**MINUTES OF REGULAR MEETING**

**MONTGOMERY COUNTY COMMISSION**

**MARCH 23, 2009**

## INFORMATION SESSION

Vice Chairman Dean called the Meeting to Order at 8:00 a.m. The meeting was held at the Montgomery County Administration Building and Courthouse Annex III. Vice Chairman Dean stated that Chairman Strange had a meeting and would arrive soon.

The meeting was opened with prayer led by Commissioner Williams.

**COMMENTS FROM SCHEDULED ATTENDEES, STAFF, AND COMMISSIONERS**

COMMENTS FROM ADMINISTRATOR MIMS

Administrator Mims informed the Commission that a farewell reception for Chairman Strange would be held immediately following the Formal Session.

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

DISCUSSION ITEMS BY COMMISSIONERS

Commissioner Ingram discussed with his fellow Commissioners two Independent Contractor Engagement Agreements for the provision of Personal or Professional Services for Voter Education Programs for the Probate Office, which appeared on the agenda. Attorney Means reviewed the contracts and indicated that some verbiage would need to be changed in the contracts before they were signed.

Vice Chairman Dean and Commissioner Ingram requested a $500 miscellaneous appropriation be added from each of their accounts to Nat King Cole Foundation for educational programs. The Commission agreed to add these appropriations to the agenda.

COMMENTS FROM ADMINISTRATOR MIMS

Administrator Mims informed the Commission that he would be presenting recommendations of board appointments to several Volunteer Fire Departments at the next meeting.

Administrator Mims stated that the District Attorney’s Office had requested a copy of his memorandum to the Commission regarding information pertaining to the Commission Meetings prior to the Commission meetings. Commissioners Williams, Polizos and Ingram were opposed to the Administrator distributing the memorandum to other departments.

During Administrator Mims' comments, Chairman Strange arrived to the meeting.

PRESENTATION BY PROBATE JUDGE REESE MCKINNEY, JR., DIRECTOR OF ELECTIONS TREY GRANGER, AND ED REIFENBERG AND CHUCK JORDAN WITH WILSON PRICE CERTIFIED PUBLIC ACCOUNTANTS & CONSULTANTS

Probate Judge Reese McKinney, Jr. briefed the Commission regarding the contract with Wilson Price for accounting services and requested approval of a One Time Expansion of the Accounting Arrangement.  After discussion, the Commission agreed to fund half of the cost and for Probate to fund the balance and waive rules and add this item to the agenda.

Commission Ingram inquired as to the funding of the two Independent Contractor Engagement Agreements for the provision of Personal or Professional Services for Voter Education Programs for the Election Center.  Judge McKinney stated that these contracts would be funded from the Probate Office's budget and would be of no cost to the County Commission.

Former County Commission Chairman Bill Joseph visited the Commissioners during the Information Session.

PRESENTATION BY SHERIFF D.T. MARSHALL AND CHIEF DEPUTY DERRICK CUNNINGHAM

Sheriff Marshall requested approval to hire ten (10) Deputy Sheriff's through the COPS Hiring Recovery Program Grant.

Sheriff Marshall requested approval to hire fifteen (15) Clerk Typist II's, one (1) Dispatcher and one (1) Information Technology Clerk under the COPS Non-Law Enforcement Hiring Grant.

Sheriff Marshall requested that the County abolish the Civil Officer IV job classification and authorize a Clerk Typist II position for the Sheriff's Office.

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

Sheriff D.T. Marshall briefed the Commission regarding the 2009 Byrne Justice Assistance Grant (JAG) Program Award, which appeared on the agenda.

Sheriff Marshall and Chief Deputy Derrick Cunningham presented Chairman Strange a Certificate of Appreciation from the Sheriff's Office.

Former Association of County Commissions of Alabama Executive Director Buddy Sharpless visited the Commissioners during the Information Session.

PRESENTATION BY PERCY THOMAS WITH T.C.U. CONSULTING SERVICES, LLC

Percy Thomas with T.C.U. Consulting Services, LLC briefed the Commission regarding security system issues at the Detention Facility expansion.

PRESENTATION BY CHIEF JOHN MEADOWS WITH PINTLALA VOLUNTEER FIRE DEPARTMENT

Chief John Meadows with the Pintlala Volunteer Fire Department requested approval of a Certificate of Approval for Pintlala Volunteer Fire Department, Inc., to enter into a Volunteer Fire Department Lease and Option Agreement with First Bankers Corporation for the purchase of a KME Rescue Truck. After discussion, the Commission agreed to waive rules and add this item to the agenda.

DISCUSSION ITEM BY COMMISSIONERS

Commissioner Polizos requested a $3,000 miscellaneous appropriation be added from his account for the Southern Dixie Youth Baseball League.

Chairman Strange requested that $10,000 in miscellaneous appropriation funds be transferred from his account to Commissioner Williams' miscellaneous appropriations.

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

PRESENTATION BY COUNTY ENGINEER GEORGE SPEAKE

Mr. Speake reviewed, with the Commission, a memorandum from the Alabama Department of Transportation concerning $265,000.00 (stimulus funds) that each of the 67 counties within the State will have available to them through the American Recovery and Reinvestment Act of 2009 (ARRA) for transportation infrastructure projects. At the previous Commission meeting, it was mentioned that the Commission was considering contributing these anticipated stimulus funds to the City of Montgomery to pay for a portion of the Ryan Road widening project, presently under construction by the City. Mr. Speake pointed out that the memorandum stated eligible projects would have to meet the same requirements as projects eligible for Federal Aid funding and that he thought the Ryan Road project would not meet these requirements. Chairman Strange asked that Mr. Speake contact the City Engineer, Chris Conway, to verify whether or not the Ryan Road project would be eligible for these funds.

Mr. Speake further stated that road widening work would begin on Meriwether Road from Pike Road to U.S. 231 in April 2009 to prepare for the upcoming MPO funded resurfacing project.

Mr. Speake advised that mosquito spraying would begin April 6, 2009.

Commissioner Williams inquired about the wrecked dump truck at the County Shop on Terminal Road. Mr. Speake explained how the accident occurred and stated that a formal accident review would be conducted as soon as the State Trooper's accident report was received by the Engineering Department.

In closing, Chairman Strange mentioned that Mr. Speake's annual County Engineer Performance Evaluation information had been completed by the Commission concerning Mr. Speake's annual merit pay increase, and this information would be left with Vice Chairman Dean for continuing action.

DISCUSSION ITEMS BY COMMISSIONERS

Commissioner Williams thanked Chairman Strange for his leadership and expressed that it has been a privilege and honor to work with him. Commissioner Ingram seconded what Commissioner Williams said. Chairman Strange expressed appreciation for the comments.

Vice Chairman Dean presented a list of citizens who had purchased car tags in the rural areas and discussed with the Commission his concern that this service had been discontinued by the Probate Judge.

**RECESS TO FORMAL SESSION**

Chairman Strange recessed the Information Session to the Formal Session.

**FORMAL SESSION**

Chairman Strange welcomed everyone to the Formal Session.

The meeting was opened with Prayer led by Commissioner Williams.

The Pledge of Allegiance was led by Vice Chairman Dean.

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

Mr. Ingram made a motion to approve the Minutes of the Regular Meeting of March 9, 2009. The motion was seconded by Mr. Polizos and unanimously approved by the Commission.

**CONSENT AGENDA**

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

Mr. Polizos made a motion to approve the Accounts Payable and Payroll Checks, as presented by Chairman Strange. The motion was seconded by Vice Chairman Dean and unanimously approved by the Commission. (Copies of Accounts Payable Checks and Payroll Checks Authorization, Consent Agenda Pages 1 through 3, are attached to these Minutes.)

**PUBLIC HEARING**

SHERIFF'S OFFICE - PUBLIC HEARING REGARDING APPLICATION TO THE DEPARTMENT OF JUSTICE, FOR THE JUSTICE ASSISTANCE GRANT FOR FY 2009

PUBLIC HEARING LEGAL NOTICE

The Montgomery Police Department, in conjunction with the Montgomery County Sheriff's Office, will be holding public hearings to discuss application to the Department of Justice, Justice Assistance Grant for FY 2009. The City of Montgomery will consider the issue at the City Council meeting scheduled for 5:00 p.m. on Tuesday, April 7, 2009. The City Council will meet in the Council Chamber at City Hall, 103 N. Perry Street. The County will consider the issue at the Montgomery County Commission meeting scheduled for 9:30 a.m. on Monday, March 23, 2009. The County Commission will meet at the Montgomery County Administration Building, 101 S. Lawrence Street. Anyone wishing to comment may do so at these times.

End of Public Hearing Legal Notice

Chairman Strange opened the Public Hearing and asked if anyone in the audience wanted to speak regarding the application to the Department of Justice for the Justice Assistance Grant. No one addressed the Commission regarding the grant, and Chairman Strange closed the Public Hearing.

SHERIFF'S OFFICE - APPROVED INTERLOCAL COOPERATION AGREEMENT WITH THE CITY OF MONTGOMERY FOR THE 2009 BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD

The Administrator presented the following memorandum from Sheriff D.T. Marshall:

MEMORANDUM

TO: Mr. Donnie Mims
County Administrator

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

SUBJECT: Edward Byrne Memorial Justice Assistance Grant

This is to advise you that the Sheriff's Office will be applying for the Edward Byrne Memorial Justice Assistance Grant (JAG) for fiscal year 2009. As required, we are notifying our local unit of government of our intention of applying for this grant along with the City of Montgomery. Please place this on the agenda for the 23rd of March, 2009 County Commission meeting for public comment on use of the grant monies and final approval by the County Commission. The total amount of this grant is $862,549.00 which will be split with the City of Montgomery receiving 60% ($517,529.40) of the grant and the County of Montgomery receiving 40% ($345,019.60) of the grant. This grant requires no matching funds.

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

End of Memorandum

Vice Chairman Dean made a motion to approve the Interlocal Cooperation Agreement and to authorize the Chairman to sign the appropriate documents. The motion was seconded by Mr. Williams and unanimously approved by the Commission. (Copy of Congratulations Letter is attached to these Minutes.)

**RESOLUTIONS**

**OMNIBUS VOTE**

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

ADOPTED RESOLUTION NAMING THE MONTGOMERY COUNTY COURTHOUSE AS THE "MONTGOMERY COUNTY COURTHOUSE, PHELPS-PRICE JUSTICE CENTER"

Chairman Strange requested adoption of the following Resolution:

RESOLUTION

WHEREAS, Judge Joseph Phelps served the citizens of Montgomery County with distinction as a Montgomery County Circuit Judge for eighteen years; and

WHEREAS, Judge Joseph Phelps was instrumental in securing passage and implementation of the judicial article which reformed Alabama's justice system; and

WHEREAS, Judge Joseph Phelps' dedication to furthering the cause of justice was recognized by the Alabama State Bar in 1990 when it bestowed upon him its highest award, the Judicial Award of Merit; and

WHEREAS, Judge Joseph Phelps was an active volunteer and leader in many community activities including Success by Six, Strategies to Elevate People, Leadership Montgomery, the Youth Legislature, the YMCA and the Capital City Boy's Club; and

WHEREAS, since becoming Montgomery County, Alabama's first African American Circuit Judge in 1983, Judge Charles Price has served the citizens of Montgomery County with distinction as a Montgomery County Circuit Judge;

WHEREAS, under the leadership of Judge Charles Price as the Presiding Judge of the Montgomery County Circuit Court, the Court has implemented a number of creative programs designed to improve the administration of justice including the Model Community Correctional Facility, Drug Court, Mental Health Court and a Progressive Restorative Justice Program; and

WHEREAS, Judge Charles Price's dedication to furthering the cause of justice has been recognized through the receipt of the Raymond Pace Alexander Award for Lifetime

Contributions to Judicial Advocacy, the John F. Kennedy Profile in Courage Award and the Dr. Martin Luther King Humanitarian Award; and

WHEREAS, Judge Charles Price has contributed unselfishly and untiringly not only to the causes of justice and judicial administration, but also to Montgomery County's broader community; and

WHEREAS, both Judge Joseph Phelps and Judge Charles Price were instrumental in the physical design and construction of the Montgomery County Courthouse and have played critical roles in ensuring that the citizens of Montgomery County receive justice when they enter the Courthouse; and

WHEREAS, both Judge Joseph Phelps and Judge Charles Price are fully deserving of the appreciation of the citizens of Montgomery County and of the honor to be hereby bestowed upon them; and

WHEREAS, it is entirely fitting that Judge Phelps and Judge Price be recognized by the addition of their names to that of the Montgomery County Courthouse.

Now Therefore, Be It Resolved By the Montgomery County Commission that the Montgomery County Courthouse shall be henceforth known as the "Montgomery County Courthouse, Phelps-Price Justice Center".

We hereby certify that the above Resolution was adopted by the Montgomery County Commission on this, the 23rd day of March, 2009.

End of Resolution

Chairman Strange informed the audience that there will be a formal and official ceremony with an unveiling and that the Commission is working with the Judicial System and Law Enforcement. Chairman Strange read the resolution to audience and presented it to Circuit Court Judge Charles Price.

Judge Price mentioned that this was an honor for Judge Phelps and his wife and that he would be greatly missed. Judge Price stated that this was a great honor and he thanked the Commission.

Chairman Strange acknowledged Mr. Bill Joseph, the former Chairman of the Montgomery County Commission welcoming him the meeting.

As approved in the Omnibus Vote, Mr. Williams made the motion to adopt the resolution. The motion was seconded by Mr. Ingram and unanimously approved by the Commission.

ADOPTED RESOLUTION CONGRATULATING BUDDY SHARPLESS UPON HIS RETIREMENT FROM THE ASSOCIATION OF COUNTY COMMISSIONS OF ALABAMA

Chairman Strange requested adoption of the following Resolution:

RESOLUTION

Whereas, Buddy Sharpless has served selflessly as the Executive Director of the Association of County Commissions of Alabama for the past 36 years; and

Whereas, during that time and under the direction of Mr. Sharpless, the ACCA has initiated, and the Legislature has passed more than 160 bills directly from the ACCA Legislative Program; and

Whereas, Mr. Sharpless' leadership has produced new laws that have enabled County Commissions across the state of Alabama to respond to the needs of citizens in a positive and productive way; and

Whereas, Mr. Sharpless has helped shape the work environment for Alabama' county administrators, engineers and other county employees through his hard work and desire to improve county government; and

Whereas, Mr. Sharpless has led us all by example through his wit and his wisdom; and through his compassion and service,

NOW, THEREFORE, BE IT RESOLVED, that the Montgomery County Commission does hereby congratulate Buddy Sharpless upon his retirement from the Association of County Commissions of Alabama and wish him much success and happiness as he begins this new chapter of his life.

We hereby certify that the above Resolution was adopted by the Montgomery County Commission on this, the 23rd day of March, 2009.

End of Resolution

Chairman Strange read the resolution to the audience and presented it to Buddy Sharpless. He congratulated Mr. Sharpless on his retirement and informed the audience that Mr. Sharpless had been the Executive Director of the Association of County Commissions of Alabama for 36 years.

Mr. Sharpless thanked the Commission and introduced the new Executive Director of the Association of County Commissions of Alabama, Mr. Sonny Brasfield and Staff Attorney, Ms. Mary Pons.

As approved in the Omnibus Vote, Mr. Williams made the motion to adopt the resolution. The motion was seconded by Mr. Ingram and unanimously approved by the Commission.

**NEW BUSINESS**

COMMUNITY CORRECTIONS – APPROVED GRANT APPLICATION TO THE VERIZON FOUNDATION FOR ELECTRONIC SURVEILLANCE PROGRAM

The Administrator presented the following memorandum from Executive Director of Community Corrections Paul H. Brown requesting approval of Grant Application to the Verizon Foundation for Electronic Surveillance Program:

MEMORANDUM

TO: Donnie Mims, County Administrator

FROM: Paul H. Brown – Executive Director
Montgomery County Community Corrections

DATE: March 18, 2009

RE: Approval of Grant Application

Please place on the County Agenda approval of a grant application to the Verizon Foundation for training, equipment and salary offset for an Electronic Surveillance Officer for the Community Corrections Department. There is no match requirement for this grant.

Sara Byard from Central Alabama Regional Planning and Development Commission brought the grant to my attention and she is completing the application. I anticipate that the grant application will be completed and ready for formal Commission approval in time for the March 23rd meeting. I have attached a description and cost of the items to be requested in the grant as well as an outline of the grant. If you need any further information, please do not hesitate to give me a call.

