

REGULAR MEETING
MONTGOMERY COUNTY COMMISSION

DECEMBER 1, 2014

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
Chief Information and Technology Officer

Comments from Scheduled Attendees:

Juvenile Court Administrator Bruce R. Howell
Chief Deputy Derrick Cunningham
President Mike Rutland, Senior Vice President Tim Holmes and Architect Jeff Cahill
with JMR+H Architecture, PC
Director of Risk Management Scott Kramer

Recess to Formal Session

FORMAL SESSION

Welcome at 9:30 a.m.

Invocation by Vice Chairman Harris

Pledge of Allegiance Led By Commissioner Walker

Call of Roll to Establish Quorum

Presentation of the Minutes of the Regular Meeting of November 17, 2014

CONSENT AGENDA:

Consider Accounts Payable Checks and Payroll Checks

NEW BUSINESS:

1. Consider Resolution Approving the 2015 Severe Weather Preparedness Tax Holiday, February 20-22, 2015, Authorized by Act No. 2012-256, County Commission
2. Consider Board Member Appointments to the Montgomery County Parks and Recreation Board, County Commission
3. Consider Board Member Appointment to the Montgomery County Public Building Authority, County Commission
4. Consider County Commission Meeting Schedule for 2015, County Commission
5. Consider Revised Flood Damage Prevention Ordinance for the Federal Emergency Management Agency (FEMA), Engineering Department
6. Consider Payment of 2015 Membership Dues to the Public Risk Management Association (PRIMA) for Director of Risk Management Scott Kramer, Risk Management
7. Consider Miscellaneous Appropriations Reprogramming Requests, County Commission
8. Consider Bid Award for Electric Scissor Lift, Bid Number 53100-15B-004, Engineering Department
9. Consider Bid Award for Brush Chipper, Bid Number 53100-15B-005, Engineering Department
10. Consider Position Fill Request for Corrections Officer Trainee/ Corrections Officer, Position Number 179, Detention Facility
11. Consider Travel/Training Requests (8)

Reports from Staff:

County Administrator
Deputy Administrator
County Engineer
County Attorney

Comments from Citizens

Discussion Items by Commissioners

Recess to Information Session

INFORMATION SESSION

Reports from Staff:

County Administrator
Manager of Public Affairs

Adjourn

CALENDAR OF EVENTS

DECEMBER 1, 2014

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.

DECEMBER 15, 2014

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.

DECEMBER 25, 2014

County Holiday (Christmas Day)

DECEMBER 26, 2014

County Holiday (Christmas Day)

PERSONNEL ACTIONS

Fill action continues for 1 Appraiser I – Appraisal Department
Fill action continues for 2 Appraiser II – Appraisal Department
Fill action continues for 1 Appraiser III – Appraisal Department
Fill action continues for 1 IT Engineering/Systems – Information Systems
Fill action continues for 1 Clerk IV – Information Systems
Fill action continues for 2 Programmer Analyst II's – Information Systems
Fill action continues for 2 Service Maintenance Worker I's – Support Services Department
Fill action continues for 1 Custodial Maintenance Manager – Support Services Department
Fill action continues for 1 Purchasing Manager – Support Services Department
Fill action continues for 1 Community Corrections Officer – Community Corrections
Fill action continues for 1 Assistant Revenue Manager – Tax & Audit Department
Fill action continues for 1 Runner – District Attorney's Office
Fill action continues for 1 Legal Support Assistant – District Attorney's Office
Fill action continues for 1 Secretary – District Attorney's Office
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 Child Support Case Manager I – District Attorney Child Support
Fill action continues for 2 Child Support Case Manager II's – District Attorney Child Support
Fill action continues for 1 Director – District Attorney Pre-Trial
Fill action continues for 20 Correction Officer Trainees – Detention Facility
Fill action continues for 2 Inmate Grievance/Disciplinary Clerk – Detention Facility
Fill action continues for 1 Corrections Officer Corporal – Detention Facility
Fill action continues for 2 Clerk II – Detention Facility
Fill action continues for 1 CREO 1 (Bridge) – Engineering Department
Fill action continues for 2 CREO 1's – Engineering Department
Fill action continues for 2 Service Maintenance Worker I's – Personnel Department
Fill action continues for 1 Clerk III – Personnel Department
Fill action continues for 2 Customer Service Clerk – Probate Judge's Office
Fill action continues for 1 Clerk III – Probate Judge's Office
Fill action continues for 2 Assistant Tag & License Supervisors – Probate Judge's Office
Fill action continues for 1 Customer Service Clerk (Part-Time) – Probate Judge's Office
Fill action continues for 1 Tag and License Supervisor – Probate Judge's Office
Fill action continues for 1 Elections Training Coordinator – Probate Judge's Office (Elections)
Fill action continues for 1 Clerk III – Revenue Commissioner's Office
Fill action continues for 1 Customer Service Clerk – Revenue Commissioner's Office
Fill action continues for 2 Clerk Typist II – Sheriff's Office
Fill action continues for 1 Deputy Sheriff/Deputy Sheriff Trainees – Sheriff's Office
Fill action continues for 1 Court Security Officer – Sheriff's Office
Fill action continues for 1 Fingerprint Classifier – Sheriff's Office
Fill action continues for 2 Emergency Communication Operator I/II – Sheriff's Office
Fill action continues for 1 Juvenile Probation Officer I – Youth Facility
Fill action continues for 2 Service Maintenance Worker I's – Youth Facility
Fill action continues for 3 Juvenile Detention Officer's – Youth Facility

