments. My conclusions will be based on my observations and on comparison of airborne mold concentrations in Judges Warner's offices, in the modular units and outside the buildings.

The cost of this work will be \$1,830.

Prepared By: W. Haynes Kelley, Jr.
W. Haynes Kelley, Jr. / President

Special Instructions: _____

The proposed services presented above are authorized and the Terms and Conditions shown on the back of this form are accepted.

Montgomery County Commission
Print or type Client Name (individual, firm or corporation)
100 South Lawrence Street, Montgomery, AL 36104
Client Address

Signature of Authorized Representative _____ Date _____

Print or type Name of Authorized Representative and Title _____

TERMS AND CONDITIONS

SCOPE OF SERVICES. Environmental-Materials Consultants, Inc., as an independent consultant, and hereafter referred to as ENGINEER, agrees to provide CLIENT for CLIENT's sole benefit and exclusive use consulting services set forth in EMC's proposal.

STANDARD OF CARE. Services performed by ENGINEER under this AGREEMENT will be conducted in a manner consistent with that level of care and skill ordinarily exercised by members of the profession currently practicing in the same locality under similar conditions. No other representation, express or implied, and no warranty or guarantee is induced or intended in this AGREEMENT, or in any report, opinion, document or otherwise.

BILLING AND PAYMENT. CLIENT recognizes that timely payment of ENGINEER's invoices is a material part of the consideration of this AGREEMENT. CLIENT shall pay ENGINEER for services performed in accordance with the fee schedule set forth herein. Invoices will be submitted by ENGINEER from time to time, but no more frequently than every two weeks, and shall be due and payable within fifteen (15) days of invoice date. If CLIENT objects to all or any portion of an invoice, CLIENT shall so notify ENGINEER within fourteen calendar days of the invoice date, identify the cause of disagreement and pay, when due, that portion of the invoice, if any, not in dispute. CLIENT shall pay an additional charge of one-and-one-half percent (1.5%) per month plus collection costs, including reasonable attorney's fees, for any payment received by ENGINEER more than thirty calendar days from the date of the invoice, excepting any portion of the invoiced amount in dispute and resolved in favor of CLIENT. Payment thereafter shall first be applied to accrued interest and then to the principal unpaid amount. Payment of invoices is in no case subject to unilateral discounting or set-off by CLIENT. Application of the percentage rate indicated above as a consequence of CLIENT's late payments does not constitute any willingness on ENGINEER's part to finance CLIENT's operation, and no such willingness should be inferred. If CLIENT fails to pay undisputed invoiced amounts within thirty calendar days of the date of the invoice, ENGINEER may at any time, without waiving any other claim against CLIENT and without thereby incurring any liability to CLIENTS, suspend and terminate this AGREEMENT. If a project is terminated in whole or in part, then ENGINEER shall be paid for services performed prior to terminating or issuing written notice of such termination in addition to ENGINEER's reimbursable expenses and any portion of any amount due to ENGINEER. If a project is terminated in whole or in part, then ENGINEER's professional fee shall be determined by the amount of work completed or anticipated completion of the project. ENGINEER may require, at any time during the pendency of this AGREEMENT, that CLIENT provide a letter of credit issued by a federally insured financial institution in an amount sufficient to assure full payment hereunder.

TERMINATION. CLIENT or ENGINEER may terminate this AGREEMENT by notifying the other party. Termination will become effective thirty calendar days after receipt of the termination notice. Irrespective of which party shall effect termination or the cause thereof, CLIENT shall within thirty calendar days of termination remunerate ENGINEER for services rendered and costs incurred. Costs shall include those incurred up to the time of termination, as well as those associated with termination and post-termination activities, such as demobilization, decontamination and/or disposal of equipment or samples.