End of Memorandum

Mr. Polizos made a motion to approve the request. The motion was seconded by Mr. Williams and unanimously approved by the Commission. (Copies of Grant Documents, Agenda Pages 1-2 through 1-5, are attached to these Minutes.)

COUNTY COMMISSION – APPROVED FIRST ADDENDUM TO LEASE AGREEMENT WITH EAST COMMERCE DEVELOPMENT COMPANY, LLC, FOR THE EXTENSION SERVICE

The Administrator requested approval of First Addendum to Lease Agreement with East Commerce Development Company, LLC, for the Extension Service.

Vice Chairman Dean made a motion to approve the request. The motion was seconded by Mr. Polizos and unanimously approved by the Commission. (Copies of First Addendum to Lease Agreement, Map, and Email, Agenda Pages 2-1 through 2-3, are attached to these Minutes.)

PROBATE JUDGE'S OFFICE (ELECTIONS CENTER) – APPROVED TWO INDEPENDENT CONTRACTOR ENGAGEMENT AGREEMENTS FOR THE PROVISION OF PERSONAL OR PROFESSIONAL SERVICES FOR VOTER EDUCATION PROGRAMS

The Administrator presented the following memorandum from Probate Judge Reese H. McKinney, Jr., requesting approval of two Independent Contractor Engagement Agreements for the provision of Personal or Professional Services for Voter Education Programs:

March 4, 2009

MEMORANDUM

To: Commissioner Todd Strange, Chairman
Commissioner Elton Dean, Vice Chairman

From: Judge Reese H. McKinney, Jr.

CC: Donald Mims, Administrator

As outlined in my Memorandum to each of you dated March 2, 2009, I'd like to ask that you place on the upcoming agenda of the Commission, our request to contract with two very capable individuals to assist our Election Center in comprehensive Voter Education initiatives here in Montgomery County. We have used the template that you provided the Revenue Office and their contract with an individual to perform professional services.

As you are aware, we had asked for a voter education position about a year and one half ago after working with the Personnel Office to create a job description for such a position, and remain confident that we can demonstrate the need for two voter education staffers to work with the public on election related matters. We are committed to providing educational tools to the public in a diverse and creative manner. I would ask that you place this request on your next informal and formal agenda so that Trey Granger and I can provide you with a snapshot of our vision for this collaboration.

We would like to provide you with a brief presentation and outline for you our immediate and long term plans for voter education in this county. Please let me know if I can be of assistance in the interim.

End of Memorandum

Vice Chairman Dean made a motion to approve the request. The motion was seconded by Mr. Williams. Chairman Strange, Vice Chairman Dean, Mr. Polizos and Mr. Williams voted in favor for the motion. Mr. Ingram voted against the motion and the motion carried. (Copies of

Independent Contractor Engagement Agreements for the Provision of Personal or Professional Services, Agenda Pages 3-2 and 3-3, are attached to these Minutes.)

COUNTY COMMISSION – APPROVED CHANGE ORDER NUMBER 6 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 6 with Bailey Harris Construction Company, Inc.:

March 19, 2009

MEMORANDUM

TO: Montgomery County Commission

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

SUBJECT: Change Order No. Six, Bailey Harris Construction, Annex III

Attached is Change Order No. Six, received from T.C.U. for the Annex III construction project. Change Order No. Six is comprised of items in the amount of $112,087.00. This change was discussed during the previous Commission meeting on February 10, 2009 and is forwarded to you for your approval at the next County Commission meeting on March 23, 2009.

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

Attachments

End of Memorandum

Mr. Polizos made a motion to approve the request. The motion was seconded by Vice Chairman Dean and unanimously approved by the Commission. (Copies of Letters and Change Order, Agenda Pages 4-2 through 4-7, are attached to these Minutes.)

COUNTY COMMISSION – RECOGNIZED AND DENIED CLAIM BY JESSICA COBB

The Administrator presented an opinion from County Attorney Thomas T. Gallion, III, to recognize and deny the claim filed by Jessica Cobb.

Mr. Williams made a motion to recognize and deny the claim filed by Jessica Cobb. The motion was seconded by Mr. Polizos and unanimously approved by the Commission. (Copy of Attorney Gallion's Opinion, Agenda Page 5-1, is attached to these Minutes.)

BOARD OF REGISTRARS – APPROVED ALLOCATION OF OFFICE SPACE TO BOARD OF REGISTRARS

The Administrator presented the following letter from the Board of Registrars of Montgomery County, requesting approval of allocation of office space to Board of Registrars:

February 24, 2009

Hon. Todd Strange
Chairman
Montgomery County Commission

Dear Chairman Strange:

Now that the move of various departments from Annex 1 to Annex 3 has been completed, freeing up additional space in Annex 1, we respectfully request that the outer office space formally utilized by Support Services staff adjacent to our office be allocated to the Board of Registrars.

In a memorandum dated April 15, 2008, following conversations between County Administrator Mims and Chairman Noblin, we outlined our need for additional space, given the fact that we have six people operating in a limited work space used for multiple tasks requiring work tables, in addition to desks and extensive counter space needed for walk-in registration and related activities.

The allocation of the space in question would also allow us to have a suitable conference room, additional work space, and space for filing cabinets and cases. Access to our most current records is only feasible if they are housed in our office, rather than the basement.

We appreciate the opportunity provided by the Commission to remain at our present location, and we firmly believe that the voters of this county will be pleased as well, but realistically, we need additional space, where such space is available contiguous to our current location. We feel that the space used by Support Services will be most adequate to our needs.

Sincerely,

/s/ George M. Noblin, Chairman
/s/ Julie Shashy, Member
/s/ Adell Sankey, Member

CC: Donald L. Mims

End of Letter

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

COUNTY COMMISSION – APPROVED MISCELLANEOUS APPROPRIATIONS REPROGRAMMING REQUESTS

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

March 23, 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-2009-78: Nat King Cole Foundation, for Educational Program - $750

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-2009-78: Amended Miscellaneous Appropriation – Nat King Cole Foundation, for Educational Program - $750

NOTE: Chairman Strange requested to add $1,000 of his discretionary money, Commissioners Dean, and Ingram requested to add $500 each of their discretionary money, for a total of $2,750 appropriated to Nat King Cole Foundation, for Educational Program

C-2009-79: Montgomery County Recreation Department, Southern Dixie Youth Baseball League - $3,000

Chairman Strange requested that $10,000.00 from his Discretionary Account be transferred to Commissioner Jiles Williams' Discretionary Account

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

DETENTION FACILITY – APPROVED BID AWARD FOR INMATE FOOD SERVICE, BID NO. 52200-08C-006

The Administrator presented the following memorandum from Assistant Director of Support Services Pat Silas requesting approval of bid award to Five Star Correctional Services:

MEMORANDUM

TO: Donald L. Mims, Administrator

FROM: Pat Silas, Assistant Director Support Services

DATE: March 19, 2009

SUBJECT: Bid No. 52200-08C-006, Inmate Food Service

Request approval of the above referenced bid, to low bid of Five Star Correctional Services, based on prices submitted using a pricing scale determined by inmate population, be placed on the agenda for the County Commission meeting on March 23, 2009. (copy attached)

The contract will be awarded for a one (1) year period, based on the first year pricing, with the option to renew for an additional one (1) year, at which time the second year pricing will be effective, pending approval by Tommy Gallion, County Attorney.

Coordination of award made with Sheriff D.T. Marshall and Colonel Gina Savage.

Your approval is appreciated.

Attachment

End of Memorandum

Mr. Polizos made a motion to approve the Bid Award. The motion was seconded by Mr. Ingram and unanimously approved by the Commission. (Copy of Spread Sheets, Agenda Pages 8-2 and 8-3, are attached to these Minutes.)

COUNTY COMMISSION APPROPRIATIONS – APPROVED BUDGET CHANGE REQUEST NUMBER 23

The Administrator presented Budget Change Request Number 23, County Commission Appropriations.

Mr. Polizos made a motion to approve the Budget Change Request. The motion was seconded by Vice Chairman Dean and unanimously approved by the Commission. (Copies of Budget Change Request and Letter, Agenda Pages 9-1 and 9-2, are attached to these Minutes.)

ENGINEERING DEPARTMENT – APPROVED BUDGET CHANGE REQUEST NUMBERS 12 AND 13

The Administrator presented Budget Change Request Numbers 12 and 13, Engineering Department.

Mr. Ingram made a motion to approve the Budget Change Requests. The motion was seconded by Mr. Williams and unanimously approved by the Commission. (Copy of Budget Change Requests, Agenda Pages 10-1 and 10-2, are attached to these Minutes.)

PROBATE JUDGE'S OFFICE (ELECTIONS CENTER) – APPROVED BUDGET CHANGE REQUEST NUMBER 11

The Administrator presented Budget Change Request Number 11, Probate Judge's Office (Elections Center).

Mr. Ingram made a motion to approve the Budget Change Request. The motion was seconded by Mr. Polizos and unanimously approved by the Commission. (Copy of Budget Change Request, Agenda Page 11-1, is attached to these Minutes.)

APPRAISAL DEPARTMENT – APPROVED POSITION FILL REQUEST FOR CHIEF APPRAISER POSITION

The Administrator presented the following memorandum from Revenue Commissioner Sarah G. Spear requesting approval of position fill request for Chief Appraiser Position:

March 4, 2009

MEMORANDUM

TO: Montgomery County Commissioners

FROM: Sarah G. Spear
Revenue Commissioner

RE: Chief Appraiser Position

I am requesting permission to fill the vacant Chief Appraiser position in the Appraisal office. As you are aware, Mr. Will Martin decided it was in his best interest to go back to the state, leaving the office without the supervision needed. The Appraisal office is in the process of preparing the 2009 data for the property taxes and needs the day to day guidance of the Chief Appraiser.

If you have any questions, please feel free to contact me.

End of Memorandum

Mr. Ingram made a motion to approve the position fill request for Chief Appraiser Position. The motion was seconded by Mr. Polizos. Chairman Strange, Mr. Ingram, Mr. Williams and Mr. Polizos voted in favor of the motion. Vice Chairman Dean voted in opposition and the motion carried. (Copy of Position Fill Request, Agenda Page 12-2, is attached to these Minutes.)

Chairman Strange reiterated that the County is still on a hiring freeze and that this position is critical at this time.

VARIOUS DEPARTMENTS – APPROVED TRAVEL/TRAINING REQUESTS

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

| | DEPARTMENT | TRAVEL/TRAINING REQUESTS |
|---|---|---|
| (1) | County Commission Office | Request Numbers 13 and 14 |
| (2) | Finance Department | Request Number 1 |
| (3) | Information Systems | Request Numbers 10 and 11 |
| (4) | Risk Management | Request Number 8 |
| (5) | Engineering Department | Request Number 9 |
| (6) | Community Corrections | Request Number 5 |
| (7) | District Attorney's Office | Request Numbers 15 and 16 |
| (8) | Parks and Recreation Department | Request Number 2 |

Mr. Williams made a motion to approve the travel/training requests. The motion was seconded by Mr. Ingram and unanimously approved by the Commission. (Copies of Travel/Training Requests, Agenda Pages 13-1 through 13-11, 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:

PROBATE JUDGE'S OFFICE – APPROVED ONE TIME EXPANSION OF ACCOUNTING ARRANGEMENT WITH WILSON PRICE

The Administrator presented the following memorandum from Probate Judge Reese H. McKinney, Jr. requesting approval of one time expansion of accounting arrangement with Wilson Price:

March 4, 2009

MEMORANDUM

To: Commissioner Todd Strange, Chairman
Commissioner Elton Dean, Vice Chairman

From: Judge Reese H. McKinney, Jr.

CC: Donald Mims, Administrator

Attached you will find the most recent invoice from Wilson Price, regarding the Accounting engagement between that firm, the County, and the Probate Office. The attached invoice was received by my office on February 23, 2009 and is recommended for payment. We are prepared to offer a budget change request for our ½ of the invoice. There are certain aspects of the project that need finalization and I would seek your collaboration in working on the action items that need discussion and immediate finalization.

I would like to have members from Wilson Price, et al. join us in your work session next Monday to discuss with the full Commission, the specifics of this matter. As you will recall, we recently met with representatives of that firm to discuss the action items necessary to finalize the project. We also discussed the overarching concerns that resulted with the Ingenuity project and the extraordinary efforts of the Wilson Price team in salvaging the implementation. I have attached the projected costs of the Project and would ask that this be funded in an effort to reach the final milestone of this effort.

I applaud and appreciate the efforts of this collaboration – it has been a true team effort between key members of my staff and the Wilson Price team. I am confident that you will find the results of their work both rewarding for Probate and applicable to other areas of County government.

End of Memorandum

Mr. Polizos made a motion to approve the request and for the County Commission to fund half of the cost and Probate to fund the balance. The motion was seconded by Vice Chairman Dean and unanimously approved by the Commission. (Copies of Invoice and Project Costs Sheet, Agenda Pages 14-2 and 14-3, are attached to these Minutes.)

COUNTY COMMISSION – APPROVED CONTRACT WITH BEASLEY, ALLEN, CROW, METHVIN, PORTIS & MILES, P.C., TO REPRESENT MONTGOMERY COUNTY COMMISSION IN PURSUING CLAIMS AGAINST INTEGRIAN, INC.

The Administrator presented a letter from County Attorney Tyrone C. Means requesting the Commission to approve contract with Beasley, Allen, Crow, Methvin, Portis & Miles, P.C., to represent Montgomery County Commission in pursuing claims against Integrian, Inc.

Mr. Polizos made a motion to approve the contract. The motion was seconded by Mr. Ingram and unanimously approved by the Commission. (Copies of Letter and Contract, Agenda Pages 15-1 through 15-3, are attached to these Minutes.)

COUNTY COMMISSION – APPROVED CERTIFICATE OF APPROVAL FOR PINTLALA VOLUNTEER FIRE DEPARTMENT, INC., TO ENTER INTO A VOLUNTEER FIRE DEPARTMENT LEASE AND OPTION AGREEMENT WITH FIRST BANKERS CORPORATION FOR THE PURCHASE OF A KME RESCUE TRUCK

The Administrator presented the following letter from the Chief of Pintlala Volunteer Fire Department Inc., John Meadows requesting approval of Certificate of Approval for Pintlala Volunteer Fire Department, Inc., to enter into a Volunteer Fire Department Lease and Option Agreement with First Bankers Corporation for the purchase of a KME Rescue Truck:

TO: Montgomery County Commission

FROM: Pintlala Volunteer Fire Department

DATE: March 19, 2009

Dear Sirs:

Pintlala Volunteer Fire Department is seeking financing to purchase a rescue-service truck. The addition of the truck and equipment will maintain or possibly improve our I.S.O. rating. A good I.S.O. rating directly benefits citizens of the county by reductions in the cost of insurance.

First Bankers Corporation requires a certificate of approval from the Montgomery County Commission before our contract can be finalized. This document has been sent to your office.

As stated in the document Montgomery County Commission assumes no liability, financially or otherwise by completing the certificate of approval.
I respectfully request that the commission execute this document and return it as soon as possible so this truck can be put into service for the benefit of Montgomery County.

Thanks for your assistance in this matter.

/s/ John Meadows
Chief – Pintlala VFD

End of Letter

Mr. Polizos made a motion to approve the request. The motion was seconded by Vice Chairman Dean and unanimously approved by the Commission. (Copies of Certificate of Approval, Email and Instructions of Certificate of Approval, Agenda Pages 16-2 through 16-4, are attached to these Minutes.)

SHERIFF'S OFFICE – APPROVED ABOLISHMENT OF THE CIVIL OFFICER IV CLASSIFICATION AND APPROVED AUTHORIZATION OF ONE CLERK TYPIST II POSITION AND RELATED POSITION FILL REQUEST

The Administrator presented the following memorandum from Sheriff D.T. Marshall requesting approval of abolishment of the Civil Officer IV Classification and approval of authorization of one Clerk Typist II Position and Related Position Fill Request:

MEMORANDUM

To: Donnie Mims

From: Sheriff D.T. Marshall

Date: March 13, 2009

Subject: Position Abolishment

Ms. LaNita Cook recently retired from the Sheriff's Office. She held the job classification of Civil Officer IV which she held for many years. Her job was basically to work in the Civil Division entering data into the computer, issuing pistol permits and assisting the public with their civil papers. Her co-workers, doing the same job, are classified as Clerk Typists II. The Civil Officer IV was in the pay grade of A06 and topped out at $47,309. The Clerk Typist position falls in the pay grade of A03 and tops out at $33,416.