December 1, 2014

12-01-14 Meeting

MONTGOMERY COUNTY COMMISSION

THE FOLLOWING ACCOUNTS PAYABLE WERE AUDITED AND
ORDERED PAID

CHECKS ARE DATED 11-14-14

Check Number	To	Check Number
249214		249264
Total Checks Paid		\$200,165.41

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

12-01-14 Meeting

MONTGOMERY COUNTY COMMISSION

THE FOLLOWING ACCOUNTS PAYABLE WERE AUDITED AND
ORDERED PAID

CHECKS ARE DATED 11-14-14

Check Number	To	Check Number
249265		249325
Total Checks Paid		\$231,818.48

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

12-01-14 Meeting

MONTGOMERY COUNTY COMMISSION

THE FOLLOWING ACCOUNTS PAYABLE WERE AUDITED AND
ORDERED PAID

CHECKS ARE DATED 11-21-14

Check Number	To	Check Number
249326		249381
Total Checks Paid		\$1,088,819.19

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

12-01-14 Meeting

MONTGOMERY COUNTY COMMISSION

THE FOLLOWING ACCOUNTS PAYABLE WERE AUDITED AND
ORDERED PAID

CHECKS ARE DATED 11-21-14

Check Number	To	Check Number
249382		249495
Total Checks Paid		\$590,290.68

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

12-01-14 Meeting

MONTGOMERY COUNTY COMMISSION

THE FOLLOWING ACCOUNTS PAYABLE WERE AUDITED AND
ORDERED PAID

CHECKS ARE DATED 11-26-14

Check Number	To	Check Number
249499		249528
Total Checks Paid		\$535,663.34

CHECK #	PAYEE	AMOUNT	DATE
249496	Gulf Coast Truck & Equipment	\$ 601.26	11-20-14
249497	Watch Systems	\$ 48.02	11-20-14
249498	Gulf Coast Truck & Equipment	\$ 834.00	11-26-14

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

12-01-14 Meeting

MONTGOMERY COUNTY COMMISSION

THE FOLLOWING ACCOUNTS PAYABLE WERE AUDITED AND
ORDERED PAID

CHECKS ARE DATED 11-26-14

Check Number	To	Check Number
249529		249582
Total Checks Paid		\$164,993.05

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
11/26/14

Payroll Check Number	121475	To	Payroll Check Number	121564	\$ 61,995.62
Direct Deposits					\$ 836,878.58
Payroll Check Number	121565	To	Payroll Check Number	121593	\$ 251,469.44
Direct Deposits					\$ 359,992.95
Federal Deposits					\$ 326,784.93
Total Payroll Paid					\$ 1,837,121.52

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

ELTON N. DEAN, SR.
CHAIRMAN

DANIEL HARRIS, JR.
VICE CHAIRMAN

RONDA M. WALKER
JILES WILLIAMS, JR

A COUNTY OLDER THAN THE STATE

MONTGOMERY COUNTY COMMISSION

Tax & Audit Department
P.O. Box 4779
Montgomery, Alabama 36103-4779

ESTABLISHED 1816

Terri A. Henderson, CRE
Revenue Manager

Administrative and Auditing for:
Montgomery County Alabama
Sales & Use Taxes; Lodging Tax;
Gasoline Tax; and Fuel Tax

Telephone (334) 832-1697
FAX (334) 832-1223
Website www.mc-ala.org

Agenda

DEC - 1 2014

MEMORANDUM

DATE: November 7, 2014

TO: Florence M. Cauthen, Deputy Administrator

FROM: Terri A. Henderson, Revenue Manager *Terri A. Henderson 11/7/2014*

RE: **2015 Severe Weather Preparedness Tax Holiday, February 20-22, 2015**

Please see copy of the notice attached printed today from the State of Alabama Department of Revenue ("ADOR") that is dated August 28, 2014 specific to the 2015 Severe Weather Preparedness Sales Tax Holiday. This is the Sales Tax Holiday enacted pursuant to Act No. 2012-256 that was first passed and signed into law on April 26, 2012. The 2015 Severe Weather Preparedness Tax Holiday is scheduled for the weekend of **February 20-22, 2015**.

If we are going to participate in the 2015 Severe Weather Preparedness Tax Holiday, I would respectfully request that this item be included for discussion and/or placed on the agenda for the Montgomery County Commission meeting on November 17, 2014 or as soon as possible thereafter. Please see the Resolution attached that has been drafted for further consideration in this matter for proposed action at the Montgomery County Commission meeting on December 1, 2014. Written notice of our participation and a certified copy of our Resolution and/or notification of our decision not to participate in 2015 will be due back to the ADOR before or **not later than the January 20, 2015** deadline.