DOCUMENTS. CLIENT will furnish or cause to be furnished such reports, data, studies, plans, specifications, documents and other information deemed necessary by ENGINEER for proper performance of ENGINEER's services. ENGINEER may rely upon CLIENT-provided documents in performing the services required under this AGREEMENT; however, ENGINEER assumes no responsibility or liability for their accuracy. CLIENT-provided documents will remain property of CLIENT. All documents, including but not limited to, drawings, specifications, reports, boring logs, field notes, laboratory test data, calculations and estimates, prepared by ENGINEER as a part of the service provided to this AGREEMENT, shall be ENGINEER's sole property. CLIENT agrees that all documents of any nature furnished to CLIENT or ENGINEER are deemed to be the property of ENGINEER and will not be used by CLIENT for any purpose whatsoever. CLIENT further agrees that under no circumstances shall any documents produced by ENGINEER pursuant to this AGREEMENT be used by CLIENT or for any project not expressly provided for in this AGREEMENT without the prior written permission of ENGINEER. If CLIENT uses all or any portion of ENGINEER's work on another project without ENGINEER's permission, CLIENT shall to the maximum extent permitted by law have ENGINEER harmless from any and all claims arising from such unauthorized reuse. CLIENT shall be responsible for advertising or any other purpose, without ENGINEER's prior written consent, such reproduction or distribution shall be at CLIENT's sole risk and without liability or legal exposure to ENGINEER.

HAZARDOUS SUBSTANCES AND CONSTITUENTS. CLIENT agrees to advise ENGINEER upon execution of this AGREEMENT of any hazardous substances or any conditions existing in, on or near the site presenting a potential danger to human health, the environment, or equipment. CLIENT agrees to provide continuing information as it comes available to the attention of CLIENT in the future. By virtue of entering into this AGREEMENT or of providing services hereunder, ENGINEER does not assume control of, or responsibility for, the site or the person in charge of the site, or

undertake responsibility for reporting to any Federal, State or local public agencies any conditions at the site that may present a potential danger to public health, safety or the environment. CLIENT agrees to notify the appropriate Federal, State or local public agencies as required by law, or otherwise to disclose, in a timely manner, any information that may be necessary to prevent any danger to health, safety or the environment. In connection with hazardous waste, CLIENT agrees to the maximum extent permitted by law to defend, hold harmless and indemnify ENGINEER from and against any and all claims and liability resulting from:

(a) CLIENT's violation of any Federal, State or local statute, regulation or ordinance relating to the disposal of hazardous substances or constituents, treatment, storage, transportation or disposal of hazardous substances or constituents found or identified at the site;

(b) CLIENT's undertaking of or arrangements for the handling, removal, introduction at the site by CLIENT or third persons before or after the completion of services herein;

(c) Changed conditions or hazardous substances or constituents introduced at the site by CLIENT or third persons before or after the completion of services herein;

(d) Allegations that ENGINEER is a handler, generator, operator, transporter or disposer under the Resource Conservation and Recovery Act of 1976 as amended or any other similar Federal, State or local regulation or law.

UNANTICIPATED CONDITIONS OR HAZARDOUS MATERIALS. Unanticipated conditions or certain types of hazardous materials may exist at a site where there is no reason to believe they could or should be present. ENGINEER and CLIENT agree that the discovery of unanticipated hazardous materials constitutes a changed condition mandating a renegotiation of the scope of work or termination of services. ENGINEER and CLIENT also agree that the discovery of unanticipated hazardous materials will make it necessary for ENGINEER to take immediate measures to protect human health and safety, and/or the environment. ENGINEER agrees to notify CLIENT as soon as practically possible should unanticipated hazardous materials or suspected hazardous materials be encountered. CLIENT encourages ENGINEER to take any and all measures that in ENGINEER's professional opinion are justified to preserve and protect the health and safety of ENGINEER's personnel and the public, and/or the environment, and CLIENT agrees to compensate ENGINEER for the additional cost of such work. In addition, CLIENT waives any claim against ENGINEER, and agrees to indemnify, defend and hold ENGINEER harmless from any claim or liability for injury or loss arising from ENGINEER's encountering of unanticipated hazardous materials or suspected hazardous materials. CLIENT also agrees to compensate ENGINEER for any time spent and expenses incurred by ENGINEER in defense of any such claim, with such compensation to be based upon ENGINEER's prevailing fee schedule and expense reimbursement policy.