The position of Civil Officer IV is no longer needed and I request that the County Commission abolish this job classification and authorize us another slot for Clerk Typist II. This move would save the county thousands of dollars and would still meet the needs of the Sheriff's Office.

End of Memorandum

Mr. Polizos made a motion to approve abolishment of the Civil Officer IV position and approve authorization of one Clerk Typist II position and related position fill request. The motion was seconded by Mr. Ingram and unanimously approved by the Commission. (Copy of Memorandum, Agenda Page 17-2, is attached to these Minutes.)

SHERIFF'S OFFICE – APPROVED COPS HIRING RECOVERY PROGRAM GRANT

The Administrator presented the following memorandum from Sheriff D.T. Marshall requesting approval of COPS Hiring Recovery Program Grant:

MEMORANDUM

To: Donnie Mims

From: Sheriff D.T. Marshall

Date: March 10, 2009

Subject: COPS Hiring Recovery Program

I have attached a copy of an email we received about a Federal hiring grant through the COPS Hiring Recovery Program. This grant allows Law Enforcement Agencies to hire an unlimited number of Officers with this grant paying for their salaries for a period of three years. After the three years, we have to commit to paying these Deputies for 12 months. There is no match required in this grant.

As you know we recently hired a firm to conduct an audit of the Sheriff's Office and their findings were that we were severely understaffed and this grant would give us an opportunity to put a dent in the understaffing. I would like to apply for at least 10 Deputy Sheriff's through this grant and would ask the County Commission to consider this request and authorize us to apply. Please schedule a time for myself and my Chiefs to meet with the Commission on this matter.

End of Memorandum

Mr. Ingram made a motion to approve the request to apply for grant funding of ten Deputy Sheriff Positions. The motion was seconded by Mr. Polizos and unanimously approved by the Commission. (Copy of Email, Agenda Pages 18-2 and 18-3, is attached to these Minutes.)

SHERIFF'S OFFICE – APPROVED COPS NON-LAW ENFORCEMENT HIRING GRANT

The Administrator presented a request from Sheriff D.T. Marshall regarding approval of COPS Non-Law Enforcement Hiring Grant:

MEMORANDUM

TO: Mr. Donnie Mims
County Administrator

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

SUBJECT: COPS Non-Law Enforcement Hiring Grant

Request approval for the Sheriff's Office to hire fifteen (15) Clerk Typist II's, one (1) Dispatcher, and one (1) IT Clerk under the COPS Non-Law Enforcement Hiring Grant. Fourteen (14) of the clerk positions are already dedicated to the new jail.

Your assistance in this matter will be appreciated.

End of Memorandum

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

COUNTY COMMISSION – ADOPTED RESOLUTION COMMENDING TODD STRANGE FOR HIS EXCEPTIONAL LEADERSHIP AS CHAIRMAN OF THE MONTGOMERY COUNTY COMMISSION AND EXTENDING BEST WISHES AS THE NEWLY-ELECTED MAYOR OF THE CITY OF MONTGOMERY

Vice Chairman Dean requested adoption of the following resolution:

RESOLUTION

WHEREAS, the citizens, business interests, and community leaders of Montgomery County, Alabama, have benefited immeasurably from the distinguished career of Montgomery County Commission Chairman, Todd Strange; and

WHEREAS, he has served with the utmost ability as Montgomery County Commission Chairman since 2004, and his leadership, expertise, and integrity have contributed immensely to the County's achievements; and

WHEREAS, Chairman Strange was instrumental in improving governmental services, economic development and the quality of life in Montgomery County through the development of the Montgomery Industrial Park; the expansion of Mobis Technology, Ltd. and the addition of the Hyundai Engine Plant; the renovation of the former Advertiser building and Annex I for consolidated county services; local construction projects including the construction of Montgomery County's new detention facility; the establishment of the Montgomery Election Center; the expansions in alternative criminal sentencing programs, and the development of Snowdoun Park; and

WHEREAS, during Chairman Strange's tenure, the Montgomery County Commission has been one of the most fiscally conservative and financially responsible elected bodies in the State of Alabama; and

WHEREAS, his reputation as an elected official and leader who is insightful, fair-minded, compassionate, and disciplined enabled the County Commission to perform its complex responsibilities in an open forum and in a deliberative process; and

WHEREAS, Chairman Strange and the Montgomery County Commission have shown unwavering support to Montgomery County schoolchildren, including funding in the amount of $28 million towards new school construction and renovation of Montgomery County Public Schools, as part of the Montgomery Public School's Facilities Plan; and

WHEREAS, in addition to his superb public service, he has given generously of his time, talents, and energy to individuals, organizations, and social causes, and his commitment and spirit have influenced the lives of countless people and has inspire us to follow his example.

NOW, THEREFORE, BE IT RESOLVED that the Montgomery County Commission does hereby commend Todd Strange, for his exceptional leadership as Chairman of the Montgomery County Commission and extends best wishes as he continues to serve the citizens as the newly-elected Mayor of the City of Montgomery.

We hereby certify that the above Resolution was adopted by the Montgomery County Commission on this, the 23rd day of March, 2009.

End of Resolution

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

Vice Chairman Dean invited Chairman Strange's family members who were present, to come to the front as he presents a Resolution to Chairman Strange. Vice Chairman Dean stated he was honored to have two Chairmen present at the meeting as he welcomed Mr. Bill Joseph. He told the audience that Chairman Strange has a big heart, is honorable, and handles problems with up-most integrity and that his family is fortunate to have him. Vice Chairman Dean added that he enjoyed working with Chairman Strange.

Commissioner Polizos informed the audience that he enjoyed working with Chairman Strange and that he will be missed, but we will see him at City Hall.

Commissioner Williams stated that it was a privilege and honor to work with Chairman Strange. He informed the audience that Chairman Strange will do great things for the City because he thinks outside of the box, and believes in prayer and Jesus.

Commissioner Ingram stated that he learned a lot from Chairman Strange and that he has been the glue and facilitator of the Commission. He said he appreciates Chairman Strange and that the Commission loves him.

Vice Chairman Dean proceeded to hug Chairman Strange and stated that he loved him.

Chairman Strange acknowledged that it was a blessing to be with his family today. He explained that the move to be Mayor was for the City of Montgomery and his family. He stated that having a relationship with the military, federal government, the City and County meant that nothing can stop us from being the best we can be. He affirmed that the four Commissioners he worked with were not only co-workers but companions, soul mates and friends and that he will continue working together with them. Chairman Strange thanked Administrator Mims and Deputy

Administrator Mitchell, Sr., for all their hard work over the last several years. He thanked the Risk Manager, Scott Kramer for his innovative ways in saving the County money. He thanked the Director of Information Systems, Lou Ialacci, the Judges, Sheriff D.T. Marshall, the County Extension Office, and Revenue Commissioner Sarah G. Spear for their work with the County. He thanked the Director of Central Alabama Regional Planning and Development Commission, Bill Tucker, informing him that the City will be joining his organization. He informed the audience that he is now passing the gavel to Vice Chairman Dean. He mentioned that the Commission will wait to hear from Governor Riley on who he appoints as the Commissioner of District 1. Chairman Strange then invited everyone to join him at Gateway Park Lodge, where he will be sworn in as the Mayor of the City of Montgomery at 3:00 p.m. today. He thanked the Commission for their acknowledgements.

**COMMENTS BY COMMISSIONERS AND ATTENDEES**

County Engineer George C. Speake stated it was a privilege to work with Chairman Strange and wished him much success with the City.

Chairman Strange informed the audience that County Engineer Speake does a great job and that the County Engineering Department has the highest rating for roads and bridges.

County Engineer Speake informed the Commission that Wasden Road and Meriwether Road were done. He stated that Vaughn and Pike Road project was waiting for final striping to be done.

Chairman Strange thanked County Engineer George C. Speake for his great service. He then recognized Mr. Art Bailer in the audience.

Former Chairman Bill Joseph thanked Chairman Strange stating the City was fortunate to have him and that he looks forward to great things.

Chairman Strange stated that Mr. Joseph started the process and Montgomery County would not have the Mobis or Hyundai plants without him. He informed the audience that it was fun to work with Sheriff D.T. Marshall and Chief Deputy Derrick Cunningham and that it was great to see the jail come to completion. He recognized Mr. John Dow who was a candidate for Mayor and stated that he had given the most important speech during the campaign.

**RECESS TO INFORMATION SESSION**

Chairman Strange recessed the Formal Session to the Information Session.

<u>**INFORMATION SESSION**</u>

**COMMENTS FROM SCHEDULED ATTENDEES, STAFF, AND COMMISSIONERS**

PRESENTATION BY PERSONNEL DIRECTOR BARBARA M. MONTOYA

Personnel Director Barbara M. Montoya presented proposed amendments to the Rules & Regulations of City-County Personnel which included Layoff and Furlough. Mrs. Montoya stated the purpose of furlough would be to give the City and County an option other than layoffs.

Mrs. Montoya reviewed overtime rules with the Commission.

COMMENTS FROM ADMINISTRATOR MIMS

Administrator Mims presented an Overtime Summary Expense Report. The Commission discussed enforcement of the mandatory 90% overtime reduction.

Chairman Strange recommended Administrator Mims to write a letter to the Departments who are in excess of their overtime and to request a budget change to cover their overtime expenditures.

Chairman Strange asked Deputy Administrator Mitchell to present overtime reports to the Commission on a regular basis.

PRESENTATION BY TOMMY LAWRENCE WITH T.C.U. CONSULTING SERVICES, LLC, AND ARCHITECT WM. BARRY ROBINSON

Tommy Lawrence with T.C.U. Consulting Services, LLC, and Architect Wm. Barry Robinson briefed the Commission regarding the design of the K9 Facility in Snowdoun. Mr. Lawrence stated that ground breaking would be in July or August, 2009.

PRESENTATION BY HASSEY BROOKS WITH ALFA YOUNG FARMERS

Hassey Brooks, with ALFA Young Farmers, briefed the Commission regarding Animal Agriculture. Chairman Strange recommended that Mr. Brooks meet with Jimmy Smitherman of the Extension Service regarding possible declaration of an Agriculture Appreciation Day.

PRESENTATION BY EXECUTIVE DIRECTOR BILL TUCKER WITH CENTRAL ALABAMA REGIONAL PLANNING DEVELOPMENT COMMISSION

Executive Director Bill Tucker with Central Alabama Regional Planning Development Commission briefed the Commission regarding the increase in grants for the County Weatherization Program and requested a $40,000 increase in County support. Chairman Strange asked to defer the topic until he gets to the City as Mayor.

Chairman Strange thanked Mr. Tucker for the services of Grant Writer, Sara Jane Byard and asked Mr. Tucker to encourage her to look for grants for the libraries, Youth Facility, and Courthouse.

PRESENTATION BY RODGER WILLIAMS, EDMOND COLLIER AND TISH MACINNIS WITH HABITAT FOR HUMANITY

Edmond Collier with Habitat for Humanity briefed the Commission regarding services provided by Habitat for Humanity and requested a $15,000 appropriation to help fund these services. Also present were Rodger Williams and Tish MacInnis. The Commission agreed to discuss this matter at the next commission meeting.

DISCUSSION ITEM BY COMMISSIONERS

Chairman Strange presented a letter from Chief Deputy District Attorney Daryl Bailey requesting $3,000 to fund two scholarships for the 2009 International Family Justice Center Conference. The Commission agreed to discuss this item at the next meeting.

Chairman Strange presented his resignation letter to Administrator Mims, effective upon his swearing in as Mayor, and informed the Commissioners that he needed to leave the Information Session early.

PRESENTATION BY INFORMATION SYSTEMS DIRECTOR LOU IALACCI

Information Systems Director Lou Ialacci requested approval of contract with Verizon Wireless for equipment and services. After discussion, the Commission agreed to place this item on the next agenda.

COMMENTS FROM ADMINISTRATOR MIMS

Administrator Mims presented a letter from Ms. Christine Moore with W.R. Harrison Elementary School requesting funding for the Arts 4 Excellence Grant match. The Commission agreed to discuss this item at the next meeting.

Administrator Mims stated that the contract with Sunflower Waste, LLC, for Residential Solid Waste Collection and Disposal Services expires June 30, 2009.

Administrator Mims presented an email from Gary Burton stating that William S. Newell, A Pintlala Elementary alumnus, expressed a strong commitment to build a sports complex for the school. Commissioner Ingram stated that the Commission needed to discuss further the closing of Pintlala Elementary School and Hayneville Road Elementary School prior to May 1.

Administrator Mims presented invoices for the furniture for Annex III. He stated that the furniture that was on loan from Granville Home Furnishings and could be purchased at a discounted price. After discussion, Administrator Mims was authorized to negotiate a lower price.

Commissioner Ingram asked Administrator Mims to cancel his County cell phone because he uses his personal cell phone.

COMMENTS FROM MANAGER OF PUBLIC AFFAIRS DIDI HENRY

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

DISCUSSION ITEMS BY COMMISSIONERS

Commissioner Ingram recommended an appreciation week for the Volunteer Fire Departments during which a baseball tournament with the various Volunteer Fire Departments could be planned.

Chairman Dean expressed to the Commission his desire for the Administration to be proactive and to look at ways of raising revenue without raising taxes.

COMMENTS FROM DEPUTY ADMINISTRATOR MITCHELL

Deputy Administrator Mitchell briefed the Commission regarding Change Order Proposal from CannDauSon Construction for the 4th Floor of Annex I.

Deputy Administrator Mitchell briefed the Commission regarding Deduct Change Order Proposal Number 1 from Cardinal Health in the amount of $7,359 for medical equipment.

Deputy Administrator Mitchell briefed the Commission regarding Change Order Proposal from CannDauSon Construction in the amount of $2,758 for interior doors on the 4th Floor of Annex I. Deputy Administrator Mitchell presented Change Order Proposal from Bailey Harris in the amount of $8,021.00 for tension cables in the 1st Level Parking Deck of Annex III.

Deputy Administrator Mitchell presented Change Order Proposal Number 40 from CannDauSon in the amount of $7,216.29 for modifications to existing window valances on the 2nd Floor of Annex I.

Deputy Administrator Mitchell informed the Commission that Courthouse Café Manager Wanda Hughes requested permission to close the Courthouse Café at 2:00 p.m. every afternoon. After discussion, the Commission agreed to grant the request.

Deputy Administrator Mitchell updated the Commission regarding bids for janitorial services for Annex 3 and the Appraisal Building. Chairman Dean recommended that the Commission consider the bid in April.

Deputy Administrator Mitchell discussed the filling of the Director of Finance position and suggested that it be filled through an in-house promotional register. The Commission agreed to place this item on the next agenda.

COMMENTS FROM ADMINISTRATOR MIMS

Administrator Mims informed the Commission that he had discussed with County Attorney Thomas T. Gallion, III, the proper name for the Montgomery Advertiser Building. Attorney Gallion recommended that since legal documents are recorded in the building, it should be named the Montgomery County Administration Building and Courthouse Annex 3. The Commission agreed to place this item on the next agenda.

**ADJOURNMENT**

Commissioner Polizos made a motion to adjourn the meeting of the Montgomery County Commission on March 23, 2009, at 12:26 p.m. The motion was seconded by Commissioner Ingram and unanimously approved by the Commission.