Please note the 2015 Severe Weather Preparedness Tax Holiday is in addition to the 2015 Back To School Sales Tax Holiday, which should be subsequently scheduled for the first full weekend in August 2015, or the weekend of August 7-9 2015. Please let me know if you need anything further. Thank you in advance for your assistance with this matter.

tah/attachment

**RESOLUTION PROVIDING FOR MONTGOMERY COUNTY'S
PARTICIPATION IN THE "SALES TAX HOLIDAY"
IN FEBRUARY 2015, AS AUTHORIZED
BY ACT NO. 2012-256**

WHEREAS, during its 2012 Regular Session, the Alabama Legislature enacted Act No. 2012-256, approved April 26, 2012, which provides an exemption of the state sales and use tax for certain purchases related to severe weather preparedness during the first full weekend in July 2012 and the last full weekend of February in subsequent years; and

WHEREAS, as required by Code of Alabama 1975, § 11-51-210(e), a participating county or municipality shall submit a certified copy of their adopted resolution or ordinance providing for the severe weather preparedness sales tax holiday, and any subsequent amendments thereof, to the Alabama Department of Revenue at least 14 days prior to the first full weekend of July in 2012 and at least 30 days prior to the last full weekend of February in subsequent years; and

WHEREAS, the exemption of certain county sales and use taxes for the last full weekend of February 2015 herein adopted by the county commission is an amendment to the county's sales and use tax levy warranting notice to the Alabama Department of Revenue as provided in Code of Alabama 1975, § 11-51-210(e);

WHEREFORE BE IT RESOLVED BY THE MONTGOMERY COUNTY COMMISSION that it does hereby provide for an exemption of the 2½ percent county sales and use tax on purchases of items covered by Act No. 2012-256 beginning at 12:01 a.m. on Friday, February 20, 2015 and ending at twelve midnight on Sunday, February 22, 2015.

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of the December 1, 2014 meeting of the Montgomery County Commission, and be immediately forwarded to the Alabama Department of Revenue in compliance with Code of Alabama 1975, § 11-51-210(e).

IN WITNESS WHEREOF, the Montgomery County Commission has caused this Resolution to be executed in its name and on its behalf by its Chairman on this the 1st day of December, 2014.

I hereby certify that the above
Resolution was adopted by the
Montgomery County Commission
on this, the 1st day of December, 2014.

Elton N. Dean, Sr.
Chairman



State of Alabama Department of Revenue

(www.revenue.alabama.gov)
50 North Ripley Street
Montgomery, Alabama 36132

August 28, 2014

MICHAEL E. MASON
Assistant Commissioner

JOE W. GARRETT, JR.
Deputy Commissioner

CURTIS E. STEWART
Deputy Commissioner

IMPORTANT

RESPONSE REQUIRED

IMPORTANT

2015 Severe Weather Preparedness Tax Holiday February 20-22, 2015

Deadline to notify ADOR: January 20, 2015

The 2015 Severe Weather Preparedness Tax Holiday begins at 12:01 a.m. on Friday, February 20, 2015, and ends at twelve midnight on Sunday, February 22, 2015. As required by the Sales Tax Holiday for Severe Weather Preparedness Rule, a participating county or municipality shall submit a certified copy of their adopted resolution or ordinance providing for the Severe Weather Preparedness Sales Tax Holiday, and any subsequent amendments thereof, to the Alabama Department of Revenue before January 20, 2015. The Department will compile this information into a list of all counties and municipalities participating in the Severe Weather Preparedness Tax Holiday and issue a current publication of the list on its website at: www.revenue.alabama.gov/salestax/WPSalesTaxHol.htm

Notification of participation in the sales tax holiday may not be included in the published list if received after Jan. 20, 2015.

**Your taxpayers want to know if your locality will participate
in the 2015 Weather Preparedness Tax Holiday.**

~ ACTION REQUIRED ~

Please put it on your calendar to discuss and vote on this matter soon and notify the ADOR of the decision before January 20, 2015.

Participating? - Send a certified copy of any resolution, ordinance, or amendment adopted by your locality.

Not Participating? - It is important that you inform us via email, fax, or letter of that fact.

Taxpayers rely on the list provided by the Department of Revenue and the Department cannot post a locality's participation status based on assumption; notification of nonparticipation or copies of resolution/ordinance from the locality is required.

Notification can be faxed, mailed or emailed:

FAX: 334-353-7666

MAIL: ALABAMA DEPARTMENT OF REVENUE
Attention: Wanda Robbins, Room 4311
Sales & Use Tax Division
Post Office Box 327900
Montgomery, Alabama 36132-7900

EMAIL: wanda.robbs@revenue.alabama.gov

QUESTIONS: 334-353-8044

An Affirmative Action / Equal Opportunity Employer

2015 SEVERE WEATHER PREPAREDNESS SALES TAX HOLIDAY

Alabama will hold its fourth annual sales tax holiday, beginning Friday, February 20, 2015 at 12:01 a.m. and ending Sunday, February 22, 2015 at 12 midnight, giving shoppers the opportunity to purchase certain severe weather preparedness items free of state sales tax. Local sales tax may apply.