RIGHT OF ENTRY. CLIENT shall provide for ENGINEER's right to enter from time to time on the property of CLIENT and/or attempt in order for ENGINEER to fulfill the scope of services included hereunder. CLIENT understands that use of exploration equipment may cause some damage to the correction of which is not part of this AGREEMENT. CLIENT also understands that the discovery of certain conditions and/or taking preventive measures relative to these conditions may result in reduction of the property's value. Accordingly, CLIENT agrees to indemnify ENGINEER, and agrees to defend, indemnify and hold ENGINEER harmless from any claim or liability for injury or loss allegedly arising from procedures associated with ENGINEER's activities or discovery of hazardous materials or suspected hazardous materials. In addition, CLIENT agrees to compensate ENGINEER for any time spent or expenses incurred by ENGINEER in defense of any such claim, with compensation to be based upon ENGINEER's prevailing fee schedule and expense reimbursement policy.

DAMAGE AT SITE. ENGINEER will not be liable for any property damage or bodily injury arising from damage to or interference with surface or subterranean structures (including, without limitation, pipes, tanks, telephone cables, etc.) which are not called to ENGINEER's attention in writing and correctly shown on the plans furnished by CLIENT in connection with work performed under this AGREEMENT. CLIENT recognizes that the use of exploration and test equipment may unavoidably affect, alter or damage the terrain and effect subsurface, vegetation, buildings, structures and equipment in, at or upon the site. CLIENT accepts the fact that this is inherent to ENGINEER's work and will not hold ENGINEER liable or responsible for any such effect, alteration or damage.

SAMPLING AND TESTING LOCATIONS. The fees included in ENGINEER's Proposal do not include costs associated with surveying of the site and/or facility to determine accurate horizontal and vertical location of tests. If surveying is required, cost of surveying will be paid by CLIENT. Field tests or boring locations described in report or shown on sketches are based on specific information furnished by others or estimates made in the field by personnel. Such dimensions, depths or elevations are approximations.

DISPOSAL OF SAMPLES. Samples obtained from the PROJECT site are the property of CLIENT. ENGINEER shall preserve such samples for no longer than forty-five calendar days after the issuance of any document thereon. Samples retained longer than that, unless other arrangements are mutually agreed upon in writing, shall be disposed of. Samples are to be disposed of by hazardous waste disposal procedures. If the samples are contaminated by hazardous substances or suspected hazardous substances, it is CLIENT's responsibility to select and arrange for lawful disposal procedures, that is, procedures which encompass removing the contaminated samples

from ENGINEER's custody and transporting them to a disposal site. CLIENT is advised that, in all cases, prudence and good judgment should be applied in selecting and arranging lawful disposal procedures. Due to the risks to which ENGINEER is exposed, CLIENT agrees to have any claim against ENGINEER, and to defend, indemnify and hold ENGINEER harmless from any claim or liability for injury or loss arising from ENGINEER's handling, transporting, testing, storing or other handling of contaminated samples. CLIENT also agrees to compensate ENGINEER for any time spent and expenses incurred by ENGINEER in defense of any such claim, with such compensation to be based upon ENGINEER's prevailing fee schedule and expense reimbursement policy.

FIELD PERFORMANCE. The presence of ENGINEER's field personnel either full- or part-time will be for the purpose of providing observation and field testing of specific aspects of the project. Should a contractor be involved in the project, ENGINEER's work does not include supervision or direction of the actual work of the contractor, his employees or agents. The contractor should be so advised. The contractor should also be informed that neither the presence of ENGINEER field representatives, observation and testing by ENGINEER shall excuse contractor in any way for defects discovered in contractor's work. It is agreed that ENGINEER will not be responsible for job or site safety on the project and that ENGINEER does not have the right to stop the work of the contractor.

