

REGULAR MEETING
MONTGOMERY COUNTY COMMISSION

MAY 10, 2010

AGENDA

INFORMATION SESSION

Call to Order, Welcome at 8:00 a.m.

Prayer Led by Commissioner Williams

Reports from Staff:

County Administrator
Deputy Administrator
County Attorney
County Engineer

Comments from Scheduled Attendees:

District Judge Jimmy Pool
District Attorney Ellen Brooks
Ken Upchurch with T.C.U. Consulting Services, LLC
Cathy Gerachis and Max Vaughn with Goodwyn, Mills & Cawood

Recess to Formal Session

FORMAL SESSION

Welcome at 9:30 a.m.

Invocation by Commissioner Wilson

Pledge of Allegiance Led By Vice Chairman Ingram

Call of Roll to Establish Quorum

Presentation of the Minutes of the Regular Meeting of April 26, 2010

PRESENTATION:

Presentation of a Plaque to Doug Cox, Jr. in Recognition of Outstanding Bravery and Dedication

Presentation of a Plaque to David Sherrer in Recognition of Outstanding Bravery and Dedication

CONSENT AGENDA:

Consider Approval of Accounts Payable Checks and Payroll Checks

RESOLUTION:

Consider Adoption of Resolution Recognizing Mrs. Willie Pearl Cannon's Exemplary Life and Extending Best Wishes for her 90th Birthday Celebration

NEW BUSINESS:

1. Consider Approval of Allocation of Voting Machines and Election Officials for 2010 Election Cycle, Probate Judge's Office (Election Center)
2. Consider Approval of Juvenile Formula Grant Renewal Application with ADECA and Adoption of Related Resolution of Applicant for Matching Funds for the Helping Montgomery Families Initiative, District Attorney's Office
3. Consider Approval of Settlement Agreement and Releases with NEC Solutions (America), Inc., and NEC Corporation of America Regarding a Contract for the Montgomery County Sheriff's Office
4. Consider Approval of Miscellaneous Appropriations Reprogramming Requests, County Commission
5. Consider Approval of Bid Award for Crushed Stone, Bid Award 53000-10C-013, Engineering
6. Consider Approval of Bid Award for Microfilming of Probate Records, Bid Award 51305-10C-015, Probate Judge's Office
7. Consider Approval of Travel/Training Requests (5)

Reports from Staff:

County Administrator
Deputy Administrator
County Engineer
County Attorney

Comments from Citizens

Discussion Items by Commissioners

Recess to Information Session

INFORMATION SESSION

Comments from Scheduled Attendees:

City/County Personnel Director Barbara M. Montoya
Revenue Commissioner Janet Buskey
Circuit Judge Charles Price and Juvenile Court Administrator Bruce R. Howell
Mr. Addre Bryant with Montgomery County Farmers Service and Welfare Association
Parks and Recreation Superintendent James Williams
Revenue Manager Larry Curvin

Reports from Staff:

County Administrator
Deputy Administrator
Manager of Public Affairs

Adjourn

CALENDAR OF EVENTS

MAY 10, 2010

Regular County Commission Meeting
8:00 a.m. - Information Session
9:30 a.m. - Formal Session
After Conclusion of the Formal Session, an
Information Session will be conducted until
12:00 Noon.

MAY 24, 2010

Regular County Commission Meeting
8:00 a.m. - Information Session
9:30 a.m. - Formal Session
After Conclusion of the Formal Session, an
Information Session will be conducted until
12:00 Noon.

MAY 31, 2010

County Holiday (National Memorial Day)

JUNE 14, 2010

Regular County Commission Meeting
8:00 a.m. - Information Session
9:30 a.m. - Formal Session
After Conclusion of the Formal Session, an
Information Session will be conducted until
12:00 Noon.

JUNE 28, 2010

Regular County Commission Meeting
8:00 a.m. - Information Session
9:30 a.m. - Formal Session
After Conclusion of the Formal Session, an
Information Session will be conducted until
12:00 Noon.

PERSONNEL ACTIONS

Fill action continues for 1 Clerk Typist II – County Commission Office
Fill action continues for 1 Computer Operation Manager – Information Systems Department
Fill action continues for 1 Grant Specialist – Public Affairs Department
Fill action continues for 1 Clerk Typist II – Support Services Department
Fill action continues for 1 Painter I – Support Services Department
Fill action continues for 1 Mail & Store Room Clerk – Support Services Department
Fill action continues for 1 Revenue Auditor – Tax and Audit Department
Fill action continues for 1 Community Corrections Officer – Community Corrections
Fill action continues for 1 Clerk II – District Attorney's Worthless Check Unit
Fill action continues for 1 Clerk IV – District Attorney's Worthless Check Unit
Fill action continues for 1 Worthless Check Director – District Attorney's Worthless Check Unit
Fill action continues for 1 Case Manager I – District Attorney's Child Support Unit
Fill action continues for 7 Correction Officer Trainee's – Detention Facility
Fill action continues for 1 Correction Officer Sergeant – Detention Facility
Fill action continues for 2 Correction Officer Corporal's – Detention Facility
Fill action continues for 2 Clerk III's – Detention Facility
Fill action continues for 1 County Road Equipment Operator I – Engineering Department
Fill action continues for 1 Civil Engineer Tech I – Engineering Department
Fill action continues for 1 Clerk III – Probate Judge's Office
Fill action continues for 2 Customer Service Clerk's – Probate Judge's Office
Fill action continues for 1 Probate Court Clerk – Probate Judge's Office
Fill action continues for 1 Clerk III – Revenue Commissioner's Office
Fill action continues for 1 Latent Fingerprint Examiner – Sheriff's Office
Fill action continues for 2 Deputy Sheriff Trainee's – Sheriff's Office
Fill action continues for 1 Relief Juvenile Detention Officer – Youth Facility