For more information, contact us 8:00 a.m. – 5:00 p.m., CST
Monday through Friday
334-242-1490 or 866-576-6531

COVERED ITEMS - \$60 or Less, per ITEM		
EXEMPT:		
• AAA-cell batteries • AA-cell batteries • C-cell batteries • D-cell batteries • 6-volt batteries • 9-volt batteries • Cellular phone battery • Cellular phone charger • Portable self-powered or battery-powered radio, two-way radio, weatherband radio or NOAA weather radio • Portable self-powered light source, including battery-powered flashlights, lanterns, or emergency glow sticks	• Tarpaulin • Plastic sheeting • Plastic drop cloths • Other flexible, waterproof sheeting • Ground anchor system, such as bungee cords or rope, or tie-down kit • Duct tape • Plywood, window film or other materials specifically designed to protect window coverings • Non-electric food storage cooler or water storage container • Non-electric can opener	• Artificial ice • Blue ice • Ice packs • Reusable ice • Self-contained first aid kit • Fire extinguisher • Smoke detector • Carbon monoxide detector • Gas or Diesel fuel tank or container
TAXABLE:		
• Coin batteries • Automobile and boat batteries		

A single purchase with a sales price of \$1000 or Less
EXEMPT:
Any portable generator and power cords – used to provide light or communications or preserve food in the event of a power outage.

ELTON N. DEAN, SR.
CHAIRMAN

DANIEL HARRIS, JR.
VICE CHAIRMAN

ANDREW D. HALL
RONDA M. WALKER
JILES WILLIAMS, JR.

A COUNTY OLDER THAN THE STATE

MONTGOMERY COUNTY COMMISSION

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



ESTABLISHED 1816

DONALD L. MIMS, CPA, MPA
ADMINISTRATOR

FLORENCE M. CAUTHEN
DEPUTY ADMINISTRATOR
(334) 832-1210

FAX (334) 832-2533
TDD (334) 265-3568

www.mc-ala.org

Agenda

DEC - 1 2014

November 24, 2014

MEMORANDUM

TO: Montgomery County Commission

FROM: Donald L. Mims *DLM*
County Administrator

SUBJECT: Montgomery County Parks and Recreation Board Reappointment

The Montgomery County Commission, during its meeting on November 17, 2014, agreed to place on the next agenda Board Member appointments to the Montgomery County Parks and Recreation Board.

On December 4, 2014, the term of Mark Salter will expire as a board member of the Montgomery County Parks and Recreation Board. Mr. Salter has been contacted and would like to be reappointed for another term, which expires December 4, 2019.

On November 10, 2014, Andrew Hall resigned from this Board and Chairman Dean recommended the appointment of Mr. Andre' Howard for the remainder of Mr. Hall's term, which expires December 4, 2016.

I am requesting approval of these individuals.

DLM/tn

Attachment

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

Dear Mr. Mims,

In light of my recent appointment by Governor Bentley to District 5 County Commissioner I respectfully submit my resignation as a member of the Montgomery County Parks and Recreation Board effective immediately this 10th day of November, 2014.

It has been my honor to serve the County with my fellow board members who I know will continue to carry out the board's important work with our communities and youth.

I want to thank all the dedicated staff and Director James Williams for their help and support to the board in carrying it's mission these many years.

Respectfully Yours,

Andrew D. Hall

Montgomery County Parks and Recreation Board

Members:

Term Expires:

Andrew Hall
Pike Road, AL

12/4/2016

Mark Salter
Montgomery, AL

12/4/2014

James B. Phillips
Montgomery, AL

12/4/2018

Charles Powe
Pike Road, AL

12/4/2015

Lynn Gowan
Montgomery, AL

12/4/2017

Term: 5 years

ELTON N. DEAN, SR.
CHAIRMAN

DANIEL HARRIS, JR.
VICE CHAIRMAN

ANDREW D. HALL
RONDA M. WALKER
JILES WILLIAMS, JR.

A COUNTY OLDER THAN THE STATE

MONTGOMERY COUNTY COMMISSION

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ESTABLISHED 1816

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www.mc-ala.org

Agenda

DEC - 1 2014

November 25, 2014

MEMORANDUM

TO: Montgomery County Commission

FROM: Donald L. Mims *DLM*
County Administrator

SUBJECT: Montgomery County Public Building Authority Board Appointment

The Montgomery County Commission, during its meeting on November 17, 2014, discussed two board member appointments to the Montgomery County Public Building Authority. Vice Chairman Harris recommended Pernell L. Jenkins for the replacement of Andrew Hall, whose term would expire June 5, 2020.

I am requesting approval of this appointment.

DLM/tn

Attachment

Montgomery County Public Building Authority

Members:

Term Expires:

James Phillips (Resigned)

6/5/2014

Andrew Hall (President) (Resigned)
Pike Road, AL 36064

6/5/2014

Bill Davis
Montgomery, AL 36106

6/5/2016

Andrew Hardwick
Montgomery, AL 36116

6/5/2016

William E. Blake
Montgomery, AL 36104

6/5/2018

James Harrell
Montgomery, AL 36111

6/5/2018

Term: 6 years

ELTON N. DEAN, SR.
CHAIRMAN

DANIEL HARRIS, JR.
VICE CHAIRMAN

ANDREW D. HALL
RONDA M. WALKER
JILES WILLIAMS, JR.