PUBLIC LIABILITY. ENGINEER maintains workers' compensation and employer's liability insurance for ENGINEER's employees as required by State laws. In addition, ENGINEER maintains comprehensive general liability with limits of \$1,000,000 and auto liability insurance with limits of \$1,000,000. A Certificate of Insurance can be supplied evidencing such coverage. ENGINEER will not be liable or responsible for any loss, damage or liability beyond the amounts, limits, coverage or conditions of such insurance. ENGINEER alleges exposure to or damage from material, elements or constituents within the facility before, during or after the services of this AGREEMENT, which may be the result of property damage, then, CLIENT's agreement in this condition to any third party or resulting in cost for remedial action, shall not constitute an admission of liability or an acknowledgment of any adverse condition resulting against ENGINEER, including any interest therein. Further, any such suit or claim, will pay Court costs for which ENGINEER incurs in any such suit and will bear and pay litigation expenses CLIENT incurs in defending a reasonable and professional defense which will be provided by CLIENT according to prevailing legal standards. CLIENT will have the right to investigate, negotiate or settle, with ENGINEER's concurrence, any such suit or claim, and ENGINEER will cooperate in the defense of any such suit or claim.

PROFESSIONAL LIABILITY. CLIENT agrees to limit ENGINEER's liability to CLIENT or any third party arising from negligent professional acts, errors or omissions such that our total aggregate liability shall not exceed \$50,000 or ENGINEER's total fee, whichever is greater.

CLAIMS. In the event CLIENT makes any claim against ENGINEER at law or otherwise, including error, omission or injurious act arising out of the performance by ENGINEER of services pursuant to this AGREEMENT, which cannot be mutually resolved without resort to litigation, and CLIENT fails to prove such claim, then, CLIENT shall pay all costs incurred by ENGINEER in defending itself against claim, including without limitation, ENGINEER's personnel-related costs, attorney fees, court costs and other claim-related expenses, including without limitation, costs, fees and expenses of experts. CLIENT agrees that for purposes of this AGREEMENT it has failed to prove its claim when any judgment rendered in its favor is for a sum of money less than the maximum sum offered in writing by ENGINEER to resolve the matter prior to commencement of trial.

SEVERABILITY. Any element of this AGREEMENT held to violate a law or regulation shall be deemed void, and all remaining provisions shall continue in force.

SURVIVAL. All obligations arising prior to the termination of this AGREEMENT and all provisions of this AGREEMENT allocating responsibility or liability between CLIENT and ENGINEER shall survive the completion of the services hereunder and their termination of this AGREEMENT.

INTEGRATION. This AGREEMENT comprises a final and complete repository of understandings between CLIENT and ENGINEER. It supersedes all prior or contemporaneous communications, representations or agreements, whether oral or written, relating to the subject matter of this AGREEMENT. CLIENT and ENGINEER agree that modifications to this AGREEMENT shall not be binding unless made in writing and signed by an authorized representative of each party.

GOVERNING LAW. The law of the State of Alabama governs the validity of this AGREEMENT, its interpretation and performance, and remedies for contract breach or any other claims related to this AGREEMENT.

MONTGOMERY COUNTY COURTHOUSE ANNEX 3
FOR THE MONTGOMERY COUNTY COMMISSION

Date: 1/14/2009

<u>CHANGE ORDER PROPOSAL No. Six (6)</u>	<u>Total</u>	<u>Accept</u>	<u>Rejected</u>
6.1 Revised Landscape-Due to site restrictions and curb locations per City of Montgomery	(\$1,550.00)	☒	☐
6.2 Credit for Installation of incorrect Overhead Doors	(\$6,720.00)	☒	☐
6.3 Handrails and Wall rail @ steps North Entry-City of Montgomery Requirement	\$3,037.00	☒	☐
6.4 Sliding Glass Window-Owner requested item	\$984.00	☒	☐
6.5 Chain Link Fence @ roof and Parking Deck-Requested by Owner due to Security concerns	\$3,027.00	☒	☐
6.6 Reverse Locks on Doors 317 & 320-Owner Requested Item	\$452.00	☒	☐
6.7 Elastomeric Coating @ all Exposed Concrete Parking Deck- Requested by Architect to improve the longevity of exposed rubbed concrete	\$3,557.00	☒	☐
TOTAL	\$2,787.00		