May 10, 2010

05-10-10 Meeting

MONTGOMERY COUNTY COMMISSION

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

CHECKS ARE DATED 04-30-10

Check Number	To	Check Number
207190		207350
Total Checks Paid		\$1,244,291.54

CHECK #	PAYEE	AMOUNT	DATE
207188	Postmaster Bulk Mailing	\$ 13,048.00	04/23/10
207189	Water Works Board	\$ 11,160.98	04/26/10

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

05-10-10 Meeting

MONTGOMERY COUNTY COMMISSION

THE FOLLOWING ACCOUNTS PAYABLE WERE AUDITED AND
ORDERED PAID

CHECKS ARE DATED 04-30-10

Check Number	To	Check Number
207351		207430
Total Checks Paid		\$440,756.62

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

MONTGOMERY COUNTY COMMISSION

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

**CHECKS ARE DATED
05/07/10**

Payroll Check Number	103177	To	Payroll Check Number	103345	\$ 121,946.97
Direct Deposits					\$ 795,104.64
Payroll Check Number	103346	To	Payroll Check Number	103378	\$ 280,860.25
Direct Deposits					\$ 332,383.25
Federal Deposits					\$ 317,341.55
Total Payroll Paid					\$ 1,847,636.66

CHECK #

103176

PAYEE

Cedric Leonard

AMOUNT

\$ 961.28

DATE

04/28/10

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

Agenda

MAY 10 2010

Presented to

Doug Cox, Jr.,

A True Montgomery County Hero.

In Recognition of Outstanding

Bravery and Dedication



May 10, 2010

Agenda

MAY 10 2010

Presented to

David Sherrer,

A True Montgomery County Hero.

In Recognition of Outstanding

Bravery and Dedication



May 10, 2010

RESOLUTION

WHEREAS, Mrs. Willie Pearl Cannon was born on April 6, 1920, in Ramer, Alabama to Perry and Cora Hart-Wilson; and

WHEREAS, Mrs. Cannon married the late Wavie Cannon, Retired United States Air Force, and had four children. Today Mrs. Cannon also enjoys the love and devotion of four grandchildren, three great-grandchildren; and

WHEREAS, she graduated from Parker High School in Birmingham in 1940 and received a Bachelor of Science degree in Education from Alabama State University in 1944 and a Masters Degree in 1976; and

WHEREAS, Mrs. Cannon taught in Evergreen from 1945 to 1948, and in the Montgomery County Public School System at Carver High School, Dalraida Elementary, Dunbar and Zion Hill Schools from 1948 through 1984; and

WHEREAS, she has touched the lives of many, inside and outside the classroom, by serving as a role model to both students and co-workers; and

WHEREAS, Mrs. Cannon is a pillar member of the United Evangelical Lutheran Church, under the leadership of Reverend Ferry Nye, and as a true and loving servant of the Lord, she has led a devoted and faithful life,

NOW, THEREFORE, BE IT RESOLVED, that the Montgomery County Commission does hereby recognize Mrs. Willie Pearl Cannon's exemplary life and offers best wishes for her 90th birthday celebration.

We hereby certify that the above
Resolution was adopted by the
Montgomery County Commission
on this, the 10th day of May, 2010.

MAY 10 2010

To: Donald Mims, County Administrator

From: Trey Granger

RE: Polling Place Allocation – 2010 Elections

Date: May 6, 2010

CC: Judge Reese McKinney

Per your request, I am forwarding a follow up copy of the attached document for your review and the Commission's adoption. This is the same document that was presented to the Commission in their informal Commission meeting in late April. Per our discussion, this allocation reflects the number of polling officials that we have appointed at each election from 2006 to date. This allocation/formula has worked extremely well and the experience of voters in Montgomery County has dramatically improved since the reorganization Judge McKinney and I implemented during the 2006 election cycle.

Due to recent budget cuts and the additional reduction of \$50,000.00 by the Commission from the Election Administration budget, we were forced to make reductions in several areas of our administrative/operational budget during the FY2010 operation. The necessary cost of polling officials remains one of our larger budgetary areas and was consequentially impacted by the cut. We are optimistic that the budgetary reduction is only temporary and that full staffing will be possible during future elections, including the General Election in November (which will be included in the FY 2011 budget) and during the 2012 Election Cycle which will notably be a Presidential cycle. Much of our streamlined approach to Election Day success could be jeopardized if we are not fully funded in the future.

Accordingly, we recommend that the Commission approval the proven and customary allocation, with the understanding that we have imposed cuts across the board (with the exception of one polling location) during the Primary and Run-off. The listings under the "Pre-2010" and the "2010 General" are the allocations we recommend for adoption, so that those numbers remain the benchmark in future elections. We are optimistic that the reduction will work for this cycle; however, we want to make sure that we are able to continue to provide the high level of customer service for all voters in future elections. Please let me know if I can be of additional assistance on this matter.

We have been successful in providing cost saving measures to the County in other ways and trust that the same will be taken into account during the next budgetary cycle.

The Montgomery Election Center
Office of Judge Reese McKinney
Polling Official Allocation - 2010