A COUNTY OLDER THAN THE STATE

MONTGOMERY COUNTY COMMISSION

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

ESTABLISHED 1816

DONALD L. MIMS, CPA, MPA
ADMINISTRATOR

FLORENCE M. CAUTHEN
DEPUTY ADMINISTRATOR
(334) 832-1210

FAX (334) 832-2533
TDD (334) 265-3568

www.mc-ala.org

Agenda

DEC - 1 2014

November 24, 2014

MEMORANDUM

TO: Montgomery County Commission

FROM: Donald L. Mims *DLM*
County Administrator

SUBJECT: County Commission Meeting Schedule for 2015

The Montgomery County Commission, at its meeting on November 17, 2014, agreed to place on the next agenda the Commission Meeting Schedule for 2015.

I am requesting approval of this item.

DLM/tn

Attachment



2015 Montgomery County Commission Meeting Schedule

January	July
Monday, January 5 th	Monday, July 6 th
* Tuesday, January 20st	Monday, July 20 th
February	August
Monday, February 2 nd	Monday, August 3 rd
* Tuesday, February 17th	Monday, August 17 th
March	September
Monday, March 2 nd	* Tuesday, September 8th
Monday, March 16 th	Monday, September 21 st
April	October
Monday, April 6 th	Monday, October 5 th
Monday, April 20 th	Monday, October 19 th
May	November
Monday, May 4 th	Monday, November 2 nd
Monday, May 18 th	Monday, November 16 th
June	December
Monday, June 1 st	Monday, December 7 th
Monday, June 15 th	Monday, December 21 st

The Information Session begins at 8:00 a.m. at the Commissioner's Conference Room. The Formal Session begins at 9:30 a.m., in the Commissioners' Court. All sessions are held on the first floor of the Montgomery County Administration Building, Courthouse Annex III, located at 101 S. Lawrence Street.

* In keeping with the County Commission policy, adopted on November 14, 2012, commission meetings will take place on the first and third Mondays of each month. If a holiday falls on a meeting date, the meeting will be held the next day, on a Tuesday. There will be three (3) Tuesday meetings in 2015: **Tuesday, January 20th (for Martin Luther King, Jr. Day)** **Tuesday, February 17th (for President's Day)** and **Tuesday, September 8th (for Labor Day)**.

ELTON N. DEAN, SR.
CHAIRMAN
DANIEL HARRIS, JR.
VICE CHAIRMAN
REED INGRAM
DIMITRI POLIZOS
JILES WILLIAMS, JR.

MONTGOMERY COUNTY COMMISSION
ENGINEERING DEPARTMENT
* P.O. BOX 1667
MONTGOMERY, ALABAMA 36102-1667

GEORGE C. SPEAKE, PE, PLS
COUNTY ENGINEER
JAMES M. KELLEY, PE
ASSISTANT COUNTY ENGINEER
(334) 832-1310
FAX (334) 832-7190

Agenda

DEC - 1 2014

November 17, 2014

MEMORANDUM

TO: Donald L. Mims, County Administrator

FROM: George C. Speake, County Engineer

George C. Speake
11/17/2014

SUBJECT: Flood Damage Prevention Ordinance

Please place the attached FLOOD DAMAGE PREVENTION ORDINANCE on the agenda for the next regular meeting of the Montgomery County Commission for their adoption and approval. This revised flood ordinance will supersede the County's existing flood ordinance dated January 6, 2014.

The Federal Emergency Management Agency (FEMA) recently completed a restudy of flood hazard areas along the Alabama River in Montgomery County and will be publishing the January 7, 2015, revised Flood Insurance Rate Maps. FEMA has notified us that prior to January 7, 2015, Montgomery County must adopt this revised flood ordinance as a condition of continued eligibility in the National Flood Insurance Program (NFIP).

If approved please have the attached ordinance executed and return the original to our office.

GCS/gcs

Attachments

cc: File

FLOOD DAMAGE PREVENTION ORDINANCE
Non-Coastal/Riverine Communities

ARTICLE 1

Statutory Authorization, Findings of Fact, Purpose And Objectives

SECTION A **STATUTORY AUTHORIZATION**

The Legislature of the State of Alabama has in Title 11, Chapter 19, Sections 1-24, Chapter 45, Sections 1-11, Chapter 52, Sections 1-84, and Title 41, Chapter 9, Section 166 of the Code of Alabama, 1975, authorized local government units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the County Commission, of Montgomery County, Alabama, does ordain as follows:

SECTION B **FINDINGS OF FACT**

- (1) The flood hazard areas of Montgomery County, Alabama are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood relief and protection, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.
- (2) These flood losses are caused by the occupancy in flood hazard areas of uses vulnerable to floods, which are inadequately elevated, flood proofed, or otherwise unprotected from flood damages, and by the cumulative effect of obstructions in floodplains causing increases in flood heights and velocities.

SECTION C **STATEMENT OF PURPOSE**

It is the purpose of this ordinance to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- (1) require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- (2) restrict or prohibit uses which are dangerous to health, safety and property due to water or erosion hazards, or which increase flood heights, velocities, or erosion
- (3) control filling, grading, dredging and other development which may increase flood damage or erosion, and;
- (4) prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands;

- (5) control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of flood waters.

SECTION D **OBJECTIVES**

The objectives of this ordinance are:

- (1) to protect human life and health;
- (2) to minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;
- (3) to help maintain a stable tax base by providing for the sound use and development of flood prone areas in such a manner as to minimize flood blight areas,
- (4) to minimize expenditure of public money for costly flood control projects;
- (5) to minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- (6) to minimize prolonged business interruptions, and;
- (7) to insure that potential home buyers are notified that property is in a flood area.