Recommended by:

WR/Holmes Wilkins Architects, Inc.
 Architect Firm's Name
David B. Sawicki
 By Signature

David Sawicki, Construction Administrator
 (Typed Name)

1/15/09
 Date

Recommended by:

TCU Consulting, Inc.
 Owner Representative (Firm Name)
Larry Carter
 By Signature

Larry Carter
 (Typed Name)

01/30/09
 Date

Recommended by:

Montgomery County Commission
 Owner Representative (Firm name)
D 2 Mims
 By Signature

Donnie Mims, County Administrator
 (Typed Name)

2/4/09
 Date

PATRICK J. MURPHY

Home: 3601 Firetower Road, Wetumpka, AL 36093-2586 • (334) 567-9963

Office: P.O. Box 159, Montgomery, AL 36101-0159 • (334) 241-2894
Facsimile: (334) 240-4204 • e-mail: pmurphy@montgomeryal.gov
Cellular: (334) 850-1617

EXPERIENCE:

**Clerk of Court
Montgomery Municipal Court**

**June, 1998 – Present
Montgomery, Alabama**

- Served as the chief magistrate and administrative officer for the judicial branch of the City of Montgomery.
- Made probable cause determinations in the issuance of search warrants, misdemeanor and felony arrest warrants by applying the Alabama Rules of Evidence, Alabama Rules of Criminal Procedure, Alabama Rules of Judicial Administration, statutes of the Code of Alabama 1975, as well as decisional (case) law from state and federal appellate courts.
- Conducted internal investigations of employees and presided over departmental personnel hearings under the Alabama Merit System Act and the Montgomery City-County Personnel Rules and Regulations. Made written reports of admissible evidence presented, findings of facts and conclusions, as well as recommendations to the Appointing Authority (Mayor) and the Personnel Board regarding employee disciplinary action.
- Gathered evidence and documentation and testified at administrative hearings for unemployment compensation under §25-2-1 et al., Alabama Code 1975.
- Negotiated the purchase contract for, as well as managed and supervised the operation of, a case management database. Administered and supervised a filing and retention system for court records. Negotiated the purchase contract for, as well as managed and supervised the operation of, a digital imaging system for court records and designed a workflow operation for the paperless processing of bonds, court transcripts and jail releases.
- Initiated and designed with computer programmers the electronic reporting of case dispositions to state agencies.
- Initiated a credit card payment system for face-to-face transactions at the court.
- Initiated and designed with computer programmers the electronic payment system linked to the court's website (Alapay.com).

- Researched and implemented automation technology for the creation of court forms, orders and notices.
- Projected, implemented and managed a \$3.1 million fiscal-year budget. Balanced, reconciled and disbursed from an \$8.3 million capital improvement fund and acted as the chair for a \$60 million capital improvement master plan. Using GAAP, deposited, reconciled, balanced and disbursed \$10.5 million in annual gross receipts. Organized and participated in annual audits of the court as required by Alabama law.
- Approved and assisted in the establishment of the knowledge, skills and abilities in personnel job descriptions for court employees such as magistrates, account auditors, bailiffs and clerical personnel.
- Interviewed, hired and supervised the training of the majority of the court's employees.
- Collected, through IBM AS400 queries, statistical data and compiled and reported information with Microsoft Excel and Access reports.
- Managed and supervised the scheduling and implementation of eight court sessions each week.