Precinct #	Precinct Name	PRE-2010	2010 Primary / Run-Off	Reduction %	2010 General	Tabulators	AutoMARKs
0101	Huntingdon College	27	19	29.63%	27	3	2
0102	Vaughn Park Church of Christ	27	19	29.63%	27	3	2
0103	Montgomery Museum of Fine Arts	17	16	5.88%	17	2	2
0104	Whitfield Memorial United Methodist Church	25	16	36.00%	25	2	2
0105	Aldersgate United Methodist Church	20	19	5.00%	20	2	2
0106	AIDT	20	19	5.00%	20	3	2
0201	St. Paul AME Church	20	13	35.00%	20	2	2
0202	Beulah Baptist Church	22	16	27.27%	22	3	2
0203	Kershaw YMCA	13	9	30.77%	13	2	2
0204	Montgomery Boys Club	15	6	60.00%	15	2	2
0206	Fire Station #14	13	9	30.77%	13	2	2
0207	Hayneville Road Community Center	9	8	11.11%	9	2	2
0208	Harrison Elementary School	9	6	33.33%	9	2	2
0209	Southlawn Elementary School	17	13	23.53%	17	2	2
0210	Hunter Station Community Center	8	6	25.00%	8	2	2
0211	Catoma School	9	8	11.11%	9	2	2
0212	First Southern Baptist Church	7	6	14.29%	7	2	2
0213	Pintlala VFD	10	9	10.00%	10	2	2
0301	Captiol Heights Baptist Church	13	9	30.77%	13	2	2
0302	Highland Gardens Community Center	13	9	30.77%	13	2	2
0303	Coliseum Boulevard Library	17	13	23.53%	17	2	2
0304	Lagoon Park Fire Station	20	16	20.00%	20	2	2
0305	Flowers Elementary School	22	16	27.27%	22	2	2
0306	Goodwyn Community Center	27	19	29.63%	27	3	2
0307	Alcazar Shrine Temple	11	9	18.18%	11	2	2
0308	AUM	18	16	11.11%	18	2	2
0309	Eastdale Baptist Church	13	13	0.00%	13	2	2
0401	Franklin Boys and Girls Club	9					2
0402	Houston Hill Community Center	11	9	18.18%	11	2	2
0403	Alabama State University	15	16	-6.67%	16	3	2
0404	Hamner Hall Fire Station	9	6	33.33%	9	2	2
0405	Cleveland Avenue YMCA	15	13	13.33%	15	2	2
0406	Newtown Community Center	9	8	11.11%	9	2	2
0407	King Hill Community Center	9	8	11.11%	9	2	2
0408	North Montgomery Community Center	17	13	23.53%	17	2	2
0409	Union Academy Baptist	7	5	28.57%	7	2	2
0410	Union Chapel AME Zion	9	5	44.44%	9	2	2
0411	Chisolm Community Center	9	8	11.11%	9	2	2
0412	Bellingrath Community Center	9	6	33.33%	9	2	2
0413	McIntyre Community Center*	13	13	0.00%	13	2	2
0414	Highland Avenue Baptist Church	9	5	44.44%	9	2	2
0415	Wares Ferry Road School	14	13	7.14%	14	2	2
0501	Seth Johnson Elementary	16	13	18.75%	16	2	2
0502	Snowdoun Women's Club	8	5	37.50%	8	2	2
0503	Strata Church of Christ	7	5	28.57%	7	2	2
0504	Ramer Public Library	8	5	37.50%	8	2	2
0505	Fitzpatrick Elementary	20	16	20.00%	20	3	2
0506	Davis Crossroads VFD	7	5	28.57%	7	2	2
0507	Dublin- So. Montg. VFD	8	5	37.50%	8	2	2
0508	Pine Level- So. Montg. VFD	7	5	28.57%	7	2	2
0509	Pike Road- VFD	11	12	-9.09%	12	2	2
0510	Georgia Washington School	15	16	-6.67%	16	2	2
0511	Lakeview Baptist Church	22	16	27.27%	22	2	2
0512	St. James Methodist Church	22	19	13.64%	22	3	2
0513	Bell Road YMCA	22	19	13.64%	22	3	2
0514	Peter Crump School	15	9	40.00%	15	2	2
AB	Absentee	15	10	33.33%	15		
TOTALS		809	625	22.74%	803	119	112



Offices of
Ellen Brooks

Agenda

MAY 10 2010



DARYL D. BAILEY
CHIEF DEPUTY DISTRICT ATTORNEY

RHONDA B. CAPE
ADMINISTRATIVE ASSISTANT

JERRY N. BLOODSWORTH
CHIEF INVESTIGATOR

District Attorney
Fifteenth Judicial Circuit of Alabama

MONTGOMERY COUNTY COURTHOUSE
251 SOUTH LAWRENCE STREET
P.O. BOX 1667
MONTGOMERY, ALABAMA 36102-1667

(334) 832-2550
FAX (334) 832-1615

2010 MAY -3 10:10 AM
MONTGOMERY COUNTY
COMMISSION

MEMORANDUM

TO: Donald L. Mims
County Administrator

FROM: Rhonda B. Cape
Administrative Assistant

DATE: May 4, 2010

RE: ADECA Juvenile Formula Grant Renewal Application

The District Attorney's Office is applying to ADECA for a continuation grant from the Juvenile Justice Formula Grant Program for the Helping Montgomery Families Initiative (HMFI). The County Commission serves as the sub grantee and there is no match required.

Please place this grant application on the Commission's agenda for approval at the meeting on Monday, May 10, 2010.

Thank you for your continued support for our HMFI program.

ADECA Law Enforcement/Traffic Safety Division 401 Adams Avenue P.O. Box 5690 Montgomery, AL 36103-5690		GRANT APPLICATION Date Received by LETS Grant # Assigned (Leave Blank) Form Revised January 10, 2004	Page 1
Application is hereby made for a grant under the program described in item 7 below in the amount and for the purpose set forth in this application			
1. Applicant Name Montgomery County Commission Address 100 South Lawrence Street Montgomery, AL 36104 Phone #: (334) 832-1259 Fax # (334) 832-2533 E-Mail		3. Authorizing Official Name Elton N. Dean, Sr., Chairman Title Montgomery County Commission Address 101 South Lawrence Street Montgomery, AL 36104 Phone # (334) 832-1210 Fax # (334) 832-2533 E-Mail Signature _____ Date: _____	
2. Implementing Agency Name Montgomery County District Attorney Phone # (334) 832-2550		4. Project Director Name Rhonda B. Cape, Administrative Assistant Address 251 South Lawrence Street Montgomery, AL 36102 Phone # (334) 832-2550 Fax # (334) 832-1615 E-Mail rhonda.cape@alada.gov Signature <i>Rhonda B Cape</i> Date: <i>5/4/10</i>	
6. Type of Application ☐ Original ☒ Continuation of Previous Grant Number: 09-JF-C3-005		5. Financial Officer Name Sherrill Thomas, Finance Director Address 101 South Lawrence Street Montgomery, AL 36104 Phone # (334) 832-1268 Fax # (334) 832-2533 E-Mail sherrillthomas@mc-ala.org Signature _____ Date: _____	
7. Program Under Which Application is Made Juvenile Formula Grant Program		8. Project Start Date (Estimated) 10/1/2010	
9. Project Ending Date (Estimated) 9/30/2011		10. Does this application require a prior cost approval? ☐ Yes ☒ No	
11. Name of the Project (Brief Descriptive Title) Helping Montgomery Families Initiative		12. Grant Funds Requested \$ 76,574.00	
13. Will other Federal Support be available for any part of this project? ☒ Yes ☐ No (If yes, identify and explain on Page 9)		14. Total Project Duration (in Months) 12	
15. Project Summary: (Suitable for a news release pertaining to this project)			