ARTICLE 2

GENERAL PROVISIONS

SECTION A **LANDS TO WHICH THIS ORDINANCE APPLIES**

This ordinance shall apply to all Areas of Special Flood Hazard within the jurisdiction of Montgomery County, Alabama.

SECTION B **BASIS FOR AREA OF SPECIAL FLOOD HAZARD**

The Areas of Special Flood Hazard identified by the Federal Emergency Management Agency in its **Flood Insurance Study (FIS), dated January 7, 2015**, with accompanying maps and other supporting data **and any revision thereto**, are adopted by reference and declared a part of this ordinance. For those land areas acquired by a municipality through annexation, the current effective FIS and data for Montgomery County are hereby adopted by reference. Areas of Special Flood Hazard may also include those areas known to have flooded historically or defined through standard engineering analysis by governmental agencies or private parties but not yet incorporated in a FIS.

SECTION C: ESTABLISHMENT OF DEVELOPMENT PERMIT

A Development Permit shall be required in conformance with the provisions of this ordinance PRIOR to the commencement of any Development activities.

SECTION D. COMPLIANCE

No structure or land shall hereafter be located, extended, converted or altered without **full compliance** with the terms of this ordinance and other applicable regulations.

SECTION E. ABROGATION AND GREATER RESTRICTIONS

This ordinance is not intended to repeal, abrogate, or impair any existing ordinance, easements, covenants, or deed restrictions. However, where this ordinance and another conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

SECTION F. INTERPRETATION

In the interpretation and application of this ordinance all provisions shall be: (1) considered as minimum requirements; (2) liberally construed in favor of the governing body, and; (3) deemed neither to limit nor repeal any other powers granted under state statutes.

SECTION G. WARNING AND DISCLAIMER OF LIABILITY

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur; flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the Areas of Special Flood Hazard or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of Montgomery County or by any officer or employee thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made thereunder.

SECTION H. PENALTIES FOR VIOLATION

Violation of the provisions of this ordinance or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance or special exceptions shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than **\$500.00** or imprisoned for not more than **30** days, or both, and in addition, shall pay all costs and expenses involved in the case: Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent Montgomery County from taking such other lawful actions as is necessary to prevent or remedy any violation.

SECTION I. SAVINGS CLAUSE

If any section, subsection, sentence, clause, phrase, or word of this ordinance is for any reason held to be noncompliant with 44 Code of Federal Regulation 59-78, such decision shall not affect the validity of the remaining portions of this ordinance.

ARTICLE 3

ADMINISTRATION

SECTION A

DESIGNATION OF ORDINANCE ADMINISTRATOR

The Montgomery County Building Permit Department is hereby appointed to administer and implement the provisions of this ordinance.

SECTION B

PERMIT PROCEDURES

Application for a Development Permit shall be made to Montgomery County on forms furnished by the community **PRIOR** to any development activities, and may include, but not be limited to the following: Plans in duplicate drawn to scale showing the elevations of the area in question and the nature, location, dimensions, of existing or proposed structures, fill placement, storage of materials or equipment, and drainage facilities.

Specifically, the following information is required:

(1) **Application Stage -**

- (a) Elevation in relation to mean sea level (or highest adjacent grade) of the regulatory lowest floor level, including basement, of all proposed structures;
- (b) Elevation in relation to mean sea level to which any non-residential structure will be flood proofed;
- (c) Design certification from a registered professional engineer or architect that any proposed non-residential flood-proofed structure will meet the flood-proofing criteria of Article 4, Sections B(2) and E(2);
- (d) Description of the extent to which any watercourse will be altered or relocated as a result of a proposed development, and;

(2) **Construction Stage -**

For all new construction and substantial improvements, the permit holder shall provide to the Floodplain Administrator an as-built certification of the regulatory floor elevation or flood-proofing level **using appropriate FEMA elevation or flood-proofing certificate** immediately after the lowest floor or flood proofing is completed. When flood proofing is utilized for non-residential structures, said certification shall be prepared by or under the direct supervision of a professional engineer or architect and certified by same.

Any work undertaken prior to submission of these certifications shall be at the permit holder's risk. The Floodplain Administrator shall review the above referenced certification data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further progressive work being allowed to proceed. Failure to submit certification or

failure to make said corrections required hereby, shall be cause to issue a stop-work order for the project.

SECTION C **DUTIES AND RESPONSIBILITIES OF THE ADMINISTRATOR**

Duties of the Floodplain Administrator shall include, but shall not be limited to:

- (1) Review all development permits to assure that the permit requirements of this ordinance have been satisfied; and, assure that sites are reasonably safe from flooding.
- (2) Review proposed development to assure that all necessary permits have been received from governmental agencies from which approval is required by Federal or State law, including section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334. Require that copies of such permits be provided and maintained on file.
- (3) When Base Flood Elevation data or floodway data have not been provided in accordance with Article 2 Section B, then the Floodplain Administrator shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a Federal, State or other sources in order to administer the provisions of Article 4.
- (4) Verify and record the actual elevation in relation to mean sea level (or highest adjacent grade) of the regulatory floor level, including basement, of all new construction or substantially improved structures in accordance with Article 3 Section B(2) .
- (5) Verify and record the actual elevation, in relation to mean sea level to which any new or substantially improved structures have been flood-proofed, in accordance with Article 4, Sections B (2) and E (2).
- (6) When flood proofing is utilized for a structure, the Floodplain Administrator shall obtain certification of design criteria from a registered professional engineer or architect in accordance with Article 3(B)(1)(c) and Article 4(B)(2) or (E)(2).