**Agenda**

MAR 2 3 2009

03-23-09 Meeting

MONTGOMERY COUNTY COMMISSION

THE FOLLOWING ACCOUNTS PAYABLE WERE AUDITED AND ORDERED PAID

CHECKS ARE DATED 03-13-09

| [illegible] | | [illegible] |
|---|---|---|
| 99265 | | 99467 |
| [illegible] | | [illegible] |
| Total Checks Paid | | $3,402,292.42 |

| CHECK # | PAYEE | AMOUNT | DATE |
|---|---|---|---|
| 99263 | Southern Sash | $ 370.00 | 03/06/09 |
| 99264 | Alabama Department of Revenue | $ 21.20 | 03/06/09 |

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

Agenda

MAR 23 2009

03-23-09 Meeting

MONTGOMERY COUNTY COMMISSION

THE FOLLOWING ACCOUNTS PAYABLE WERE AUDITED AND ORDERED PAID

CHECKS ARE DATED 03-20-09

| Check Number | To | [illegible] |
|---|---|---|
| 99472 | | 99688 |
| | | |
| Total Checks Paid | | $1,151,876.68 |

| CHECK # | PAYEE | AMOUNT | DATE |
|---|---|---|---|
| 99468 | Central AL Regional Planning | $ 18,750.00 | 03/13/09 |
| 99469 | AL Power Company | $ 4,600.38 | 03/16/09 |
| 99470 | Compass Bank | $ 8,000,000.00 | 03/19/09 |
| 99471 | Regions Bank | $ 1,000,000.00 | 03/19/09 |

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

# Agenda

MAR 23 2009
03/23/09 Meeting

MONTGOMERY COUNTY COMMISSION

THE FOLLOWING TRANSACTIONS WERE AUDITED AND
ORDERED PAID

CHECKS ARE DATED
03/13/09

| | | | | | |
|---|---|---|---|---|---|
| Payroll Check Number | 56966 | To | Payroll Check Number | 57139 | $ 130,619.63 |
| | | | | | |
| Direct Deposits | | | | | $ 709,160.68 |
| | | | | | |
| Payroll Check Number | 57140 | To | Payroll Check Number | 57171 | $ 73,043.04 |
| | | | | | |
| Direct Deposits | | | | | $ 361,022.48 |
| | | | | | |
| Federal Deposits | | | | | $ 325,397.46 |
| | | | | | |
| Total Payroll Paid | | | | | $ 1,599,243.29 |

| CHECK # | PAYEE | AMOUNT | DATE |
|---|---|---|---|
| 56955 | Tammy Lynn Nix | $ 999.24 | 02/27/09 |
| 56956 | Todd R. Strange | $ 1,511.88 | 02/27/09 |
| 56957 | Sonya Renee Wood | $ 855.35 | 02/27/09 |
| 56958 | Reba S. McMillan | $ 768.72 | 02/27/09 |
| 56959 | Linda C. Weeks | $ 995.95 | 02/27/09 |
| 56960 | H. Randall Thomas | $ 1,568.48 | 02/27/09 |
| 56961 | Eleanor I. Brooks | $ 85.25 | 02/27/09 |
| 56962 | Michael D. Merritt | $ 2,250.39 | 02/27/09 |
| 56963 | Linda C. Kyser | $ 714.98 | 02/27/09 |
| 56964 | Vickey Morgan | $ 656.99 | 02/27/09 |
| 56965 | Patrick Joseph Murphy | $ 1,734.00 | 02/27/09 |

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

U.S. Department of Justice
Office of Justice Programs
*Bureau of Justice Assistance*

**Agenda**

MAR 23 2009

RECOVERY ACT

# Congratulations!

The Bureau of Justice Assistance (BJA), Office of Justice Programs, is pleased to advise you that

Your local jurisdiction is eligible for Recovery Act:
Edward Byrne Memorial Justice Assistance Grant (JAG) funding

and appears on the
Recovery Act Units of Local Government Eligibility List, established by OJP's Bureau of Justice Statistics at the following web site:

**www.ojp.usdoj.gov/BJA/recoveryJAG/recoveryallocations.html**

You are urged to submit an application for funding under the Recovery Act: Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program: Local Solicitation at

**www.ojp.usdoj.gov/BJA/recoveryJAG/recoveryjag.html**

Answers to Frequently Asked Questions may also be found at the above web site.

Questions? E-mail JAGRecovery@usdoj.gov

Call toll-free 1–866–268–0079

If you have any additional questions after you review the documents, please contact the BJA State Policy Advisor for your state at: www.ojp.usdoj.gov/BJA/resource/stcont.htm.

**GPS Program Material Needs**

1. Salary enhancement/offset for Surveillance Officer – roughly $12,000.00 salary and $3,600.00 benefits (30%)
2. Vehicle – base plus LE upgrades – Roughly $22,000.00
3. Vehicle fuel – Roughly $1,100.00 annual
4. Laptop w/ aircard (needs DC cable) – Roughly $1,200.00
5. Desktop PC – Roughly $800.00
6. Office furniture – Credenza and hutch, desktop, filing cabinet, task chair, 2 office chairs – roughly $1,500.00
7. Sidearm and longarms – roughly $1,500.00
8. Misc LE equipment (handcuffs, body armor, extra magazines, etc) – roughly $1,500.00
9. LE Radio – roughly $4,000.00
10. Cellular telephone – Roughly $1,200.00 annual
11. Daily monitoring costs - $10.00 - $12.00 daily

The total cost of the GPS Program Material Needs is $71,000

1-2

## Verizon Foundation Funding Goals and Partnership Guidelines

**The Verizon Foundation is in the business of improving lives in literacy, knowledge and a readiness for the 21st Century.**

Specifically, we help people to:

- Increase their literacy and educational achievement
- Avoid being an abuser or a victim of domestic violence
- Achieve and sustain their health and safety

Eligible organizations seeking grants from the Verizon Foundation must be prepared to track and report program outcomes as well as specific results that demonstrate measurable human impact. In the grant application, organizations must indicate what outcomes are targeted through programming and what results, as specified on the grant application, the organization will measure.

### Defining Program Results

The Verizon Foundation targets our philanthropic investments to partners and programs that achieve meaningful outcomes and measurable results in specific areas within each of our Funding Priorities. Grant applicants are required to select one or more outcomes and results for grants in each of our Funding Priorities. Click on a funding area below to see the list of targeted outcomes and results that are specified in the online grant application. We suggest you click here to review a complete set of guidance and examples to assist you in completing your on-line grant application.

- Education
- Literacy
- Domestic Violence Prevention
- Healthcare and Accessibility
- Internet Safety

Outcomes and results will be reported by the grantee on a quarterly basis. The Verizon Foundation uses this information to guide grantees in achieving stated outcomes and results, and to measure the social impact of Verizon's philanthropic investments in its community partners and the programs it supports.

### Eligible Requests

Proposals will be considered from eligible tax-exempt organizations in certain 501(c)(3) subsections as defined by the Internal Revenue Service (IRS)

Proposals will also be considered from elementary and secondary schools* (public and private) that are registered with the National Center for Education Statistics (NCES). Proposals may also be considered from eligible tax-exempt organizations in the subsection 170(B)(1)(a)(i) - Church, provided that the proposal will benefit a large portion of a community without regard to religious affiliation and does not duplicate the work of other agencies in the community

- 170(B)(1)(a)(ii) - School*
- 170(B)(1)(a)(iii) - Hospital or medical research organization
- 170(B)(1)(a)(iv) - Organization which operates for benefit of college or university and is owned or operated by a governmental unit
- 170(B)(1)(a)(v) - Governmental unit
- 170(B)(1)(a)(vi) - Organization which receives a substantial part of its support from a governmental unit or the general public
- 509(A)(2) - Organization that normally receives no more than one-third of its support from gross investment income and unrelated business income and at the same time more than one-third of its support from

Volunteer Spotlight:

Learn how Jennifer raised $3200 for the Susan G. Komen Foundation

**read more >>**

Online Grant Samples:

View some of our online sample Grants

**view samples >>**


501/NCES Lookup

Is your organization an eligible 501(c)(3) or NCES School or District? Find out

ID Number 501(c)(3)

Community Relations

Find out what's going on and how to volunteer in your community

Enter ZIP Code

1-3

contributions, fees, and gross receipts related to exempt purposes.

- 509(A)(3) - Organizations operated solely for the benefit of and in conjunction with organizations described in the previous seven items.

**The Verizon Foundation does not sponsor field trips of any kind for secondary or elementary schools.*

**To be eligible for funding consideration organizations must:**

- Not duplicate or significantly overlap the work of public agencies on the federal, state or local level
- Serve the community without discrimination on the basis of age, color, citizenship, disability, disabled veteran status, gender, race, religion, national origin, marital status, sexual orientation, military service or status or Vietnam-era veteran status.
- Keep books available for regular independent outside audit and make the results available to all potential contributors
- Comply with applicable laws regarding registration and reporting.
- Observe the highest standards of business conduct in its relationships with the public.

### Ineligible Requests

The Verizon Foundation does not provide funding for any of the following

- Individuals.
- Private charity or foundation.
- Organizations not exempt under Section 501(c)(3) of the Internal Revenue Code, and not eligible for tax-deductible support.
- Religious organizations, unless the particular program will benefit a large portion of a community without regard to religious affiliation and does not duplicate the work of other agencies in the community
- Political causes, candidates, organizations or campaigns
- Organizations that discriminate on the basis of age, color, citizenship, disability, disabled veteran status, gender, race, religion, national origin, marital status, sexual orientation, military service or status or Vietnam-era veteran status.
- Organizations whose primary purpose is to influence legislation
- Endowments or capital campaigns.
- Film, music, TV, video and media production projects or broadcast program underwriting
- Research studies, unless related to projects we are already supporting
- Sports sponsorships
- Performing arts tours.
- Association memberships
- Organizations that have received a grant from the Verizon Foundation in the last three consecutive years - organization may reapply after a one-year hiatus

Due to Federal regulations we cannot provide support in the form of Verizon Products or Services nor can we give cash grants intended for the payment of Verizon Products or Services.

### How To Apply

Verizon Foundation only accepts electronic proposals through its Apply Online process. Successfully submitted online proposals receive an electronic notice confirming receipt of the application via e-mail Please allow up to ninety (90) days for a final decision

### When to Apply

The Verizon Foundation reviews unsolicited proposals on a continuous calendar year basis from January 1st through October 31st.

### Helpful Hints & Suggestions

Before starting the online application process, please review the partnership guidelines outlined above, our Frequently Asked Questions page and information describing each of our Priority Funding Areas:

1-4

Get Involved

- Education
- Literacy
- Domestic Violence Prevention
- Healthcare and Accessibility
- Internet Safety

Save yourself time and effort by reviewing our basic eligibility screener eligibility screener before you start your application. If your organization or project does not meet our requirements we may be able to suggest some other avenues of support.

An online example form is available for cash grants. This sample form provides all of the application fields on a single screen. Print this out before applying and reference it to compose your responses offline in your favorite word processing program (MS Word, WordPerfect, etc.). Spell check your work, log into the grant application, and then copy and paste each response into the appropriate fields on the form. The fields will expand when you paste information into them or if you continue to type. Please note that the fields will not accept special formatting (bold, underlining, etc.). Also please note that grant requests of $10,000 or more are required to include a project budget breakdown, which is shown in the sample form.

All required information on the application is indicated in red and is also marked with an asterisk (*). You may save responses to some of the questions on a form and leave others blank. Please note that you will not be able to submit your application until all of the required questions on all of the forms have been completed.

Hints have been provided for any items that require further explanation. Please pay attention to character limitations in the larger paragraph fields. All dates must be in MM/DD/YY format. Any currency field will accept a combination of numerals, commas, dollar signs, and decimal points (i.e., $9,999.99) but no letters.

Please do not use your browser's "Back" button to navigate through the application – doing so may cause data discrepancies in your proposal. Instead, use the "Save and Proceed" button on the bottom of each form to move forward in the application or use the links in the timeline of each page to jump between any of the sections.

To save an application and return to it later, click on the "Save and Proceed" button that appears at the bottom of every section. You can then safely close your Web browser or surf elsewhere on our site. To resume work on an incomplete application, simply log back into the system and click the "Continue" link next to the application you want to edit. You can have multiple applications going at the same time.

To delete an application that is incomplete or erroneous and has not been submitted to the foundation, just click on the trash can icon next to its project title. You will be brought to a confirmation screen where you can review all of the information that you are about to delete and then click confirm. Please note that we cannot retrieve applications once they have been deleted.

To review a submitted application that your organization has already sent to the foundation, click the View link next to the appropriate project title. Please note that you will not be able to revise an application after you have submitted it to the foundation.

If you have any content questions about the application please direct them to your local Community Relations Manager. If you encounter any technical difficulties while completing your application, click on the "Need Support" link located at the bottom of every page (confirm this appears on each page) to contact Technical Support. Please note that technical support is available from 8:00 AM to 8:00 PM ET on all business days.

**Notice of Non Discrimination:** As a matter of policy, the Verizon Foundation does not discriminate on the basis of race, color, sex, sexual orientation, age, religion, national or ethnic origin, or physical disability. The Verizon Foundation is neutral on and does not fund, programs that support pro-life or pro-choice issues.



1-5

## FIRST ADDENDUM TO LEASE AGREEMENT

**THIS FIRST ADDENDUM TO LEASE AGREEMENT** is made and entered on this the _____ day of ________________________, 2009 by and between **EAST COMMERCE DEVELOPMENT COMPANY, L.L.C.,** herein called LESSOR, and **Montgomery County Commission,** herein called LESSEE.

### WITNESSETH:

**WHEREAS,** the parties have heretofore made and entered into that certain Commercial Lease dated April 9, 2007 for the lease approximately 3,839 Net Rentable Square Feet of the property located at 2 East Office Center, 400 Eastern Blvd., Suite 102 and 107, Montgomery, Alabama. The LESSOR and LESSEE desire to extend the Lease Term and increase the Net Rentable Square Feet at the rental rate hereinafter more particularly provided, and LESSOR and LESSEE now desire to enter into this Agreement for the purpose of setting forth their understanding and agreement with respect to the extension of the Lease.

**NOW, THEREFORE,** for in consideration of the mutual promises herein contained, and other good and valuable consideration given and received by both LESSOR and LESSEE, the receipt and sufficiency of which is hereby acknowledged and confessed by both LESSOR and LESSEE, LESSOR and LESSEE hereby further amend, modify and supplement the Lease as follows:

1. "Leased Premises". The Leased Premises shall be increased from approximately 3,839 to 5,096 Net Rentable Square Feet (addition being suite 101 of approximately 1,257 Net Rentable Square Feet).

2. 1. **Term and Rent**. The Lease Term shall be extended for an additional **Twelve (12)** months, having a Commencement Date of **May 1, 2009** and an Expiration Date of **April 30, 2010**, unless postponed, accelerated or extended as hereinafter provided, and the monthly installments of Rent shall be **Four Thousand Six Hundred Seventy-One and 25/100 Dollars ($4,671.25).**

3. It is distinctly understood and agreed that, except as expressly modified in and by the terms of this First Addendum to Lease Agreement, the said Lease is and shall remain in full force and effect, and is hereby expressly ratified and reconfirmed.

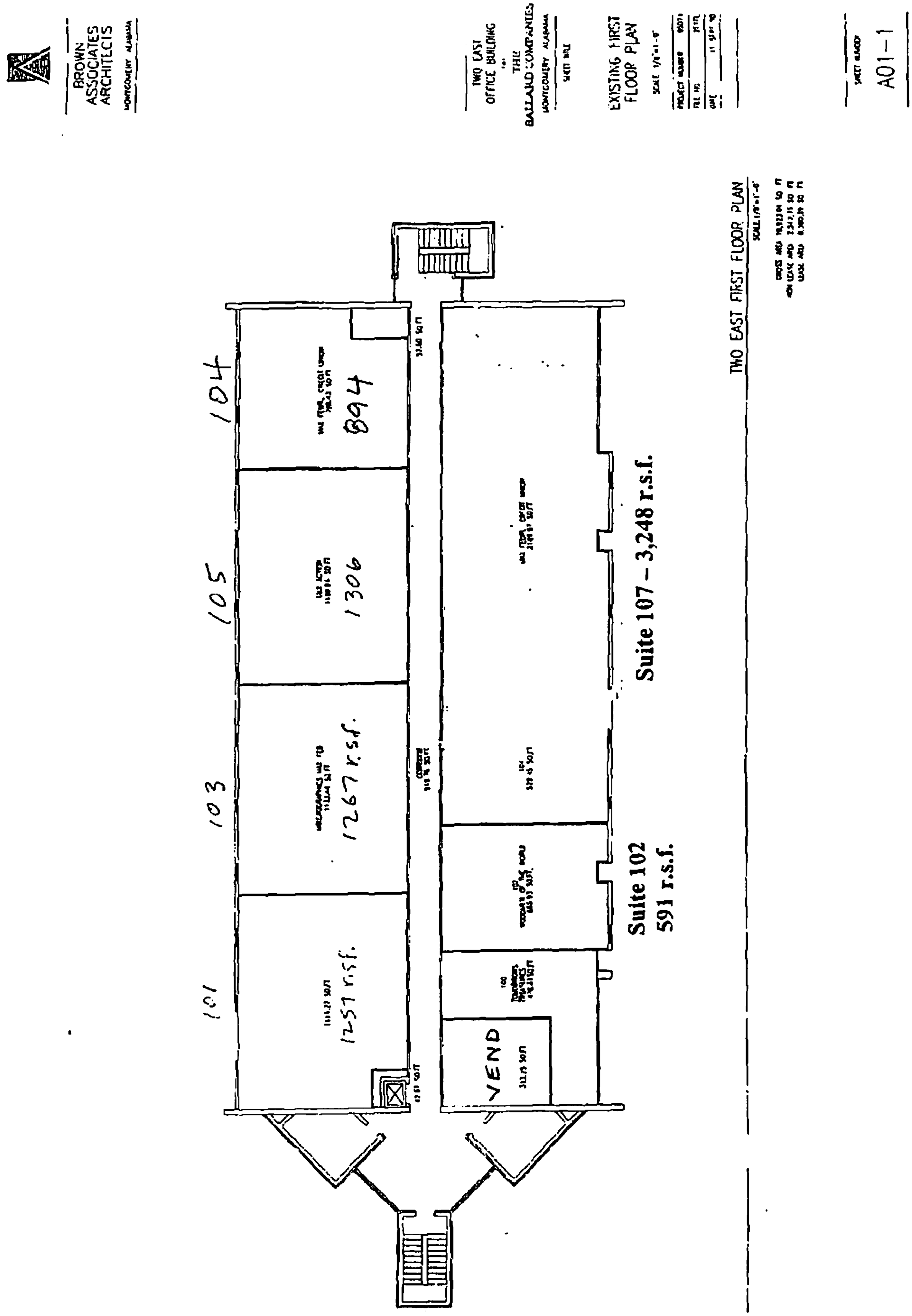
**LESSOR:**
East Commerce Development Company, L.L.C.
an Alabama Limited Liability Company

By: ________________________
Skip Dotherow, Executive Vice President
Ballard Realty Company, Inc., Managing Agent
East Commerce Development Company, L.L.C.