PROJECT SUMMARY

The Helping Montgomery Families Initiative (HMFI) is a collaborative effort led by Montgomery County District Attorney's Office (DA) in partnership with Montgomery Public Schools System (MPS) and includes local law enforcement, healthcare professionals, mental health, social services, faith-based organizations, juvenile justice agencies and other organizations with the primary focus of intervening in the lives of school children who have been suspended from school but not charged with a criminal offense.

Studies have shown there is a correlation between truancy/school misconduct and delinquent behavior. The program's goal is to intervene at the first sign of misbehavior to help prevent a child from entering the juvenile justice system. Once a child enters the juvenile justice system the chances of that child escalating into the adult system are significant. In addition, this program benefits children who do not misbehave in school. Children perform better in an environment they perceive to be safe and free from distractions. Instruction time will be maximized, thereby enriching the overall educational process.

Section 16-28-12 of the Code of Alabama mandates that the MPS share information with the District Attorney (D.A.) concerning student truancy and suspension data. It is then the duty of the D.A. to enforce this section to ensure proper conduct by any child enrolled in public school.

Overall Program Activity

HMFI was implemented in February 2008 and listed below is the activity that has occurred through March 31, 2010:

- ❖ Letters of Concern/Warning- Sent to Parents/Guardians of suspended students that met the program's criteria-5,045
- ❖ Assessment Letters- Sent to parents/guardians of students that received a subsequent suspension- 810
- ❖ Home Visits & Assessments Completed- 429 which included 1,223 children
- ❖ Multi-Disciplinary Meetings Held-93

ADECA Law Enforcement/Traffic Safety Division 401 Adams Avenue P.O. Box 5690 Montgomery, AL 36103-5690	GRANT APPLICATION	Page 6 20. Project Narrative Detailed Budget Explain computations in the Budget Narrative on Page 8. Form Revised January 10, 2004
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A. Personnel:

List each individual with salary

Name of Employee	Position / Title	Salary	Rate Of Pay (BW, SM)	% of Time Devoted to Project	Annual Income / Unit Cost	Category Total
	Program Director	\$ 2,639.83	24	85%	\$ 53,852.53	\$ 53,852.53
		\$ -	24	100%	\$ -	\$ -
		\$ -	24	100%	\$ -	\$ -
		\$ -	26	100%	\$ -	\$ -
		\$ -	26	100%	\$ -	\$ -
		\$ -	26	100%	\$ -	\$ -
		\$ -	26	100%	\$ -	\$ -
		\$ -	26	100%	\$ -	\$ -
See Attachment 1 (Personnel)					\$ -	\$ -
					Salaries Sub-Total	\$ 53,852.53

Fringe Benefit Computation

FICA	\$ 53,852.53		7.650%
SUI	\$ 53,852.53		0.000%
W/C	\$ 53,852.53		0.000%
Health Insurance	\$ 880.00	12	85.00%
Life Insurance	\$ -	0	100.00%
Retirement	\$ 53,852.53	1	12.94%
Other	\$ -	0	100.00%
Other	\$ -	0	100.00%
Other	\$ -	0	100.00%

\$ 4,119.71
\$ -
\$ -
\$ 8,976.00
\$ -
\$ 6,968.51
\$ -
\$ -
\$ -

Fringe Sub-Total \$ 20,064.22

Total Personnel Expenditures \$ 73,916.75

B. Confidential Expenditures:

Prior approval of procedures is required

1. Purchase of Services
2. Purchase of Evidence
3. Purchase of Specific Information

\$ -
\$ -
\$ -

Total Confidential Expenditures \$ -

Professional Services:

Must be itemized

List by individual or type of individual, with fee basis limited to a reasonable rate not to exceed \$450 per day.

1. Individual Consultants and/or Contracting of Service Organizations

\$ -
\$ -
\$ -
\$ -
\$ -
\$ -
\$ -
\$ -

Total Professional Services \$ -

ADECA Law Enforcement/Traffic Safety Division 401 Adams Avenue P.O. Box 5690 Montgomery, AL 36103-5690	GRANT APPLICATION 20. Project Narrative Detailed Budget (Continued)	Page 7 Form Revised January 10, 2004
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D. Travel:
 Transportation & associated cost of project personnel. (Consultant travel is to be included in Category C)

Mileage: _____	\$	-
Per Diem: _____	\$	-
Conference Cost: _____	\$	-
Other: _____	\$	-

Total Travel \$ -

E. Operating Expenses:
 Must be itemized

Postage	\$	500.00
Office Supplies	\$	557.25
	\$	-
	\$	-
	\$	-
	\$	-
	\$	-
	\$	-

Total Operating Expense \$ 1,057.25

F. Equipment Purchase:
 Must be itemized

Item	Qty	Unit Price	Total Item Cost
Dell Laptop Computer	1	\$ 1,600.00	\$ 1,600.00
		\$ -	\$ -
		\$ -	\$ -
		\$ -	\$ -
		\$ -	\$ -
		\$ -	\$ -
		\$ -	\$ -
See Attachment 2 (Equipment)			\$ -