- (7) Notify adjacent communities and the Alabama Department of Natural Resources prior to any alteration or relocation of a watercourse and submit evidence of such notification to the Federal Emergency Management Agency (FEMA), and the Alabama Department of Economic and Community Affairs/Office of Water Resources/NFIP State Coordinator's Office.
- (8) For any altered or relocated watercourse, submit engineering data/analysis within six (6) months to the FEMA and State to ensure accuracy of community flood maps through the Letter of Map Revision process. Assure flood carrying capacity of any altered or relocated watercourse is maintained.
- (9) Where interpretation is needed as to the exact location of boundaries of the Areas of Special Flood Hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the Floodplain Administrator shall make the necessary interpretation. Any person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this Ordinance.
- (10) All records pertaining to the provisions of this ordinance shall be maintained in the office of the Floodplain Administrator and shall be open for public inspection.

ARTICLE 4

PROVISIONS FOR FLOOD HAZARD REDUCTION

SECTION A GENERAL STANDARDS

In ALL Areas of Special Flood Hazard the following provisions are required:

- (1) New construction and substantial improvements of existing structures shall be anchored to prevent flotation, collapse and lateral movement of the structure;
- (2) New construction and substantial improvements of existing structures shall be constructed with materials and utility equipment resistant to flood damage;
- (3) New construction and substantial improvements of existing structures shall be constructed by methods and practices that minimize flood damage;
- (4) Elevated Buildings - All New construction and substantial improvements of existing structures that include **ANY fully enclosed area** located below the lowest floor formed by foundation and other exterior walls shall be designed so as to be an unfinished or flood resistant enclosure. The enclosure shall be designed to equalize hydrostatic flood forces on exterior walls by allowing for the automatic entry and exit of flood waters.

- (a) Designs for complying with this requirement must either be certified by a professional engineer or architect or meet the following minimum criteria:
 - (i) Provide a **minimum of two openings** having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
 - (ii) The bottom of all openings shall be no higher than one foot above grade; and,
 - (iii) Openings may be equipped with screens, louvers, valves and other coverings and devices provided they permit the automatic flow of floodwater in both directions.
- (b) So as not to violate the "Lowest Floor" criteria of this ordinance, the unfinished or flood resistant enclosure shall only be used for parking of vehicles, limited storage of maintenance equipment used in connection with the premises, or entry to the elevated area; and,
- (c) The interior portion of such enclosed area shall not be partitioned or finished into separate rooms.
- (5) All heating and air conditioning equipment and components, all electrical, ventilation, plumbing, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
- (6) Manufactured homes shall be anchored to prevent flotation, collapse, and lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable State requirements for resisting wind forces.
- (7) New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
- (8) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters;
- (9) On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding, and;
- (10) Any alteration, repair, reconstruction or improvement to a structure which is not compliant with the provisions of this ordinance, shall be undertaken only if the non- conformity is not furthered, extended or replaced.

SECTION B

SPECIFIC STANDARDS

In ALL Areas of Special Flood Hazard designated as A1-30, AE, AH, A (with estimated BFE), the following provisions are required:

- (1) New construction and substantial improvements - Where base flood elevation data are available, new construction and substantial improvement of any structure or manufactured home **shall have the lowest floor, including basement, elevated no lower than two feet above the base flood elevation.** Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate the unimpeded movements of flood waters shall be provided in accordance with standards of Article 4, Section A(4), "Elevated Buildings."
- (2) Non-Residential Construction - New construction and substantial improvement of any non-residential structure located in A1-30, AE, or AH zones, may be flood-proofed in lieu of elevation. **The structure, together with attendant utility and sanitary facilities, must be designed to be water tight to two (2) feet above the base flood elevation,** with walls substantially impermeable to the passage of water, and structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions above, and shall provide such certification to the official as set forth above and in Article 3, Section C (6).
- (3) Standards for Manufactured Homes and Recreational Vehicles - Where base flood elevation data are available:
 - (a) All manufactured homes placed and substantially improved on: (i) individual lots or parcels, (ii) in new or substantially improved manufactured home parks or subdivisions, (iii) in expansions to existing manufactured home parks or subdivisions, or (iv) on a site in an existing manufactured home park or subdivision where a manufactured home has incurred "substantial damage" as the result of a flood, must have the lowest floor including basement elevated no lower than two feet above the base flood elevation.
 - (b) Manufactured homes placed and substantially improved in an existing manufactured home park or subdivision may be elevated so that either:
 - (i) The lowest floor of the manufactured home is elevated no lower than two feet above the level of the base flood elevation, or

- (ii) Where no Base Flood Elevation exists, the manufactured home chassis and supporting equipment is supported by reinforced piers or other foundation elements of at least equivalent strength and is elevated to a maximum of 60 inches (five feet) above grade.
- (c) All Manufactured homes must be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement. (Refer: Article 4, Section A)
- (d) All recreational vehicles placed on sites must either:
 - (i) Be on the site for fewer than 180 consecutive days, fully licensed and ready for highway use if it is licensed, on it's wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached structures or additions; or
 - (ii) The recreational vehicle must meet all the requirements for "New Construction," including the anchoring and elevation requirements of Article 4 Section B (3)(a)(c), above.