**LESSEE:**
Montgomery County Commission

By: ________________________
Todd Strange
Chairman

2-1


BROWN ASSOCIATES ARCHITECTS
TWO EAST OFFICE BUILDING
THE BALLARD COMPANIES
EXISTING FIRST FLOOR PLAN
A01-1
TWO EAST FIRST FLOOR PLAN
104
894
105
1306
103
1267 r.s.f.
101
1257 r.s.f.
VEND
Suite 107 – 3,248 r.s.f.
Suite 102
591 r.s.f.



2-2

**Donald Mims**

---

| | |
|---|---|
| **From:** | Carl Corbin [CCorbin@ballardcompanies.com] |
| **Sent:** | Wednesday, February 04, 2009 10:46 AM |
| **To:** | Donald Mims; Tammy Nix |
| **Subject:** | Lease Renewal for Montgomery Co at 400 Eastern Blvd. |
| **Attachments:** | EOC Montgomery Co First Addendum.doc |

See attached First Addendum for approval. Renewal lease summary as follows.

Space: Increased from 3,839 to 5,096 s.f.; added suite 101 for 1,257 s.f.
Renewal Term: One (1) year
Rent: Increased from $3,519 to $4,671.25 per month (added $1,152.25 per month)
Refer to Letter dated March 22, 2007 to add suite 101 that you had been using at no charge.

Any questions, please give me a call.

Carl Corbin
Ballard Realty Company, Inc.
334-279-8646 office
334-277-8940 fax

2-3

## INDEPENDENT CONTRACTOR ENGAGEMENT AGREEMENT FOR THE PROVISION OF PERSONAL OR PROFESSIONAL SERVICES

The Montgomery County Commission and the Judge of Probate hereby enters into an Independent Contractor Engagement Agreement for the Provision of Personal or Professional Services with Marjorie Smith.

Marjorie Smith is to perform voter education programs in conjunction with the Montgomery Election Center during the remaining months of fiscal year 2009. A calendar and detailed listing of all voter education efforts, initiatives, programs and activities along with a weekly journal will be provided to Trey Granger, Director of Elections.

This Agreement is intended for a period not to exceed six (6) months, to begin April 1, 200, and terminate September 30, 2009, with an option to extend the Engagement Agreement for an additional ninety (90) days.

So long as this Agreement remains in effect, the Montgomery County Commission will pay Ms. Marjorie Smith $18,000 for the six (6) month term, to be payable in equal monthly installments, contingent upon submission by Marjorie Smith of monthly invoices and status reports in an acceptable form to the Probate Judge. This Engagement Agreement will be paid from the Election Center's budget.

This Contract may be terminated by either party for any reason, at any time during the term of this agreement, for the convenience of either party, with or without cause, by giving thirty (30) days written notice to the other party.

| | |
|---|---|
| __________ | ____________________ |
| Date | Marjorie Smith |
| __________ | ____________________ |
| Date | Todd Strange, Chairman<br>Montgomery County Commission |
| __________ | ____________________ |
| Date | Reese H. McKinney, Jr.<br>Judge of Probate |

3-2

## INDEPENDENT CONTRACTOR ENGAGEMENT AGREEMENT FOR THE PROVISION OF PERSONAL OR PROFESSIONAL SERVICES

The Montgomery County Commission and the Judge of Probate hereby enters into an Independent Contractor Engagement Agreement for the Provision of Personal or Professional Services with Marion C. Baab.

Marion C. Baab is to perform voter education programs in conjunction with the Montgomery Election Center during the remaining months of fiscal year 2009. A calendar and detailed listing of all voter education efforts, initiatives, programs and activities along with a weekly journal will be provided to Trey Granger, Director of Elections.

This Agreement is intended for a period not to exceed six (6) months, to begin April 1, 2009, and terminate September 30, 2009, with an option to extend the Engagement Agreement for an additional ninety (90) days.

So long as this Agreement remains in effect, the Montgomery County Commission will pay Ms. Marion C. Baab $18,000 for the six (6) month term, to be payable in equal monthly installments, contingent upon submission by Marion C. Baab of monthly invoices and status reports in an acceptable form to the Probate Judge. This Engagement Agreement will be paid from the Election Center's budget.

This Contract may be terminated by either party for any reason, at any time during the term of this agreement, for the convenience of either party, with or without cause, by giving thirty (30) days written notice to the other party.

| | |
|---|---|
| ____________ | ______________________________ |
| Date | Marion C. Baab |
| ____________ | ______________________________ |
| Date | Todd Strange, Chairman<br>Montgomery County Commission |
| ____________ | ______________________________ |
| Date | Reese H. McKinney, Jr.<br>Judge of Probate |

3-3

# T.C.U. CONSULTING SERVICES, LLC

**CONSTRUCTION CONSULTANTS**

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

March 19, 2009

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

Re: Attached Change Order No. 6 for Annex III

Dear John:

The attached Change Order No. 6 is submitted for approval by the Commission. The items included in this Change Order were presented to the Commission on 02/10/09 in the Information Session. Refer to the attached letter of 01/30/09.

These changes total $112,087.00, bringing the total to date to $340,918.00 vs. expected tax savings of $426,000. 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

Enclosures: (1) lot of (4) Change Orders for signature
Memo 01/30/09
cc: file: Advertiser i2.6 and i1.1.4
W. K. Upchurch, III, w/o enclosures
Donnie Mims, " "
David Sawicki, 2WR/HW Architects, w/o enclosures

4-2

# T.C.U. CONSULTING SERVICES, LLC

**CONSTRUCTION CONSULTANTS**

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


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,

Larry Carter
Enclosure (1)

cc: file: Advertiser i2.8 and i1.1.4
W. K. Upchurch, III, w/o enclosure
Donnie Mims, " "
David Sawicki, 2WR/HW Architects, w/o enclosure

4-3

# AIA® Document G701™ – 2001

## *Change Order*

| | | |
|---|---|---|
| **PROJECT** *(Name and address)*: Montgomery County Courthouse Annex Montgomery, Alabama | **CHANGE ORDER NUMBER:** 006 | OWNER: ☒ |
| | **DATE:** February 24, 2009 | ARCHITECT: ☒ |
| **TO CONTRACTOR** *(Name and address)*: Bailey-Harris Construction Company, Inc. 1552 Bailey Harris Drive Auburn, Alabama 36830 | **ARCHITECT'S PROJECT NUMBER:** 600 | CONTRACTOR: ☒ |
| | **CONTRACT DATE:** August 29, 2007 | 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)*

| | | |
|---|---|---|
| The original Contract Sum was | $ | 16,378,900.00 |
| The net change by previously authorized Change Orders | $ | 228,831.00 |
| The Contract Sum prior to this Change Order was | $ | 16,607,731.00 |
| The Contract Sum will be increased by this Change Order in the amount of | $ | 112,087.00 |
| The new Contract Sum including this Change Order will be | $ | 16,719,818.00 |

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. | Bailey-Harris Construction Company, Inc. | Montgomery County Commission |
| **ARCHITECT** *(Firm name)* | **CONTRACTOR** *(Firm name)* | **OWNER** *(Firm name)* |
| 166 Commerce Street, P. O. Box 4834, Montgomery, Alabama 36104 | 1552 Bailey Harris Drive, Auburn, Alabama 36830 | 100 South Lawrence Street, Montgomery, Alabama 36104 |
| **ADDRESS** | **ADDRESS** | **ADDRESS** |
| **BY** *(Signature)* | **BY** *(Signature)* | **BY** *(Signature)* |
| J. Michael Rutland | Allen Harris | ~~Donnie Mims~~ Todd Strange |
| *(Typed name)* | *(Typed name)* | *(Typed name)* |
| 2/24/09 | 3-8-09 | |
| **DATE** | **DATE** | **DATE** |




4-4

**MONTGOMERY COUNTY COURTHOUSE ANNEX 3**
**FOR THE MONTGOMERY COUNTY COMMISSION**

Date 1/14/2006

| CHANGE ORDER PROPOSAL No. Six (6) | Total | Accept | Rejected |
|---|---|---|---|
| 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 longivity of exposed rubbed concrete | $3,557.00 | ✓ | |
| TOTAL | $2,787.00 | | |

| Recommended by | Recommended by | Recommended by |
|---|---|---|
| 2WR/Holmes Wilkins Architects Inc. (Architect Firm's Name) | TCU Consulting, Inc. (Owner Representative (Firm Name)) | Montgomery County Commission (Owner Representative (Firm name)) |
| By Signature: David B. Sawicki | By Signature: Larry Carter | By Signature: D. 2. Mims |
| David Sawicki Construction Administrator (Typed Name) | Larry Carter (Typed Name) | Donnie Mims County Administrator (Typed Name) |
| Date 1/15/09 | Date 01/30/09 | Date 2/4/09 |

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

4-5

BAILEY• HARRIS
CONSTRUCTION

COPY

August 14, 2008

Mr. Dave Sawicki
2WR/Holmes Wilkens Architects
166 Commerce St.
Montgomery, AL 36103

Re: Montgomery County Courthouse Annex #3
Montgomery, AL

*Subj. Change Order Directive # 2- Lawerence St. Storm Piping Revisions*
*Final Cost*

Dear Dave,

Please find with this letter the final cost accounting of work involved for the changes due to the revisions requested for storm drainage on Lawerence St. not caused by Bailey Harris Construction. The total cost due for the completed work shall be an additional cost amount of <u>$ 36,793.00.</u>

We also request that <u>(15) additional calendar</u> days be added to the contract duration for the additional work required. Additional time required to perform the additional scope of work described above in an integral part of this change proposal. This change proposal assumes that all work to be performed by current contractors will be performed by existing on site work force. Approval of this Change Proposal BH-24, either independently or via incorporation into a Contract Change Order, which does not definitively address the requested or denies the time requested does not constitute a waiver of right to claim the time and Bailey Harris does hereby reserve the right to claim the days requested above indefinitely.

Thank you and please do not hesitate to call should you have any questions.

Sincerely,

BAILEY HARRIS CONSTRUCTION CO., INC.

Michael Hamby
Project Manager

P. O. Box 490 • 1552 Bailey Harris Drive • Auburn, AL 36831-0490
Phone 334.821.0807 • FAX 334.826.1152

4-6

[redacted]

BH COPY

BAILEY • HARRIS
CONSTRUCTION

October 24, 2008

Mr. Dave Sawicki
2WR/Holmes Wilkens Architects
166 Commerce St.
Montgomery, AL 36103

Re: Montgomery County Courthouse Annex #3
Montgomery, AL

*Subj: Change Order Directive #1- Brick Wall Failure*
*Final Cost-Revision "B"*

Dear Dave,

Please find with this letter the final cost accounting of work involved for the changes due to the failure of the existing brick wall not caused by Bailey Harris Construction. Please note that we have included an estimated cost to be used as the final cost for the new concrete drive entrance to the church which has not been completed as of the date of this final cost submission. The total cost due for the completed and remaining work shall be an additional cost amount of **$ 72, 507.00.**

We also request that **(10) additional calendar** days be added to the contract duration for the additional work required. Additional time required to perform the additional scope of work described above in an integral part of this change proposal. This change proposal assumes that all work to be performed by current contractors will be performed by existing on site work force. Approval of this Change Proposal BH-24, either independently or via incorporation into a Contract Change Order, which does not definitively address the requested or denies the time requested does not constitute a waiver of right to claim the time and Bailey Harris does hereby reserve the right to claim the days requested above indefinitely.

Thank you and please do not hesitate to call should you have any questions.

Sincerely,

**BAILEY HARRIS CONSTRUCTION CO., INC.**

Michael Hamby
Project Manager



4-7

**Agenda**

MAR 2 3 2009

Haskell | Slaughter
attorneys at law

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

**MEMORANDUM**
February 25, 2009

TTG

**TO:** Donnie Mims
**FROM:** Tommy Gallion

**RE:** Jessica Cobb vs MCSO
Notice of Claim

---

I have reviewed your February 19, 2009 memorandum and the Notice of Claim filed by Jessica Cobb and her attorney Julian McPhillips alleging excessive force, assault and battery, negligence, and wantonness against Montgomery County and the Montgomery County Sheriff's Department. It is my legal opinion that this claim should be recognized and denied at the next Montgomery County Commission meeting.

50051-317
#39,910

5-1

# Purchasing Department
# Montgomery County Commission

| ABSTRACT FOR BIDS: | | | | BID # 1 | | BID # 2 | | BID # 3 | | BID # 4 | | BID # 5 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| BID NO. 52200-08C-006<br>ISSUED: FEBRUARY 23, 2009<br>BID OPENING DATE: MARCH 16, 2009<br>DETENTION FACILITY<br>TERMS OF PAYMENT / DISCOUNT: | | | | TRINITY SERVICES GROUP, INC. - ATTN: JOHN VARNADO - PHONE#(813) 854-4264; FAX#(813) 855-2330 | | ABL MANAGEMENT, INC. - ATTN: JOHN APPLETON - PHONE#800-375-1293; FAX#225-273-2165 | | FIVE STAR CORRECTIONAL SERVICES - ATTN: RON STEVENS; PHONE#214-821-9000; FAX#214-821-8310 | | VALLEY SERVICES, INC - ATTN: JIM WALT; PHONE#(601)664-3100; FAX#(601)664-3339 | | ARAMARK CORRECTIONAL SERVICES, LLC - ATTN: THOMAS BURNS; PHONE#(800)777-7090; FAX#(630)2715758 | |
| ITEM NO. | DESCRIPTION OF ITEM | Units | QTY | UNIT PRICE | EXTENDED AMOUNT | UNIT PRICE | EXTENDED AMOUNT | UNIT PRICE | EXTENDED AMOUNT | UNIT PRICE | EXTENDED AMOUNT | UNIT PRICE | EXTENDED AMOUNT |
| | POPULATION - PRICE | | | | | | | | | | | | |
| | FOR 1ST YEAR | | | | | | | | | | | | |
| | PER MEAL | | | | | | | | | | | | |
| | 500 - 549 | EA | 1 | $1.02 | $1.02 | $0.96 | $0.96 | $0.89 | $0.89 | $1.20 | $1.20 | $1.03 | $1.03 |
| | 550 - 599 | EA | 1 | $1.00 | $1.00 | $0.93 | $0.93 | $0.88 | $0.88 | $1.17 | $1.17 | $0.99 | $0.99 |
| | 600 - 649 | EA | 1 | $0.98 | $0.98 | $0.91 | $0.91 | $0.87 | $0.87 | $1.15 | $1.15 | $0.96 | $0.96 |
| | 650 - 699 | EA | 1 | $0.96 | $0.96 | $0.89 | $0.89 | $0.85 | $0.85 | $1.12 | $1.12 | $0.94 | $0.94 |
| | 700 - 749 | EA | 1 | $0.95 | $0.95 | $0.88 | $0.88 | $0.84 | $0.84 | $1.11 | $1.11 | $0.92 | $0.92 |
| | 750 - 799 | EA | 1 | $0.93 | $0.93 | $0.86 | $0.86 | $0.84 | $0.84 | $1.09 | $1.09 | $0.90 | $0.90 |
| | 800 - 849 | EA | 1 | $0.92 | $0.92 | $0.88 | $0.88 | $0.84 | $0.84 | $1.08 | $1.08 | $0.88 | $0.88 |
| | 850 - 899 | EA | 1 | $0.91 | $0.91 | $0.87 | $0.87 | $0.82 | $0.82 | $1.07 | $1.07 | $0.87 | $0.87 |
| | 900 - 949 | EA | 1 | $0.90 | $0.90 | $0.85 | $0.85 | $0.82 | $0.82 | $1.06 | $1.06 | $0.82 | $0.82 |
| | 950 - 999 | EA | 1 | $0.90 | $0.90 | $0.84 | $0.84 | $0.80 | $0.80 | $1.05 | $1.05 | $0.80 | $0.80 |
| | 1000 - 1049 | EA | 1 | $0.89 | $0.89 | $0.83 | $0.83 | $0.79 | $0.79 | $1.04 | $1.04 | $0.79 | $0.79 |
| | 1050 - 1099 | EA | 1 | $0.88 | $0.88 | $0.83 | $0.83 | $0.79 | $0.79 | $1.03 | $1.03 | $0.77 | $0.77 |
| | 1100 - 1149 | EA | 1 | $0.88 | $0.88 | $0.82 | $0.82 | $0.78 | $0.78 | $1.02 | $1.02 | $0.73 | $0.73 |
| | 1150 - 1199 | EA | 1 | $0.87 | $0.87 | $0.81 | $0.81 | $0.78 | $0.78 | $1.02 | $1.02 | $0.72 | $0.72 |
| | | | | | | | | | | | | | |
| TOTAL BID AMOUNTS | | | | | $12.99 | | $12.17 | | $11.60 | | $15.18 | | $12.13 |