Equipment Purchase Total \$ 1,600.00

Lease or Rental Equipment

		\$ -	\$ -
		\$ -	\$ -
See Attachment 2 (Equipment)			\$ -

Lease or Rental Total \$ -

Total Equipment Expense \$ 1,600.00

Total Project Cost	\$	76,574.00
	\$	76,574.00

Matching Ratio:	ADECA / LETS %	100%	ADECA / LETS Support	\$	76,574.00
	Match %	0%	Matching Contribution	\$	-

ADECA Law Enforcement/Traffic Safety Division 401 Adams Avenue P.O. Box 5690 Montgomery, AL 36103-5690	GRANT APPLICATION Source of Match and Continuation Projection Form Revised January 10, 2004	Page 9
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22. Source of Contribution:
(Indicate Sources Per Instructions)

	\$	-
	\$	-
	\$	-
	\$	-
	\$	-
	\$	-
	\$	-
	\$	-
	\$	-

Total Matching Contribution: \$0.00 Match from page 7 \$ -
 Match Differential: \$0.00

23. Budget Summary and Projection: **APPLICATION IS INCOMPLETE WITHOUT THIS**
(Total budget of applicant or implementing agency)

Budget Categories	Prior Phase	Present Phase	Successive Phase
A Personnel and Fringe	\$ 114,346.53	\$ 73,916.75	\$ -
B Confidential Expenditures	\$ -	\$ -	\$ -
C Professional Services	\$ -	\$ -	\$ -
D Travel	\$ -	\$ -	\$ -
E Operating Expenses	\$ 516.47	\$ 2,657.25	\$ -
F Equipment	\$ -	\$ -	\$ -
Total Budget of Applicant	\$ 114,863.00	\$ 76,574.00	\$ -
Duration of Project Phase	12	12	12

24. Federal Support:
 Will other Federal support be available for any part of this project?
 Yes ☒ No ☐ If "Yes", Explain:
 Pursuant to this grant application, one (1) personnel is requested: 1) Program Director. Last year, Montgomery Public Schools (MPS) submitted a Safe Schools/Healthy Students grant budget request wherein funding was requested and subsequently received for this program. In the SS/HS application, a request was made by MPS for two (2) Case Officer I and one (1) Case Officer II. In addition, MPS has agreed to provide funding equivalent to one teacher unit. NOTE: The estimated cost of the Helping Montgomery Families Initiative greatly exceeds the amount of the request under this ADECA grant.

25. Federal Submissions:
 Have other Federal agencies been contacted for assistance on this or similar projects?
 Yes ☐ No ☒ If "Yes", Explain:

Resolution of Applicant for Matching Funds

Whereas, the State of Alabama, through the Alabama Department of Economic and Community Affairs, Law Enforcement/Traffic Safety Division, under the Omnibus Crime Control and Safe Streets Act of 1968, (PL 90-351 as amended and other appropriate federal authorizations, is offering financial aid to combat rising crime, improve the criminal justice system, assist victims of crime, and assist in the problems of juvenile justice; and

Whereas, the **Montgomery County Commission** hereinafter referred to as Applicant, is of the opinion that it would be beneficial to make application for such assistance and

Whereas, said applicant agrees to be accountable for providing the cash match toward the total cost of said project,

NOW, THEREFORE, BE IT RESOLVED by the Applicant

that, **Elton N. Dean, Sr.**, in his/her official capacity

as **Chairman**, be authorized to make

application to the Alabama Department of Economic and Community Affairs, Law Enforcement/Traffic Safety Division, for said financial Assistance.

Adopted this the _____ day of _____, ____.

I, **Donald L. Mims**, **County Administrator**
(Name) (Title)

In and for the **Montgomery County Commission**

Do hereby certify that the above is a true and correct copy of a resolution adopted at their regular meeting of _____, _____, and the same appears in the minutes of said meeting.

Witness by hand and official seal of the **Montgomery County Commission**

This the _____ day of _____, ____.

(Name)

County Administrator
(Title)



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

May 6, 2010

Agenda

MAY 10 2010

TO: Donnie Mims

FROM: Tommy Gallion

RE: Montgomery County Sheriff's Office – NEC contract

Today, May 6, 2010, a mediation was held between Montgomery County Sheriff's Office and NEC in which an agreement was reached and executed by the parties. This attached agreement needs to be executed by Elton Dean as Chairman of the Montgomery County Commission and by Sheriff D. T. Marshall for the Montgomery County Sheriff's Office. Please waive the rules and adopt this agreement at the upcoming May 10, 2010 Montgomery County Commission meeting.

I am of the opinion that the terms provided for in this agreement are in the best interest of the public health, safety, education, morals, security, prosperity, contentment and the general welfare of the citizens of Montgomery County. I therefore see no reason why this agreement should not be executed if it is the desire of the Commissioners.

Attachment

50051-615
326965_1

SETTLEMENT AGREEMENT and RELEASES

This Agreement entered into on the date hereinafter set forth by and between **Montgomery County Commission** (hereinafter "MCC") and **NEC Corporation of America** and **NEC Solutions (America), Inc.** (hereinafter "NEC").

WHEREAS, MCC and NEC entered into two contracts executed by MCC on January 31, 2003, namely, An Agreement for Purchase of Equipment and Services to Establish CAD/RMS/CMS and An Agreement for Maintenance of the CAD/RMS/CMS System (hereinafter "Contracts"); and

WHEREAS, disputes arose related to the Contracts, and MCC filed an action in the Circuit Court of Montgomery County, Alabama, Case Number CV2010-900165 (hereinafter referred to as "Lawsuit") against NEC; and,

WHEREAS, said Lawsuit was stayed pending mediation, and the claims therein were submitted to and settled at mediation on the 6th day of May, 2010; and,

WHEREAS, the parties hereto have agreed to release each other of all claims made or which could have been made in the Lawsuit or otherwise arising out of the Contracts, and they wish to set forth their agreement and mutual releases herein.