**Police Officer/Sergeant/Lieutenant
Montgomery Police Department**

**February, 1985 – June, 1998
Montgomery, Alabama**

- Assistant Division Commander, Traffic Division.
- Trained and supervised 130 employees, including sworn law enforcement officers and civilian support personnel.
- Allocated and scheduled personnel on shifts so that law enforcement services were effectively achieved for the City of Montgomery.
- Initiated criminal and administrative investigations, gathered evidence, testified in criminal, civil and administrative hearings and trials.

EDUCATION:

**Juris Doctor, magna cum laude
Jones School of Law**

**December, 1998
Montgomery, Alabama**

- James J. Carter Scholarship Award for Academic Achievement for graduating #1 in the class of December, 1998.
- Who's Who Among Students in American Universities and Colleges, 1998.

- West Publishing Company Award for Outstanding Scholastic Achievement, 1998, awarded to the top five students who had the highest cumulative GPA.
- Board Member, Jones Law Review, 1998.
- Best Paper, Legal Research, Fall Semester, 1995.
- Best Paper, Constitutional Law II, Summer Semester, 1996.
- Best Paper, Contracts II, Summer Semester, 1996.

**Bachelor of Arts
Auburn University at Montgomery**

**June, 1993
Montgomery, Alabama**

- Phi Kappa Phi
- Phi Alpha Theta

LICENSES AND SKILLS:

- Admitted to the Alabama State Bar, April 30, 1999.