**Notes:**

8-2

# Purchasing Department
# Montgomery County Commission

| ABSTRACT FOR BIDS: | | | | BID # 1 | | BID # 2 | | BID # 3 | | BID # 4 | | BID # 5 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| BID NO. 52200-08C-006<br>ISSUED: FEBRUARY 23, 2009<br>BID OPENING DATE: MARCH 16, 2009<br>DETENTION FACILITY<br>TERMS OF PAYMENT / DISCOUNT: | | | | TRINITY SERVICES GROUP, INC. - ATTN: JOHN VARNADO - PHONE#(813) 854-4264; FAX#(813) 855-2330 | | ABL MANAGEMENT, INC. - ATTN: JOHN APPLETON PHONE#800-375-1293; FAX#225-273-2165 | | FIVE STAR CORRECTIONAL SERVICES - ATTN: RON STEVENS; PHONE#214-821-9000; FAX#214-821-8310 | | VALLEY SERVICES, INC. - ATTN: JIM WALT; PHONE#(601)664-3100; FAX#(601)664-3339 | | ARAMARK CORRECTIONAL SERVICES, LLC - ATTN: THOMAS BURNS; PHONE#(800)777-7090; FAX#(630)2715758 | |
| ITEM NO. | DESCRIPTION OF ITEM | Units | QTY | UNIT PRICE | EXTENDED AMOUNT | UNIT PRICE | EXTENDED AMOUNT | UNIT PRICE | EXTENDED AMOUNT | UNIT PRICE | EXTENDED AMOUNT | UNIT PRICE | EXTENDED AMOUNT |
| | POPULATION - PRICE | | | | | | | | | | | | |
| | FOR 2ND YEAR | | | | | | | | | | | | |
| | PER MEAL | | | | | | | | | | | | |
| | 500 - 549 | EA | 1 | $1.06 | $1.06 | $1.01 | $1.01 | $0.93 | $0.93 | $1.24 | $1.24 | $1.09 | $1.09 |
| | 550 - 599 | EA | 1 | $1.03 | $1.03 | $0.98 | $0.98 | $0.92 | $0.92 | $1.20 | $1.20 | $1.05 | $1.05 |
| | 600 - 649 | EA | 1 | $1.01 | $1.01 | $0.96 | $0.96 | $0.90 | $0.90 | $1.18 | $1.18 | $1.02 | $1.02 |
| | 650 - 699 | EA | 1 | $0.99 | $0.99 | $0.94 | $0.94 | $0.89 | $0.89 | $1.16 | $1.16 | $0.99 | $0.99 |
| | 700 - 749 | EA | 1 | $0.98 | $0.98 | $0.92 | $0.92 | $0.88 | $0.88 | $1.14 | $1.14 | $0.97 | $0.97 |
| | 750 - 799 | EA | 1 | $0.97 | $0.97 | $0.90 | $0.90 | $0.88 | $0.88 | $1.12 | $1.12 | $0.95 | $0.95 |
| | 800 - 849 | EA | 1 | $0.95 | $0.95 | $0.92 | $0.92 | $0.88 | $0.88 | $1.11 | $1.11 | $0.93 | $0.93 |
| | 850 - 899 | EA | 1 | $0.94 | $0.94 | $0.91 | $0.91 | $0.86 | $0.86 | $1.10 | $1.10 | $0.92 | $0.92 |
| | 900 - 949 | EA | 1 | $0.94 | $0.94 | $0.90 | $0.90 | $0.85 | $0.85 | $1.09 | $1.09 | $0.87 | $0.87 |
| | 950 - 999 | EA | 1 | $0.93 | $0.93 | $0.89 | $0.89 | $0.84 | $0.84 | $1.08 | $1.08 | $0.85 | $0.85 |
| | 1000 - 1049 | EA | 1 | $0.92 | $0.92 | $0.88 | $0.88 | $0.83 | $0.83 | $1.07 | $1.07 | $0.84 | $0.84 |
| | 1050 - 1099 | EA | 1 | $0.91 | $0.91 | $0.87 | $0.87 | $0.82 | $0.82 | $1.06 | $1.06 | $0.82 | $0.82 |
| | 1100 - 1149 | EA | 1 | $0.91 | $0.91 | $0.86 | $0.86 | $0.82 | $0.82 | $1.05 | $1.05 | $0.78 | $0.78 |
| | 1150 - 1199 | EA | 1 | $0.90 | $0.90 | $0.85 | $0.85 | $0.81 | $0.81 | $1.05 | $1.05 | $0.77 | $0.77 |
| | | | | | | | | | | | | | |
| TOTAL BID AMOUNTS | | | | | $13.44 | | $12.78 | | $12.10 | | $15.64 | | $12.85 |
| TOTAL BID FOR YEARS 1 & 2 | | | | $26.43 | | $24.95 | | $23.70 | | $30.82 | | $24.98 | |

**Notes:**

12 BIDS MAILED

8-3

**Agenda**

**MAR 23 2009**

**BUDGET FORM 5**

# MONTGOMERY COUNTY COMMISSION

## BUDGET CHANGE REQUEST

**REQUEST NUMBER 23**

| | | | | |
|---|---|---|---|---|
| DEPARTMENT: | County Commission Appropriations | REVIEWED: | S. Thomas | 3/19/2009 |
| | | Finance Director | | Date |
| REQUESTED BY: | 3/19/2009 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 | 10,000 | 2,000 | 12,000 |
| In House Misc. Appropriations | 001-59310-499 | 422,628 | -2,000 | 420,628 |
| | | | | 0 |
| | | | | |
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| | | | | |
| | | | | |
| | | | | |
| | TOTAL | 432,628 | 0 | 432,628 |

JUSTIFICATION:

To provide funding to Alabama State University radio station WVAS for the Shakespeare Jazz on the Grass program.

9-1

90.7 FM
JAZZ BLUES NEWS VIEWS

February 2, 2009

The Honorable Todd Strange, Chairman
Montgomery County Commission
101 South Lawrence Street
Montgomery, AL 36104

Dear Chairman Strange:

WVAS-FM Public Radio Station humbly submits this request for $5,000 in funding support for the station's annual "Jazz on the Grass" (JOG) to be held on Labor Day (September 7, 2009) on the grounds of the Alabama Shakespeare Festival.

In just three short years, JOG has become a great generator of revenue for Montgomery County, the City of Montgomery, and our beautiful Alabama Shakespeare Festival. In addition, this annual event provides a unique means of support for our local jazz and blues musicians. Finally, it is a great way for dads, moms and children to wind down the summer with music, fun and food.

In partnership with the Alabama Jazz & Blues Federation (AJBF - the only organization of its kind in South Central Alabama), WVAS-FM has worked hard to significantly increase attendance at JOG in its three (3) short years of existence. The acts have increased from 2 local bands in 2006 to 7 regional and local acts in 2008. What began with an audience of a couple of hundred people in 2006 has swelled to nearly 1,000 attendees from throughout the region and neighboring states.

Please be assured that sponsorship by the Montgomery County Commission will be acknowledged by WVAS-FM in all electronic and print media materials as well as on the web sites of both WVAS-FM and the AJBF. And at this year's Labor Day event, we would like to have the opportunity to thank you and your fellow Commissioners for your support of this exciting annual get-together.

You may contact me at ccapel@wvasfm.org or at 334-229-5076 if you need additional information. I am available to meet with you, if necessary, at your convenience. Thank you for your consideration of this request.

Sincerely,

Candy Capel

Candy Capel
Station Manager

9-2

Agenda

MAR 23 2009

BUDGET FORM 5

# MONTGOMERY COUNTY COMMISSION

## BUDGET CHANGE REQUEST

REQUEST NUMBER 12

DEPARTMENT: Engineering REVIEWED: S. Thomas 03/04/09

Finance Director Date

REQUESTED BY: George C. Speake APPROVED:

Elected Official/Dept. Head 3/3/2009 Administrator Date

| ACCOUNT NAME | ACCOUNT NUMBER | CURRENT BUDGET | INCREASE (DECREASE) | REVISED BUDGET |
|---|---|---|---|---|
| State Project Reimbursement | 111-44222-400 | 0 | (50,000) | (50,000) |
| Contract | 111-53101-330 | 418,170 | 50,000 | 468,170 |
| | | | | |
| | | | | |
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| | | | | |
| | | | | |
| | TOTAL | 418,170 | 0 | 418,170 |

JUSTIFICATION:

To add $50,000.00 for the construction of Pike/Vaughn Road intersection improvement project in order to make payment to vendors and budget the reimbursement of the cost from the State of Alabama.

10-1

**Agenda**

MAR 23 2009

BUDGET FORM 5

# MONTGOMERY COUNTY COMMISSION
## BUDGET CHANGE REQUEST
REQUEST NUMBER 13

| | | | | |
|---|---|---|---|---|
| DEPARTMENT: | Engineering | REVIEWED: | S. Thomas | 3/16/09 |
| | | Finance Director | | Date |
| REQUESTED BY: | George C. Speake | APPROVED: | | |
| Elected Official/Dept Head | 3/13/2009 | Administrator | | Date |

| ACCOUNT NAME | ACCOUNT NUMBER | CURRENT BUDGET | INCREASE (DECREASE) | REVISED BUDGET |
|---|---|---|---|---|
| State Project Reimbursement | 111-44222-400 | (280,652) | (70,000) | (350,652) |
| Professional Services | 111-53101-307 | 31,500 | 10,000 | 41,500 |
| Contract | 111-53101-330 | 468,170 | 60,000 | 528,170 |
| | | | | |
| | | | | |
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| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | TOTAL | 219,018 | 0 | 219,018 |

JUSTIFICATION:

To add $70,000.00 for the construction of Pike/Vaughn Road intersection improvement project in order to make payment to vendors and budget the reimbursement of the cost from the State of Alabama.

10-2

Agenda

MAR 2 3 2009

BUDGET FORM 5

# MONTGOMERY COUNTY COMMISSION
## BUDGET CHANGE REQUEST
REQUEST NUMBER 11

| | | | | |
|---|---|---|---|---|
| DEPARTMENT: | Probate Elections | REVIEWED: | S. Thomas | 3/5/2009 |
| DATE: | 3/5/2009 | Finance Director | | Date |
| REQUESTED BY: | Trey Granger | APPROVED: | | |
| Elected Official/Dept. Head | | Administrator | | Date |

| ACCOUNT NAME | ACCOUNT NUMBER | CURRENT BUDGET | INCREASE (DECREASE) | REVISED BUDGET |
|---|---|---|---|---|
| Fund Balance | 001-35900-000 | | -101,234 | -101,234 |
| Voting Equipment | 001-51911-543 | 0 | 12,000 | 12,000 |
| Voting Machine Maintenance | 001-51910-235 | 0 | 89,234 | 89,234 |
| | | | | 0 |
| | | | | 0 |
| | | | | 0 |
| | | | | 0 |
| | | | | 0 |
| | | | | 0 |
| | | | | 0 |
| | | | | 0 |
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| | | | | 0 |
| | | | | 0 |
| | | | | 0 |
| | | | | 0 |
| | | | | 0 |
| | | | | 0 |
| | TOTAL | 0 | 0 | 0 |

JUSTIFICATION:

Set up budgets for the purchase of additional voting equipment and the voting equipment warranty to be funded from restricted HAVA funds received and recognized as revenue in previous years.

11-1

## POSITION FILL REQUEST

| COMPLETED ACTION DATES | |
|---|---|
| 1 ______ | dept request |
| 2 ______ | admin review |
| 3 ______ | pers dept |
| 4 ______ | cert to admin |
| 5 ______ | dept selection |
| 6 ______ | final review |

DEPARTMENT: Revenue Commissioner

DEPARTMENT HEAD: Sarah G. Spear

SUPERVISOR: Sarah Spear

1 POSITION TITLE Chief Appraiser

POSITION NUMBER 019

PROPOSED EFFECTIVE DATE 3-7-09

TYPE OF APPOINTMENT (x) PERMANENT ( ) TEMPORARY

RECRUITING

( ) PROMOTIONAL REGISTER ( ) TRANSFER

( x ) OPEN COMPETETIVE REGISTER ( ) REEMPLOYMENT

PAY GRADE A14 (78,323 - 111,495)

Sarah G. Spear
Department Head

Date 3/4/2009

---

2 ADMINISTRATIVE REVIEW

( ) APPROVED
( ) DISAPPROVED

______________________________
Funding Authority

3 CERTIFICATION

Promotional ______ Candidates
Open-competitive ______ Candidates
Transfer ______ Candidates

______________________________ Date ______
Personnel Director

SELECTEE: ______________________

______________________________ Date ______
Appointing Authority

( ) Manpower data entered by ______________ Date ______________
( ) Payroll entered by ______________ Date ______________

12-2

Montgomery County Commission
Travel / Training Request Approval

Appendix C

**Agenda**

MAR 23 2009

Request # 13

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

Request approval to be granted for the following:

| | | | |
|---|---|---|---|
| Destination: | Montgomery, AL | | |
| Departure Date: | April 8, 2009 | Return Date: | April 9, 2009 |
| Conference Leave (Days / Hours): | 2 Days | | |
| Purpose of Travel: | to attend 2009 County Day @ the Legislature | | |

Traveler (s) Name:
1. Jiles Williams
2. Donald Mims
3. John Mitchell
4. DiDi Henry
5.
6.

Check Mode of Transportation:

| | | | |
|---|---|---|---|
| County Vehicle | [ ] | Commercial Air | [ ] |
| Private Vehicle | [X] | Other (Specify) | [ ] |

| | | | |
|---|---|---|---|
| Total (est.) Cost: | $100.00 | Advance Registration Required: | $100.00 |
| Department Name: | County Commission | Fund Name: | General |
| Additional Comments: | Registration - $ 25.00/person | | |

---

To: Donald L. Mims, Administrator

From: Donald L. Mims, Administrator

The above request is app. 03/23/09 reimbursement of actual and necessary expenses in the approximate amount of $100.00 and advance registration of $100.00 is authorized.

| *To be completed by the Finance Department* | |
|---|---|
| Fund Code: | 001-51100-265 (ex: 000-00000-000) |
| Description: | Registration & Training |
| Current Budget: | $40,000.00 |
| Approved Requests: | $14,329.56 |
| Budget Available: | $25,670.44 |
| Current Requests: | $100.00 |
| Budget Balance: | $25,570.44 |

Donald L. Mims, Administrator

Reviewed by: S. Thomas

Date: 3/19/2009

cc: Finance Director / Buyer

13-1

Revised October 12, 2005

Montgomery County Commission
Travel / Training Request Approval

Appendix C

**Agenda**

**MAR 23 2009**

Request # 14

Date: March 17, 2009

To: Donald L. Mims, Administrator

From: John A. Mitchell, Sr., Deputy Admin.

Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Atlanta, GA

Departure Date: March 31, 2009 Return Date: April 2, 2009

Conference Leave (Days / Hours): 3 Days

Purpose of Travel: to attend the 2009 National Recreation and Parks Association ACHIEVE Coaches Meeting

Traveler (s) Name: 1. John Mitchell 4. ______
2. ______ 5. ______
3. ______ 6. ______

Check Mode of Transportation: County Vehicle [ ] Commercial Air [ ]
Private Vehicle [X] Other (Specify) [ ] ______

Total (est.) Cost: $781.00 Advance Registration Required: $0.00

Department Name: County Commission Fund Name: General

Additional Comments: Meals - 225.00; Mileage - 176.00; Hotel - 350.00; Parking - 30.00

---

To: John A. Mitchell, Sr., Deputy Admin.

From: Donald L. Mims, Administrator

The above request is app. 03/23/09 reimbursement of actual and necessary expenses in the approximate amount of $781.00 and advance registration of $0.00 is authorized.

| *To be completed by the Finance Department* | |
|---|---|
| Fund Code: | 001-51100-265 (ex: 000-00000-000) |
| Description: | Registration & Training |
| Current Budget: | $40,000.00 |
| Approved Requests: | $14,329.56 |
| Budget Available: | $25,670.44 |
| Current Requests: | $881.00 |
| Budget Balance: | $24,789.44 |

Donald L. Mims, Administrator

Reviewed by: S. Thomas

Date: 3/19/2009

cc: Finance Director / Buyer

Revised October 12, 2005

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Appendix C

Montgomery County Commission
Travel / Training Request Approval

Agenda
MAR 23 2009

Request # 1

Date: March 13, 2009
To: Donald L. Mims, Administrator
From: Sherrill Thomas, Interim Finance Director
Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Birmingham, Alabama
Departure Date: April 29, 2009 Return Date: April 29, 2009
Conference Leave (Days / Hours): 1 Day
Purpose of Travel: to attend Renewal meeting with BlueCross BlueShield of Alabama

Traveler (s) Name: 1. Shirley Bazzell 4.
2. 5.
3. 6.

Check Mode of Transportation:

| | | | |
|---|---|---|---|
| County Vehicle | | Commercial Air | |
| Private Vehicle | x | Other (Specify) | |

Total (est.) Cost: $101.20 Advance Registration Required: $0.00
Department Name: Finance Fund Name: General
Additional Comments: Mileage 101.20

---

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

The above request is app. 03/23/09 reimbursement of actual and necessary expenses in the approximate amount of $101.20 and advance registration of $0.00 is authorized.

| *To be completed by the Finance Department* | | |
|---|---|---|
| Fund Code: | 001-51100-265 | (ex: 000-00000-000) |
| Description: | Registration & Training | |
| Current Budget: | $6,000.00 | |
| Approved Requests: | $0.00 | |
| Budget Available: | $6,000.00 | |
| Current Requests: | $101.20 | |
| Budget Balance: | $5,898.80 | |

Donald L. Mims, Administrator

Reviewed by: S. Thomas
Date: 3/13/2009
cc: Finance Director / Buyer

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Revised October 12, 2005

Appendix C

Montgomery County Commission
Travel / Training Request Approval

Agenda
MAR 23 2009

Request # 10

Date: March 11, 2009
To: Donald L. Mims, Administrator
From: Lou Ialacci
Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Atlanta, GA Global Knowledge Training Facility

Departure Date: April 5, 2009 Return Date: April 10, 2009

Conference Leave (Days / Hours): 5 Day

Purpose of Travel: Cisco Voice over IP v6.0 (CVOICE)

Traveler (s) Name: 1. Alfred Jones 4. ____
2. ____ 5. ____
3. ____ 6. ____

Check Mode of Transportation: County Vehicle [ ] Commercial Air [ ]
Private Vehicle [XXX] Other (Specify) [ ]

Total (est.) Cost: $995.00 Advance Registration Required: $0.00

Department Name: Information Systems Dept Fund Name: ____

Additional Comments: $995.00 is for hotel, food and transportation for the week. The class was paid for on Travel/Training Request # 7. This is the second class in a series of three classes in this program. The classes provide the County with in house expertise

---

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

The above request is app. 03/23/09 reimbursement of actual and necessary expenses in the approximate amount of $995.00 and advance registration of $0.00 is authorized.

| *To be completed by the Finance Department* | |
|---|---|
| Fund Code: | 001-51965-265 (ex: 000-00000-000) |
| Description: | Registration & Training |
| Current Budget: | $30,000.00 |
| Approved Requests: | $15,264.84 |
| Budget Available: | $14,735.16 |
| Current Requests: | $995.00 |
| Budget Balance: | $13,740.16 |

Donald L. Mims, Administrator

Reviewed by: S. Thomas
Date: 3/11/2009
cc: Finance Director / Buyer

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Revised October 12, 2005

Montgomery County Commission
Travel / Training Request Approval

Appendix C

**Agenda**

**MAR 23 2009**

Request # 11

Date: March 16, 2009

To: Donald L. Mims, Administrator

From: Lou Ialacci

Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Chicago, Illinois

Departure Date: April 6, 2009 Return Date: April 8, 2009

Conference Leave (Days / Hours): Three

Purpose of Travel: Attend a meeting of the Executive Steering Committee for MSGovern
The purpose of the meeting is to discuss customer needs and requirements, set
priorities for the company, and provide direct feedback for Montgomery County

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

| Check Mode of Transportation: | | | | |
|---|---|---|---|---|
| County Vehicle | | Commercial Air | X | |
| Private Vehicle | | Other (Specify) | | |

Total (est.) Cost: $890.00 Advance Registration Required: $0.00

Department Name: Infromation Systems Fund Name: General

Additional Comments: Cost breakdown: air $340, hotel $370, parking $30, and meals $150

---

To: Lou Ialacci

From: Donald L. Mims, Administrator

The above request is app. 03/23/09 reimbursement of actual and necessary expenses in the approximate amount of $890.00 and advance registration of $0.00 is authorized.

| *To be completed by the Finance Department* | |
|---|---|
| Fund Code: | 001-51965-265 (ex: 000-00000-000) |
| Description: | Registration & Training |
| Current Budget: | $30,000.00 |
| Approved Requests: | $15,264.84 |
| Budget Available: | $14,735.16 |
| Current Requests: | $1,885.00 |
| Budget Balance: | $12,850.16 |

Donald L. Mims, Administrator

Reviewed by: S. Thomas

Date: 3/16/2009

cc: Finance Director / Buyer

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Revised October 12, 2005

Appendix C

# Montgomery County Commission
## Travel / Training Request Approval

Agenda
MAR 23 2009

Request # 8

Date: March 12, 2009

To: Donald L. Mims, Administrator

From: Scott Kramer, Risk Manager

Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Birmingham, AL

Departure Date: April 29, 2009 Return Date: April 29, 2009

Conference Leave (Days / Hours): 1 Day

Purpose of Travel: to attend Renewal Meeting with BlueCross BlueShield of Alabama

Traveler (s) Name: 1. Scott Kramer 4. ____
2. ____ 5. ____
3. ____ 6. ____

Check Mode of Transportation: County Vehicle [ ] Commercial Air [ ]
Private Vehicle [X] Other (Specify) [ ]

Total (est.) Cost: $101.20 Advance Registration Required: $0.00

Department Name: Risk Management Fund Name: General Liability

Additional Comments: Mileage - 101.20

---

To: Scott Kramer, Risk Manager

From: Donald L. Mims, Administrator

The above request is app. 03/23/09 reimbursement of actual and necessary expenses in the approximate amount of $101.20 and advance registration of $0.00 is authorized.

***To be completed by the Finance Department***

| | | |
|---|---|---|
| Fund Code: | 007-51120-265 | (ex: 000-00000-000) |
| Description: | Registration & Training | |
| Current Budget: | $20,000.00 | |
| Approved Requests: | $1,997.19 | |
| Budget Available: | $18,002.81 | |
| Current Requests: | $101.20 | |
| Budget Balance: | $17,901.61 | |

Donald L. Mims, Administrator

Reviewed by: S. Thomas

Date: 3/13/2009

cc: Finance Director / Buyer

Revised October 12, 2005 13-6

Montgomery County Commission
Travel / Training Request Approval

Appendix C

**Agenda**

**MAR 23 2009**

Request # 9

Date: March 11, 2009

To: Donald L. Mims, Administrator

From: George C. Speake, County Engineer

Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Point Clear, AL

Departure Date: April 14, 2009 Return Date: April 16, 2009

Conference Leave (Days / Hours): 24 hrs.

Purpose of Travel: Attendance of 2009 ACEA Annual Conference

Traveler (s) Name: 1. James M. Kelley 4.
2. 5.
3. 6.

Check Mode of Transportation: County Vehicle [ ] Commercial Air [ ]
Private Vehicle [X] Other (Specify) [ ]

Total (est.) Cost: $800.00 Advance Registration Required: $185.00

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

Additional Comments: Mileage, Lodging & Meals

---

To: George C. Speake, County Engineer

From: Donald L. Mims, Administrator

The above request is app. 03/23/09 reimbursement of actual and necessary expenses in the approximate amount of $800.00 and advance registration of $185.00 is authorized.

| *To be completed by the Finance Department* | |
|---|---|
| Fund Code: | 111-53600-265 (ex: 000-00000-000) |
| Description: | Registration & Training |
| Current Budget: | $5,000.00 |
| Approved Requests: | $725.00 |
| Budget Available: | $4,275.00 |
| Current Requests: | $800.00 |
| Budget Balance: | $3,475.00 |

Donald L. Mims, Administrator

Reviewed by: S. Thomas

Date: 3/11/2009

cc: Finance Director / Buyer

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Appendix C

Agenda

MAR 23 2009

Montgomery County Commission
Travel / Training Request Approval

Request # 5

Date: March 16, 2009

To: Donald L. Mims, Administrator

From: Paul Brown, Executive Director

Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Montgomery, AL

Departure Date: April 7, 2009 Return Date: April 7, 2009

Conference Leave (Days / Hours): 1 Day

Purpose of Travel: To attend a seminar Dealing With Difficult People

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

Check Mode of Transportation: County Vehicle [x] Commercial Air [ ]
Private Vehicle [ ] Other (Specify) [ ]

Total (est.) Cost: $99.00 Advance Registration Required: $99.00

Department Name: Community Correction Fund Name: Community Corrections

Additional Comments:

---

To: Paul Brown, Executive Director

From: Donald L. Mims, Administrator

The above request is app. 03/23/09 reimbursement of actual and necessary expenses in the approximate amount of $99.00 and advance registration of $99.00 is authorized.

| *To be completed by the Finance Department* | |
|---|---|
| Fund Code: | 124-57202-265 (ex: 000-00000-000) |
| Description: | Registration & Training |
| Current Budget: | $9,810.00 |
| Approved Requests: | $4,645.00 |
| Budget Available: | $5,165.00 |
| Current Requests: | $99.00 |
| Budget Balance: | $5,066.00 |

Donald L. Mims, Administrator

Reviewed by: S. Thomas

Date: 3/16/2009

cc: Finance Director / Buyer

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Revised October 12, 2005

Appendix C

**Agenda**

MAR 23 2009

Montgomery County Commission
Travel / Training Request Approval

Request # 15

Date: March 12, 2009

To: Donald L. Mims, Administrator

From: Ellen Brooks

Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Sandestin, FL

Departure Date: June 30, 2009 Return Date: July 3, 2009

Conference Leave (Days / Hours): 4 Days

Purpose of Travel: To Attend: Alabama District Attorney's Summer Conference

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

Check Mode of Transportation: County Vehicle [X] Commercial Air [ ] Private Vehicle [X] Other (Specify) [ ]

Total (est.) Cost: $1,613.00 Advance Registration Required: $375.00

Department Name: Fund Name: 760-51260-265

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

---

To: Ellen Brooks

From: Donald L. Mims, Administrator

The above request is app. 3/23/09 reimbursement of actual and necessary expenses in the approximate amount of $1,613.00 and advance registration of $375.00 is authorized.

| *To be completed by the Finance Department* | |
|---|---|
| Fund Code: | 760-51260-265 (ex: 000-00000-000) |
| Description: | Registration & Training |
| Current Budget: | $40,000.00 |
| Approved Requests: | $4,537.00 |
| Budget Available: | $35,463.00 |
| Current Requests: | $1,613.00 |
| Budget Balance: | $33,850.00 |

Donald L. Mims, Administrator

Reviewed by: S. Thomas

Date: 3/13/2009

cc: Finance Director / Buyer

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Revised October 12, 2005

Montgomery County Commission
Travel / Training Request Approval

Appendix C

**Agenda**

MAR 23 2009

Request # 16

Date: March 12, 2009

To: Donald L. Mims, Administrator

From: Ellen Brooks

Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Orange Beach, AL

Departure Date: April 21,2009 Return Date: April 24, 2009

Conference Leave (Days / Hours): 4 Days

Purpose of Travel: To Attend: Special Services Division Association 2009 Conference

Traveler (s) Name: 1. Margaret Hand 4.

2. 5.

3. 6.

Check Mode of Transportation: County Vehicle [ ] Commercial Air [ ]

Private Vehicle [X] Other (Specify) [ ]

Total (est.) Cost: $1,241.00 Advance Registration Required: $325.00

Department Name: Fund Name: 761-51262-265

Additional Comments:

---

To: Ellen Brooks

From: Donald L. Mims, Administrator

The above request is app. 03/23/09 reimbursement of actual and necessary expenses in the approximate amount of $1,241.00 and advance registration of $325.00 is authorized.

| *To be completed by the Finance Department* | |
|---|---|
| Fund Code: | 761-51262-265 (ex: 000-00000-000) |
| Description: | Registration & Training |
| Current Budget: | $3,000.00 |
| Approved Requests: | $50.00 |
| Budget Available: | $2,950.00 |
| Current Requests: | $1,241.00 |
| Budget Balance: | $1,709.00 |

Donald L. Mims, Administrator

Reviewed by: S. Thomas

Date: 3/13/2009

cc: Finance Director / Buyer

13-10

Revised October 12, 2005

Montgomery County Commission
Travel / Training Request Approval

Appendix C
**Agenda**
**MAR 23 2009**

Request # 2

Date: March 17, 2009

To: Donald L. Mims, Administrator

From: James Williams, Parks and Recreation

Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Atlanta, GA

Departure Date: March 31, 2009 Return Date: April 2, 2009

Conference Leave (Days / Hours): 3 Days

Purpose of Travel: to attend the 2009 National Recreation and Parks Association ACHIEVE Coaches Meeting

Traveler (s) Name:
1. James Williams
2.
3.
4.
5.
6.

Check Mode of Transportation: County Vehicle [X] Commercial Air [ ] Private Vehicle [ ] Other (Specify) [ ]

Total (est.) Cost: $225.00 Advance Registration Required: $225.00

Department Name: Parks and Recreation Fund Name: General

Additional Comments: Meals - 225.00; All other costs paid by NRPA

---

To: James Williams, Parks and Recreation

From: Donald L. Mims, Administrator

The above request is app. 03/23/09 reimbursement of actual and necessary expenses in the approximate amount of $225.00 and advance registration of $225.00 is authorized.

| *To be completed by the Finance Department* | |
|---|---|
| Fund Code: | 780-57200-265 (ex: 000-00000-000) |
| Description: | Registration & Training |
| Current Budget: | $2,000.00 |
| Approved Requests: | $330.00 |
| Budget Available: | $1,670.00 |
| Current Requests: | $225.00 |
| Budget Balance: | $1,445.00 |

Donald L. Mims, Administrator

Reviewed by: S. Thomas

Date: 3/18/2009

cc: Finance Director / Buyer

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Revised October 12 2005

wilsonprice

Wilson Price Barranco Blankenship & Billingsley P.C.