NOW, THEREFORE, in consideration of the premises, and the releases and covenants contained hereinafter, it is agreed as follows:

1. The recitals hereinabove are correct and are made a part of this agreement.
2. NEC agrees to forgo final payment in the amount of Five Hundred Forty Three Thousand Nine Hundred Sixty Five Dollars (\$543,965.00), otherwise due under the Contracts, and hereby releases MCC from that obligation.

3. NEC agrees to pay the sum of One Hundred Thousand Dollars (\$100,000.00) to MCC within fifteen days after approval and execution of this Settlement Agreement and Releases.

4. NEC agrees hereafter to provide software support services for a period of one year from the date of the approval of this Agreement by MCC.

5. NEC, for itself and its affiliates, successors and assigns, does hereby fully release and discharge MCC, its officers, directors, agents, employees, heirs and assigns, including but not limited to the officers, agents, employees of the Sheriff's Department of Montgomery County, and from any and all claims, actions, demands, rights, causes of action, breaches of contract, performance bonds, and all expenses and compensation, and all other liability, whatsoever, whether known or unknown, accrued or unaccrued, whether based in common law, statute, contract, tort or otherwise, arising out of or related in any manner to the Contracts, or the Lawsuit, and including but not limited to all claims made or which could have been made in the Lawsuit that arise out of or are related in any manner to the Contracts.

6. Montgomery County Commission, a political subdivision of the State of Alabama, does hereby fully release and discharge NEC Corporation of America and NEC Solutions (America), Inc. and their affiliates, parents, predecessors, successors, heirs and assigns, and the officers, directors, agents, and employees of NEC, from any and all claims, actions, demands, rights, causes of action, breaches of contract, performance bonds, and all expenses and compensation, and all other liability, whatsoever, whether known or unknown, accrued or unaccrued, whether based in common law, statute, contract, tort or otherwise, arising out of or related in any manner to the Contracts, or the Lawsuit, and including but not

limited to all claims made or which could have been made in the Lawsuit that arise out of or are related in any manner to the Contracts.

7. Each of the parties hereby direct their counsel to promptly file a joint motion to dismiss the Lawsuit, with prejudice, each party to pay its own costs.

8. Except as provided in paragraph 3 above, no party has agreed or is obligated to pay any sum of money to any other party in connection with this Agreement. This Agreement reflects a settlement and compromise of matters in dispute and is not an admission of wrongdoing by any party hereto or other party released hereby.

9. The parties declare and represent that no promise, representation, inducement or agreement not herein expressed has been made to them by any other party hereto, and that this Agreement has been read and understood by each of them and that each of them intends to be legally bound by the Agreement, having executed it knowingly and voluntarily, with the advice of counsel, without coercion, without any reliance on any facts, information or representation of any other party hereto, and with the full knowledge of the nature and consequences thereof.

10. This Agreement may be executed in multiple counterparts, each counterpart shall be deemed an original, and all so signed and executed shall be deemed one Agreement.

11. D.T. Marshall, Sheriff, and Thomas T. Gallion, County Attorney, recommend to the MCC that this Agreement be approved and executed, as indicated by their signatures below.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals or have caused this instrument to be executed by their duly authorized representatives effective as of the ____ day of May, 2010.

MONTGOMERY COUNTY COMMISSION

NEC SOLUTIONS (AMERICA), INC.

Authorized Signature

Authorized Signature

Typed Name

Typed Name

Title

Title

Date

Date

Recommended:

NEC CORPORATION OF AMERICA

D. T. Marshall, Sheriff

Authorized Signature

Thomas T. Gallion, County Attorney

Typed Name

Title

Date

ELTON N. DEAN, SR.
CHAIRMAN

REED INGRAM
VICE CHAIRMAN

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

A COUNTY OLDER THAN THE STATE

MONTGOMERY COUNTY COMMISSION

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

ESTABLISHED 1816

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

Agenda
MAY 10 2010

May 10, 2010

MEMORANDUM

TO: Montgomery County Commission

FROM: Donald L. Mims, County Administrator *DLM*

SUBJECT: Miscellaneous Appropriations Reprogramming Requests

I am requesting authority to reprogram the following from fund code 001-59320-498 (Agency, Miscellaneous Appropriations) to:

- C-2010-72: Family Guidance Center, for the Success by 6 Program - \$500; (Wilson)
- C-2010-73: Alabama Cattlemen's Association, for "Little Boots" Rodeo - \$1,000; (Ingram-\$500 and Wilson-\$500)
- C-2010-74: Alabama National Fair, for the Creative Living Center - \$1,000; (Ingram)
- NC-2010-99: Alabama Cooperative Extension System, for the 2010 Successful Aging Initiative Conference - \$500; (Dean-\$250 and Ingram-\$250)
- NC-2010-100: City of Montgomery, to be used by BONDS to Support the Brighton Area Homeowner's Association, with Funding to Promote the Community Enhancement and Beautification Programs/Projects - \$1,000; (Wilson)

DLM/tll

MEMORANDUM

TO: Donald L. Mims, Administrator

FROM: Pat Silas, Assistant Director
Support Services 

DATE: May 4, 2010

SUBJECT: Invitation to Bid No. 53000-10C-013,
Crushed Stone

Request that approval of award on the above referenced bid to the low bid of Southeast Materials, Inc., in the amount of \$181.35, based on unit pricing, be placed on the agenda for the County Commission meeting on May 10, 2010. (copy of spread sheet attached)