MONTGOMERY COUNTY
ADMINISTRATIVE PAY PLAN
EFFECTIVE: OCTOBER 8, 2007

Grade	Steps	1	2	3	4	5	6	7	8	9	10	11	12	13
A01	Annual	19,566	20,349	21,043	21,736	22,431	23,124	23,818	24,512	25,206	25,899	26,592	27,287	27,980
	Bi-Wkly	756.00	782.67	809.34	836.01	862.73	889.39	916.06	942.78	969.45	996.11	1022.78	1049.50	1076.17
	Hourly	9,450.00	9,783.4	10,116.7	10,450.1	10,784.1	11,117.4	11,450.8	11,784.7	12,118.1	12,451.4	12,784.8	13,118.8	13,452.1
A02	Annual	21,830	22,601	23,371	24,142	24,912	25,683	26,454	27,224	27,995	28,764	29,535	30,305	31,076
	Bi-Wkly	839.63	869.27	898.89	928.53	958.14	987.80	1017.45	1047.06	1076.72	1106.32	1135.98	1165.58	1195.23
	Hourly	10,495.4	10,865.9	11,236.1	11,606.6	11,976.8	12,347.5	12,718.1	13,088.3	13,459.0	13,829.0	14,199.7	14,569.8	14,940.4
A03	Annual	24,414	25,276	26,137	26,998	27,860	28,722	29,583	30,445	31,307	32,168	33,030	33,892	34,753
	Bi-Wkly	938.99	972.14	1005.27	1038.40	1071.55	1104.69	1137.82	1170.96	1204.10	1237.23	1270.38	1303.52	1336.65
	Hourly	11,737.4	12,151.7	12,565.9	12,980.0	13,394.4	13,808.6	14,222.7	14,637.0	15,051.3	15,465.4	15,879.7	16,294.0	16,708.1
A04	Annual	27,401	28,368	29,334	30,302	31,268	32,236	33,204	34,170	35,137	36,104	37,071	38,039	39,005
	Bi-Wkly	1053.87	1091.08	1128.24	1165.46	1202.62	1239.84	1277.06	1314.22	1351.43	1388.61	1425.82	1463.03	1500.19
	Hourly	13,173.4	13,638.5	14,103.0	14,568.2	15,032.8	15,498.0	15,963.2	16,427.8	16,892.9	17,357.6	17,822.8	18,287.9	18,752.4
A05	Annual	30,785	31,871	32,958	34,044	35,131	36,217	37,304	38,390	39,477	40,564	41,650	42,736	43,823
	Bi-Wkly	1184.02	1225.81	1267.60	1309.39	1351.18	1392.98	1434.77	1476.55	1518.34	1560.14	1601.93	1643.71	1685.50
	Hourly	14,800.3	15,322.6	15,845.0	16,367.4	16,889.7	17,412.2	17,934.6	18,456.9	18,979.3	19,501.7	20,024.1	20,546.4	21,068.8
A06	Annual	34,563	35,783	37,002	38,222	39,442	40,662	41,881	43,101	44,321	45,541	46,761	47,980	49,201
	Bi-Wkly	1329.34	1376.26	1423.17	1470.09	1516.99	1563.91	1610.82	1657.74	1704.66	1751.57	1798.49	1845.39	1892.35
	Hourly	16,616.7	17,203.2	17,789.6	18,376.1	18,962.4	19,548.9	20,135.2	20,721.8	21,308.2	21,894.6	22,481.1	23,067.4	23,654.4
A07	Annual	38,734	40,100	41,467	42,835	44,202	45,569	46,936	48,303	49,671	51,038	52,405	53,771	55,138
	Bi-Wkly	1489.78	1542.32	1594.90	1647.50	1700.07	1752.66	1805.24	1857.82	1910.42	1962.99	2015.58	2068.13	2120.71
	Hourly	18,622.3	19,279.0	19,936.3	20,593.7	21,250.9	21,908.2	22,565.5	23,222.8	23,880.2	24,537.4	25,194.7	25,851.6	26,508.9
A08	Annual	43,285	44,812	46,340	47,868	49,396	50,923	52,451	53,979	55,506	57,034	58,562	60,090	61,617
	Bi-Wkly	1664.79	1723.55	1782.31	1841.06	1899.83	1958.58	2017.34	2076.10	2134.86	2193.62	2252.38	2311.14	2369.90
	Hourly	20,809.9	21,544.4	22,278.9	23,013.3	23,747.9	24,482.3	25,216.8	25,951.2	26,685.8	27,420.2	28,154.7	28,889.2	29,623.7
A09	Annual	48,225	49,926	51,629	53,331	55,032	56,735	58,437	60,139	61,841	63,543	65,245	66,947	68,650
	Bi-Wkly	1854.80	1920.24	1985.72	2051.20	2116.62	2182.11	2247.59	2313.02	2378.50	2443.98	2509.42	2574.89	2640.37
	Hourly	23,185.0	24,003.0	24,821.5	25,640.0	26,458.5	27,276.4	28,094.9	28,912.7	29,731.2	30,549.8	31,367.8	32,186.1	33,004.6
A10	Annual	53,523	55,413	57,302	59,191	61,080	62,969	64,858	66,747	68,637	70,526	72,415	74,304	76,192
	Bi-Wkly	2058.58	2131.25	2203.91	2276.57	2349.22	2421.90	2494.54	2567.20	2639.87	2712.53	2785.18	2857.86	2930.46
	Hourly	25,732.3	26,640.6	27,548.9	28,457.1	29,365.3	30,273.7	31,181.8	32,090.0	32,998.4	33,906.6	34,814.8	35,723.2	36,630.8
A11	Annual	59,179	61,267	63,356	65,445	67,533	69,622	71,711	73,798	75,887	77,977	80,064	82,153	84,242
	Bi-Wkly	2276.10	2356.42	2436.76	2517.10	2597.41	2677.75	2758.10	2838.40	2918.74	2999.10	3079.40	3159.74	3240.08
	Hourly	28,451.3	29,455.2	30,459.5	31,463.8	32,467.6	33,471.9	34,476.2	35,480.0	36,484.3	37,488.7	38,492.5	39,496.8	40,501.0
A12	Annual	65,952	68,281	70,608	72,936	75,263	77,591	79,919	82,246	84,574	86,901	89,229	91,558	93,884
	Bi-Wkly	2536.62	2626.18	2715.68	2805.23	2894.73	2984.26	3073.82	3163.31	3252.86	3342.36	3431.90	3521.45	3610.94
	Hourly	31,707.8	32,827.2	33,946.0	35,065.4	36,184.1	37,303.3	38,422.7	39,541.4	40,660.8	41,779.5	42,898.8	44,018.1	45,136.8
A13	Annual	71,587	74,114	76,641	79,168	81,694	84,221	86,747	89,274	91,800	94,327	96,854	99,381	101,907
	Bi-Wkly	2753.35	2850.54	2947.73	3044.91	3142.06	3239.25	3336.44	3433.62	3530.77	3627.95	3725.14	3822.34	3919.49
	Hourly	34,416.9	35,631.8	36,846.6	38,061.4	39,275.7	40,490.6	41,705.5	42,920.3	44,134.6	45,349.4	46,564.3	47,779.2	48,993.6
A14	Annual	78,323	81,086	83,851	86,615	89,380	92,144	94,908	97,673	100,437	103,202	105,965	108,730	111,495
	Bi-Wkly	3012.41	3118.71	3225.05	3331.36	3437.70	3544.00	3650.30	3756.65	3862.95	3969.30	4075.59	4181.94	4288.25
	Hourly	37,655.1	38,983.9	40,313.1	41,642.0	42,971.3	44,300.0	45,628.8	46,958.1	48,286.9	49,616.2	50,944.9	52,274.2	53,603.1
A15	Annual	85,445	88,461	91,476	94,492	97,507	100,523	103,539	106,554	109,570	112,585	115,601	118,618	121,632
	Bi-Wkly	3286.34	3402.34	3518.30	3634.30	3750.26	3866.26	3982.27	4098.23	4214.24	4330.20	4446.21	4562.22	4678.17
	Hourly	41,079.2	42,529.2	43,978.8	45,428.8	46,878.2	48,328.3	49,778.4	51,227.9	52,678.0	54,127.5	55,577.6	57,027.7	58,477.1
A16	Annual	94,646	97,986	101,327	104,667	108,008	111,348	114,689	118,029	121,369	124,710	128,050	131,390	134,731
	Bi-Wkly	3640.22	3768.70	3897.18	4025.66	4154.14	4282.61	4411.10	4539.57	4668.05	4796.53	4925.01	5053.48	5181.96
	Hourly	45,502.8	47,108.8	48,714.7	50,320.8	51,926.7	53,532.6	55,138.7	56,744.6	58,350.6	59,956.6	61,562.6	63,168.5	64,774.5