Certified Public Accountants & Consultants

MONTGOMERY COUNTY PROBATE OFFICE
PO BOX 1667
100 SOUTH LAWRENCE STREET
MONTGOMERY, AL 36104

*Invoice # 150034/151044/151375*
*Date: 1/27/2009*
*Client ID: 00005191*

---

For Professional Services Rendered Pursuant to Wilson Price Engagement Letter dated June 19, 2008 as Follows:

Services from November 16, 2008 through February 19, 2009:

| | | Hours | |
|---|---|---|---|
| 1140 | Probate Court | 3.50 | |
| 1150 | Business & Marriage License | .25 | |
| 1160 | Records | .75 | |
| 1170 | Tag Line | 1.25 | |
| 1180 | Accounting | 13.75 | |
| 1200 | Payroll | 2.75 | |
| 1220 | Supply Management | .75 | |
| 1250 | Accounting Department Management | 155.00 | |
| 1300 | Accounting Department Daily Operations | 173.50 | |
| 1240 | Ingenuity Engagement | 177.00 | |
| 1280 | Policies & Procedures Manual Development and Report Writing | 61.50 | |
| | | 590.00 | $88,475.57 |
| | Total Due | 590.00 | $88,475.57 |

Payments Due Upon Receipt of Invoice

P.O. Box 3295 • Montgomery, Alabama 36193 • (334) 271-2200

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Montgomery County Judge of Probate
Estimated to Complete
As of 2/19/09

| | Estimated Hours | Estimated Amount |
|---|---|---|
| Ingenuity | | |
| Month End | 37 | $ 8,325 |
| Refund Processing | | |
| Security Review | | |
| TagLine | | |
| Daily Procedures Documentation | 24 | 5,400 |
| Update Narratives/Flowcharts post Ingenuity | | |
| Accounting: | | |
| Accounting supervisor training | 478 | 56,015 |
| Supply management | | |
| Heavy Vehicle tag management | | |
| Audit assistance | | |
| Daily Oversite | | |
| Icon System | | |
| Records Department: | | |
| Web billing system | 264 | 56,760 |
| Special billing system | | |
| Security engancements | | |
| Probate Court: | | |
| Needs analysis | | |
| Project coordination | | |
| Accounting reports/interface | | |
| Accounting Department: | | |
| Daily and Monthly Procedure Rewrite (post Icon) | | |
| Narrative update (post Icon) | | |
| Total Hours | 803 | $ 126,500 |

Our involvement in the implementation of the Ingenuity tag line software has been significantly more that planned in our original engagement estimate. We estimate that at least $75,000 of fees incurred to date are attributable to our direct involvement in the Ingenuity Ingenuity or as an impact on our involvement in accounting. Our involvement was elevated to participation on the implementation team

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Agenda

MAR 23 2009

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

*ATTORNEYS AND COUNSELLORS AT LAW*
*ESTABLISHED IN 1981*

*WEBSITE: www.tmgslaw.com*


KENNETH L. THOMAS [1,3]
TYRONE C. MEANS [1,2,4]
H. LEWIS GILLIS [1]
QUINTON S. SEAY [2]
C. WADE ROBINSON [1]
EUGENE FELTON, JR. [2]
JACQUELINE C. SMOKE [1]
LATASHA A. MEADOWS [1]
FREDERIC A. BOLLING [1]
ROSLYN CREWS [1]
AFRIKA C. PARCHMAN [1]
CHRISTOPHER S. GENEREUX [1]
GERALD C. BROOKS [1,5]
KELVIN W. HOWARD [1]
CYNTHIANTHER L. MAY [1]

ADMITTED:
[1] ALABAMA
[2] GEORGIA
[3] DISTRICT OF COLUMBIA
[4] KANSAS
[5] MISSISSIPPI

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

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

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

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

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


*Montgomery Office*
*Sender's Direct Dial: (334) 213-4446*
*Sender's E-mail Address:*
*tcmeans@tmgslaw.com*

February 26, 2009

**Via E-Mail & Regular Mail Delivery**

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

***Re: MCC: Legal Opinion - Retainer Agreement (Beasley Allen)***
***Our File Number: 2100-322.72***

Dear Donnie:

Enclosed herewith, please find an Employment Contract with the Beasley Allen firm for purposes of cooperating with the City pursuing its claim against Integrian, Inc. Please place consideration of this Contract on the next Agenda for approval. I recommend it.

Thank you.

Sincerely,

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

Tyrone C. Means
TCM/kdj
Enclosure: As Stated

cc: Hon. Todd Strange *(w/encl.)* ✓
Joseph H. Aughtman, Esq. *(w/o encl.)*

15-1

STATE OF ALABAMA )

COUNTY OF MONTGOMERY )

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**EMPLOYMENT CONTRACT**

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The undersigned (hereinafter referred to as "Client") hereby employs Beasley, Allen, Crow, Methvin, Portis & Miles, P.C., 218 Commerce Street, Montgomery, Alabama 36104, ("Beasley Allen"), to represent the **Montgomery County Commission ("MCC")**, for the limited purpose of cooperating with the **City of Montgomery ("City")** to pursue claims against **Integrian, and other responsible parties, for the purchase of certain equipment for the Montgomery Police Department**. Client hereby gives and grants unto Beasley Allen the right and authority to do and perform all acts that Beasley Allen may consider proper in connection with the handling of this matter. Client hereby gives and grants unto Beasley Allen full and complete power to compromise or settle such claim, insofar as the MCC's interests involve the contract it entered into on behalf of itself and the City with Integrian.. Client shall be timely briefed on any pursuit of litigation and/or settlement.

It is expressly understood that Beasley Allen has made no promises of success or guarantees regarding the outcome of the case to Client. Beasley Allen has explained the risks that are a necessary part of litigation. Client fully understands that such risks exist. Beasley Allen may, after further investigation of the merits of this claim, cancel this contract of employment by mailing notice to the Client within a reasonable time after the execution date thereof. In such event, there will be no charge for services rendered or expenses incurred by Beasley Allen.

DATED: ____________________

____________________________
Name

Deleted: hereinafter referred to as

Deleted: City of Montgomery

Deleted: on a purely

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Deleted: basis for

Deleted: s

Deleted: Beasley Allen's representation of the Montgomery County Commission is solely to remedy the City of Montgomery's breach of contract claims.

Deleted: It is expressly understood, however, that no settlement of the claim will be made without Client's actual knowledge and consent.

Deleted:

Deleted: In payment for their services in this matter, Client agrees to pay Beasley, Allen, Crow, Methvin, Portis & Miles, P.C., a fee based upon a sum equal to 33 1/3% (one-third) of the net amount recovered or paid on this claim whether by settlement, trial, or otherwise.

Deleted: All out-of-pocket expenses incurred by Beasley Allen in connection with the handling of this matter, including interest on any money Beasley Allen borrows for expenses, shall be deducted from the gross recovery by Beasley Allen with the balance to be the "net amount" referred to above. If no recovery is made, there will be no fee or expenses due to Beasley Allen who shall be solely responsible for all such expenses. Instead of hiring private outside investigators, Beasley Allen employs a full-time staff of investigators whose actual time will be charged as an expense like other out-of-pocket expenses. The fee for an investigator's time will be $35.00 per hour for time spent working in this matter, which will be deducted from the gross recovery. Also, Beasley Allen employ a professional computer graphics designer for demonstrative evidence. The fee for graphics work, if needed, will be charged at $100.00 per hour, which will be deducted from this gross recovery. ¶

Deleted: ve



15-2

Address

City, State Zip

Phone Number

Deleted: ____________

Deleted: SS Number
DOB¶

**Firms Use Only:**
Accepted:

BEASLEY, ALLEN, CROW,
METHVIN, PORTIS & MILES, P.C.

By: ______________________

Matter ID No. 200800008186
File Number 2100-375



15-3

# Pintlala Volunteer Fire Department

272 Federal Road
Hope Hull, AL 36043
334-280-2333

M.C.A.V.F.D.
MONTGOMERY COUNTY
Agenda
MAR 23 2009

TO: Montgomery County Commission

FROM: Pintlala Volunteer Fire Department

DATE: March 19, 2009

Dear Sirs:

Pintlala Volunteer Fire Department is seeking financing to purchase a rescue-service truck. The addition of the truck and equipment will maintain or possibly improve our I.S.O. rating. A good I.S.O. rating directly benefits citizens of the county by reductions in the cost of insurance.

First Bankers Corporation requires a certificate of approval from the Montgomery County Commission before our contract can be finalized. This document has been sent to your office.

As stated in the document Montgomery County Commission assumes no liability, financially or otherwise by completing the certificate of approval.

I respectfully request that the commission execute this document and return it as soon as possible so this truck can be put into service for the benefit of Montgomery County.

Thanks for your assistance in this matter,

JOHN MEADOWS
Chief – Pintlala VFD



16-1

Lease Number: PIN-030109-005

# CERTIFICATE OF APPROVAL

## Montgomery County Commission

**I, X ________________________________, the X ________________________ of the Montgomery County Commission, pursuant to the Internal Revenue Code of 1986, as amended (the "Code") hereby recognize the entering into by Pintlala Volunteer Fire Department, Inc. of a Volunteer Fire Department Lease and Option Agreement between it as Lessee and First Bankers Corporation as Lessor in an aggregate principal amount not to exceed $187,600.00 to finance a KME Rescue Truck located at Hope Hull, AL.**

EXECUTION OF THIS DOCUMENT IN NO WAY CREATES LIABILITY ON THE PART OF MONTGOMERY COUNTY COMMISSION AND MONTGOMERY COUNTY COMMISSION IS NOT RESPONSIBLE FOR THE REPAYMENT OF ANY OBLIGATIONS.

**By** X______________________________

**Title** X______________________________

**Date** X______________________________



16-2

**Donald Mims**

---

**From:** Richard Flatter [rflatter@firstbankers.net]
**Sent:** Wednesday, March 18, 2009 1:22 PM
**To:** Donald Mims
**Subject:** First Bankers: Pintlala Volunteer Fire Department, Inc. & Montgomery County Commission - Certificate of Approval
**Attachments:** Pintlala(2)-Certificate of Approval.pdf

Thank you for your help.

As we discussed, we are providing financing for:

**Pintlala Volunteer Fire Department, Inc.** for their purchase of a new fire truck.

An IRS requirement for volunteer fire departments to qualify for low interest loans is that the political subdivision that the fire department serves has to ackowledge the borrowing.

**PLEASE NOTE THAT YOU ARE NOT "CO-SIGNING OR GUARANTYING" THE LOAN. YOU ARE NOT RESPONSIBLE FOR REPAYMENT OF THE LOAN WHEN YOU SIGN THE ACKNOWLEDGEMENT.**

I have attached the document for your review and signature along with some frequent questions, background, and instructions.

If you agree to sign the document, please sign it and return it to me at:

First Bankers Corporation
8910 Purdue Road, Suite 660
Indianapolis, IN 46278

Thank you for your help and please feel free to call me with any questions.
Richard Flatter
***FIRST*** **Bankers Corporation**
**Toll-free Phone:** (877) 888-1776 **Local Phone:** (317) 824-1776
**Toll-free Fax:** (877) 808-1776 **Local Fax:** (317) 879-1812
Email RFLATTER@firstbankers.net

WWW.FIRSTBANKERS.NET



16-3

**BACKGROUND, INSTRUCTIONS AND FAQ's for**
**CERTIFICATE OF APPROVAL**

# BACKGROUND:

The **Pintlala Volunteer Fire Department, Inc.** is purchasing a KME Rescue Truck and has requested a low interest tax-exempt financing with First Bankers.

To qualify for the financing, the IRS requires that the political subdivision that has a written agreement with the volunteer fire department has to acknowledge that the fire department is borrowing the funds.

So, in order for the Pintlala Volunteer Fire Department, Inc. to qualify for this special financing option, the Montgomery County Commission must acknowledge its awareness of the financing.

# INSTRUCTIONS:

1. Please review the attached Certificate of Approval.
2. Please sign the Certificate of Approval.
3. Mail the original signed document to:

   First Bankers Corporation
   8910 Purdue Road, Suite 660
   Indianapolis, IN 46268

# FREQUENTLY ASKED QUESTIONS:

ARE WE CO-SIGNING OR GUARANTYING THE PAYMENTS? No, you are not obligating yourself to make the payments if Pintlala Volunteer Fire Department, Inc. doesn't pay. We are lending the money based on our credit analysis of Pintlala Volunteer Fire Department, Inc.

WHY DO WE HAVE TO SIGN SINCE THE FIRE DEPARTMENT IS A SEPARATE ENTITY? The IRS rules require the political subdivision to sign for the volunteer fire department as a measure that the fire department is a real volunteer fire department.

WHY DO WE "APPROVE" THE FINANCING? The IRS rules use the word "approve". You are not approving the financing in the sense that they can't borrow the funds if you don't sign. To prevent any potential IRS questions, our documents use the same language as the rule.

WHAT HAPPENS IF WE DON'T WANT TO SIGN? The Pintlala Volunteer Fire Department, Inc. will not qualify for the low interest financing and they will have to pay a higher rate of interest.

We're sure you are not trying to punish or have the fire department incur extra costs. We are here to help address any concerns and will accommodate you as best as we legally can. Please call us toll-free at (877) 888-1776 to let us know your concerns.



16-4

**D.T. MARSHALL, SHERIFF**

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

MEMORANDUM

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

FROM : Captain Gayle Atchison GA
Legal Services Division

DATE : March 13, 2009

RE : Re-classification of LaNita Cook's position

Please consider this to be my request to abolish LaNita Cook's position of Civil Officer IV and re-classify this job to a Clerk Typist II. Ms. Cook retired from the Montgomery County Sheriff's Office effective February 1, 2009.

Thank you for your assistance in this matter.

GA/tb

**David Marshall**

**From:** David Marshall
**Sent:** Tuesday, March 10, 2009 1:29 PM
**To:** David Marshall
**Subject:** FW: Reminder - COPS Hiring Recovery Program Application Opening Soon

**From:** Cops_Info [mailto:Cops_Info@usdoj.gov]
**Sent:** Monday, March 09, 2009 4:00 PM
**To:** David Marshall
**Subject:** Reminder - COPS Hiring Recovery Program Application Opening Soon

**U.S. Department of Justice**
Office of Community Oriented Policing Services (COPS)

*Office of the Director*
*1100 Vermont Avenue, N.W.*
*Washington, DC 20530*

March 9, 2009

Dear Colleague,

On February 17, 2009, the Office of Community Oriented Policing Services (COPS Office) announced the availability of funding under the COPS Hiring Recovery Program (CHRP). To remind you of this important opportunity, the COPS Office will receive the funds from the American Recovery and Reinvestment Act of 2009 to address the sworn officer personnel needs of state, local, and tribal law enforcement. Application materials are scheduled to be available as of March 16, 2009, and applications will be accepted during a four-week timeframe.

CHRP is a competitive grant program that provides funding directly to law enforcement agencies having primary law enforcement authority to create and preserve jobs and to increase their community policing capacity and crime-prevention efforts. Up to $1 billion in grant funding will be available for the hiring and rehiring of additional career law enforcement officers. There is no local match requirement for CHRP, but grant funding will be based on current entry-level salary and benefits packages, and therefore any additional costs for higher salaries or benefits for particular individuals hired will be the responsibility of the grantee agency.

CHRP grants will provide 100 percent funding for approved entry-level salaries and benefits for 3 years (36 months) for newly-hired, full-time sworn officer positions (including filling existing unfunded vacancies) or for rehired officers who have been laid off, or are scheduled to be laid off on a future date, as a result of local budget cuts. In addition, there is no cap on the number of positions an agency may request, but awards will be limited to available funding.

Grantees must retain all sworn officer positions awarded under the CHRP grant for a period of one year (12 months) following the conclusion of grant funding. The retained CHRP-funded position(s) should

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be added to the grantee's law enforcement budget with state and/or local funds, over and above the number of locally-funded positions that would have existed in the absence of the grant.

In evaluating how many positions to request, please be mindful of the initial 3-year grant period and your agency's ability to fill the officer positions awarded, as well as to retain the additional positions for 12 months following the conclusion of the grant, while following your agency's established hiring policies and procedures.

Applications for CHRP grants will be accepted only online through the COPS Office web site: www.cops.usdoj.gov. The online application materials are scheduled to be available before the end of March, but in the interim, the COPS Office wants to ensure that your agency has sufficient time to complete all required pre-application steps before the solicitation opens. Thousands of law enforcement agencies have already visited the COPS Office web site to establish or update their online account through the "Account Access" feature, and to review important information regarding CHRP eligibility, details on application procedures, the COPS nonsupplanting requirement, and other frequently asked questions regarding the program.

You will receive another e-mail from the COPS Office notifying you once the online CHRP solicitation is available, and please check our web site frequently for additional program updates. The COPS Office looks forward to working with the law enforcement agencies that apply under this program and will provide technical assistance to applicants during the solicitation process, as requested. For more information, please visit the COPS Office web site at www.cops.usdoj.gov, or call the COPS Office Response Center at 1.800.421.6770.

Sincerely,

Timothy J. Quinn
Acting Director



18-3

## ADJOURNMENT

There being no further business to come before the Commission at this time, the meeting stood adjourned until Monday, April 13, 2009, at 8:00 in the morning.

Donald L. Mims
Administrator

Elton N. Dean, Sr.
Chairman