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

Attachment

**Purchasing Department
Montgomery County Commission**

ABSTRACT FOR BIDS:				BID # 1		BID # 2		BID # 3		BID # 4		BID # 5	
53000-10C-013				SOUTHEAST MATERIALS - ATTN: BILL WYATT - PHONE#(877) 871-1206; FAX #(205) 871-1247		WIREGRASS CONSTRUCTION CO., INC. - ATTN: MIKE MURPHREE; PHONE#(334) 356-2560; FAX#(334) 356-2570		NO BIDS RECEIVED: FULLER FIVE ENTERPRISES;JACKSON LANDSCAPE					
ISSUED: APRIL 14, 2010													
OPENED: MAY 3, 2010													
ENGINEERING													
TERMS OF PAYMENT / DISCOUNT:													
ITEM NO.	DESCRIPTION OF ITEM	Units	QTY	UNIT PRICE	EXTENDED AMOUNT	UNIT PRICE	EXTENDED AMOUNT	UNIT PRICE	EXTENDED AMOUNT	UNIT PRICE	EXTENDED AMOUNT	UNIT PRICE	EXTENDED AMOUNT
1,	CRUSHED STONE #4	TN	1	\$15.90	\$15.90	\$22.00	\$22.00						
2	CRUSHED STONE #5	TN	1	\$15.90	\$15.90	\$22.00	\$22.00						
3	CRUSHED STONE #57	TN	1	\$15.90	\$15.90	\$22.00	\$22.00						
4	CRUSHED STONE #6	TN	1	\$15.90	\$15.90	\$22.00	\$22.00						
5	CRUSHED STONE #78	TN	1	\$16.65	\$16.65	\$22.75	\$22.75						
6	CRUSHED STONE #89	TN	1	\$16.65	\$16.65	\$22.75	\$22.75						
7	RIP RAP 814 CLASS 1	TN	1	\$19.10	\$19.10	\$32.00	\$32.00						
8	RIP RAP 814 CLASS 2	TN	1	\$19.65	\$19.65	\$32.00	\$32.00						
9	CRUSHED AGGRE.	TN	1	\$15.40	\$15.40	\$21.50	\$21.50						
10	CRUSH.STONE #610	TN	1	\$15.40	\$15.40	\$21.00	\$21.00						
11	801 SCREENINGS	TN	1	\$14.90	\$14.90	\$21.00	\$21.00						
	24 BIDS MAILED												
TOTAL BID AMOUNTS					\$181.35		\$261.00						

Notes:

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MAY 10 2010

MEMORANDUM

TO: Donald L. Mims, Administrator

FROM: Pat Silas, Assistant Director
Support Services *pa*

DATE: May 5, 2010

SUBJECT: Invitation to Bid No. 51305-10C-015,
Microfilming of Probate Records

Request that approval of award on the above referenced bid to the low bid of Image Express, Inc., in the amount of \$.0249 per image for original film and \$10.95 per roll for the silver duplicate, based on unit pricing, be placed on the agenda for the County Commission meeting on May 10, 2010. (copy of spread sheet attached)

This will be a three (3) year contract and may be cancelled in writing by either party at any time given a ninety (90) day written notice by Montgomery County Commission or the successful vendor.

Coordination of award made with Reese McKinney, Jr., Judge of Probate.

Attachment

**Purchasing Department
Montgomery County Commission**

[illegible]

Notes:
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Montgomery County Commission
Travel / Training Request Approval

Appendix C

Request # 17

Agenda

MAY 10 2010

Date: May 6, 2010
To: Donald L. Mims, Administrator
From: Donald L. Mims, Administrator
Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Point Clear, AL
Departure Date: June 30, 2010 Return Date: July 2, 2010
Conference Leave (Days / Hours): 3 Days
Purpose of Travel: to attend the 2010 ACCMA Summer Conference

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

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

Total (est.) Cost: \$1,976.00 Advance Registration Required: \$400.00

Department Name: County Commission Fund Name: General

Additional Comments: Mileage - \$350.00; Registration - \$400.00; Hotel - \$776.00; Meals- 450.00

To: Donald L. Mims, Administrator

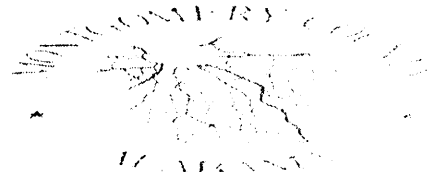
From: Donald L. Mims, Administrator

The above request is app. 05/10/10 reimbursement of actual and necessary expenses in the
approximate amount of \$1,976.00 and advance registration of \$400.00 is authorized.

To be completed by the Finance Department

Fund Code:	<u>001-51100-265</u>	(ex: 000-00000-000)
Description:	<u>Registration & Training</u>	
Current Budget:	<u>\$25,000.00</u>	
Approved Requests:	<u>\$13,740.67</u>	
Budget Available:	<u>\$11,259.33</u>	
Current Requests:	<u>\$1,976.00</u>	
Budget Balance:	<u>\$9,283.33</u>	

Donald L. Mims, Administrator



Reviewed by: S. Thomas

Date: 5/6/2010

cc: Finance Director / Buyer

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Montgomery County Commission
Travel / Training Request Approval

Appendix C

Agenda

MAY 10 2010

Request # 7

Date: May 6, 2010
To: Donald L. Mims, Administrator
From: Sherrill R. Thomas, Finance Director
Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Montgomery, Alabama

Departure Date: August 4 2010 Return Date: August 4, 2010

Conference Leave (Days / Hours): 4 hours

Purpose of Travel: Attend ASCPA Course-" 2010 Health Care Reform Act Tax & Insurance
Ramifications"
Qualifies toward 40 hours of CPE required annually for CPA license.

Traveler (s) Name: 1. Sherrill Thomas 4. _____
2. _____ 5. _____
3. _____ 6. _____

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

Total (est.) Cost: \$145.00 Advance Registration Required: \$145.00

Department Name: Finance Fund Name: General

Additional Comments: _____

To: Sherrill R. Thomas, Finance Director

From: Donald L. Mims, Administrator

The above request is app. 05/10/10 reimbursement of actual and necessary expenses in the
approximate amount of \$145.00 and advance registration of \$145.00 is authorized.