20-5



Office of Public Affairs

P.O. Box 1667
Montgomery, AL 36102
(334) 832-1270

DATE: February 5, 2009

TO: Donnie Mims

FROM: DiDi Henry 
Public Affairs Manager

SUBJECT: NATIONAL ASSOCIATION OF GOVERNMENT COMMUNICATORS DUES

I am asking for permission to join the National Association of Government Communications. The cost is \$120. There is money in my Dues Account to cover this expense. They offer an excellent website with online webinars, newsletters and information that can only be obtained by membership.

Thanks.



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, Alabama 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

February 9, 2009

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

Re: Executive Session to Discuss
Re: OHR Dec. Action

Dear Mr. Mims:

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

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

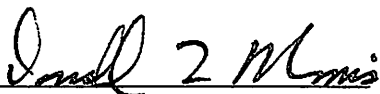
Sincerely,

Thomas T. Gallion, III

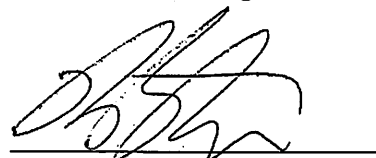
50051-317
#22,333

ADJOURNMENT

There being no further business to come before the Commission at this time, the meeting stood adjourned until Monday, February 23, 2009, at 8:00 in the morning.



Administrator



Chairman