To be completed by the Finance Department

Fund Code: 001-51110-265 (ex: 000-00000-000)

Description: Registration & Training

Current Budget: \$2,800.00

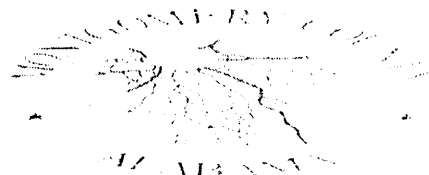
Approved Requests: \$459.00

Budget Available: \$2,341.00

Current Requests: \$145.00

Budget Balance: \$2,196.00

Donald L. Mims, Administrator



Reviewed by: S. Thomas

Date: 5/6/2010

cc: Finance Director / Buyer

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Montgomery County Commission
Travel / Training Request Approval

Appendix C

Request # 24

Agenda

MAY 10 2010

Date: April 26, 2010

To: Donald L. Mims, Administrator

From: Sheriff D. T. Marshall

Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Greenville, AL

Departure Date: May 14, 2010

Return Date: May 14, 2010

Conference Leave (Days / Hours): 8 hours

Purpose of Travel: Attend Training - Crimes of Sexual Assault

Traveler (s) Name: 1. Lee Esco 4. _____
2. J. R. Ledyard 5. _____
3. Kofee Anderson 6. _____

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

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

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

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

To: Sheriff D. T. Marshall

From: Donald L. Mims, Administrator

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

To be completed by the Finance Department

Fund Code: 001-52110-265 (ex: 000-00000-000)

Description: Registration & Training

Current Budget: \$20,000.00

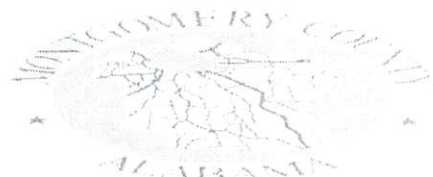
Approved Requests: \$8,178.24

Budget Available: \$11,821.76

Current Requests: \$0.00

Budget Balance: \$11,821.76

Donald L. Mims, Administrator



Reviewed by: S. Thomas

Date: 4/26/2010

cc: Finance Director / Buyer

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Montgomery County Commission
Travel / Training Request Approval

Appendix C

Request # 25

Agenda

MAY 10 2010

Date: April 27, 2010

To: Donald L. Mims, Administrator

From: Sheriff D. T. Marshall

Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Eufaula, AL

Departure Date: July 18, 2010

Return Date: July 21, 2010

Conference Leave (Days / Hours): 4 days

Purpose of Travel: 2010 Alabama Sheriff's Summer Training Conference

Traveler (s) Name: 1. D. T. Marshall 4. _____
2. R. D. Bryan 5. _____
3. Derrick Cunningham 6. _____

Check Mode of Transportation: County Vehicle ☒
Private Vehicle ☐

Commercial Air ☐
Other (Specify) ☐

Total (est.) Cost: \$2,500.00

Advance Registration Required: \$900.00

Department Name: Sheriff's Office

Fund Name: General (001-52110-265)

Additional Comments: _____

To: Sheriff D. T. Marshall

From: Donald L. Mims, Administrator

The above request is app. 05/10/10 reimbursement of actual and necessary expenses in the
approximate amount of \$2,500.00 and advance registration of \$900.00 is authorized.

To be completed by the Finance Department

Fund Code: 001-52110-265 (ex: 000-00000-000)

Description: Registration & Training

Current Budget: \$20,000.00

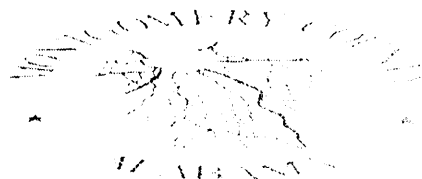
Approved Requests: \$8,178.24

Budget Available: \$11,821.76

Current Requests: \$2,500.00

Budget Balance: \$9,321.76

Donald L. Mims, Administrator



Reviewed by: S. Thomas

Date: 4/27/2010

cc: Finance Director / Buyer

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Montgomery County Commission
Travel / Training Request Approval

Appendix C

Agenda

MAY 10 2010

Request # 22

Date: April 29, 2010
To: Donald L. Mims, Administrator
From: Ellen Brooks
Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Orange Beach, AL
Departure Date: May 18, 2010 Return Date: May 21, 2010
Conference Leave (Days / Hours): 4 Days
Purpose of Travel: To Attend: VSO Assoc 2010 Summer Conference

Traveler (s) Name: 1. Crystal Taylor 4. _____
2. _____ 5. _____
3. _____ 6. _____

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

Total (est.) Cost: \$1,168.00 Advance Registration Required: \$325.00

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

Additional Comments: _____

To: Ellen Brooks

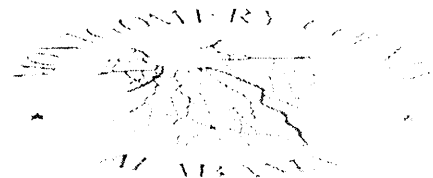
From: Donald L. Mims, Administrator

The above request is app. 05/10/10 reimbursement of actual and necessary expenses in the
approximate amount of \$1,168.00 and advance registration of \$325.00 is authorized.

To be completed by the Finance Department

Fund Code:	<u>760-51260-265</u>	(ex: 000-00000-000)
Description:	<u>Registration & Training</u>	
Current Budget:	<u>\$44,380.00</u>	
Approved Requests:	<u>\$8,876.00</u>	
Budget Available:	<u>\$35,504.00</u>	
Current Requests:	<u>\$1,168.00</u>	
Budget Balance:	<u>\$34,336.00</u>	

Donald L. Mims, Administrator



Reviewed by: S. Thomas

Date: 4/30/2010

cc: Finance Director / Buyer

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