(4) **STANDARDS FOR SUBDIVISIONS**

- (a) All subdivision proposals shall be consistent with the need to minimize flood damage;
- (b) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage;
- (c) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards, and;
- (d) Base flood elevation data shall be provided for subdivision proposals and all other proposed development, including manufactured home parks and subdivisions, greater than fifty (50) lots or five (5) acres, whichever is the lesser.

Section C

Floodways

- (1) **Floodway:** Located within Areas of Special Flood Hazard established in Article 2, Section B, are areas designated as floodway. A floodway may be an extremely hazardous area due to velocity floodwaters, debris or erosion potential. In addition, the area must remain free of encroachment in order to allow for the discharge of the base flood without increased flood heights. Therefore, the following provisions shall apply:
 - (a) The community shall select and adopt a regulatory floodway based on the principle that the area chosen for the regulatory floodway must be designed to carry the waters of the base flood, without increasing the water surface elevation of that flood more than one foot at any point;
 - (b) Encroachments are prohibited, including fill, new construction, substantial improvements or other development within the adopted regulatory floodway. Development may be permitted however, provided it is demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the encroachment **shall not result in any increase** in flood levels or floodway widths during a base flood discharge. A registered professional engineer must provide supporting technical data and certification thereof;
 - (c) A community may permit encroachments within the adopted regulatory floodway that would result in an increase in base flood elevations, provided that the community first applies for a conditional FIRM and floodway revision, fulfills the requirements for such revisions as established under the provisions of § 65.12, and receives the approval of the Administrator.
 - (d) Require, until a regulatory floodway is designated, that no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than **one foot** at any point within the community.
 - (e) **ONLY** if Article 4 (C)(1)(b), (c) or (d), above are satisfied, then any new construction or substantial improvement shall comply with all other applicable flood hazard reduction provisions of Article 4.

SECTION D

BUILDING STANDARDS FOR STREAMS WITHOUT ESTABLISHED BASE FLOOD ELEVATIONS (APPROXIMATE A- ZONES)

Located within the Areas of Special Flood Hazard established in Article 2, Section B, where streams exist but no base flood data have been provided (Approximate A-Zones), the following provisions apply:

- (1) When base flood elevation data or floodway data have not been provided in accordance with Article 2(B), then the Floodplain Administrator shall obtain, review, and reasonably utilize any scientific or historic Base Flood Elevation and floodway data available from a Federal, State, or other source, in order to administer the provisions of Article 4. ONLY if data are not available from these sources, then the following provisions (2&4) shall apply:
- (2) No encroachments, including structures or fill material, shall be located within an area equal to the width of the stream or twenty-five feet, whichever is greater, measured from the top of the stream bank, unless certification by a registered professional engineer is provided demonstrating that such encroachment shall not result in any increase in flood levels during the occurrence of the base flood discharge.
- (3) All development in Zone A must meet the requirements of Article 4, Section A and Section B (1) through (4).
- (4) In special flood hazard areas without base flood elevation data, new construction and substantial improvements of existing structures shall have the lowest floor of the lowest enclosed area (including basement) elevated no less than three (3) feet above the highest adjacent grade at the building site. Also, in the absence of a base flood elevation, a manufactured home must also meet the elevation requirements of Article 4, Section B, Paragraph (3)(b)(ii) in that the structure must be elevated to a maximum of 60 inches (5 feet). Openings sufficient to facilitate the unimpeded movements of flood waters shall be provided in accordance with standards of Article 4, Section A (4) "Elevated Buildings".

The Floodplain Administrator shall certify the lowest floor elevation level and the record shall become a permanent part of the permit file.

SECTION E STANDARDS FOR AREAS OF SHALLOW FLOODING (AO ZONES)

Areas of Special Flood Hazard established in Article 2, Section B, may include designated "AO" shallow flooding areas. These areas have base flood depths of one to three feet (1'-3') above ground, with no clearly defined channel. The following provisions apply:

- (1) All new construction and substantial improvements of residential and non-residential structures shall have the lowest floor, including basement, elevated to the flood depth number specified on the Flood Insurance Rate Map (FIRM) above the highest adjacent grade. **If no flood depth number is specified, the lowest floor, including basement, shall be elevated at least Five (5) feet above the highest adjacent grade.** Openings sufficient to facilitate the unimpeded movements of flood waters shall be provided in accordance with standards of Article 4, Section A(4), "Elevated Buildings".

The Floodplain Administrator shall certify the lowest floor elevation level and the record shall become a permanent part of the permit file.

- (2) New construction and the substantial improvement of a non-residential structure may be flood-proofed in lieu of elevation. **The structure, together with attendant utility and sanitary facilities, must be designed to be water tight to the specified FIRM flood level or five (5) feet (if no map elevation is listed), above highest adjacent grade,** with walls substantially impermeable to the passage of water, and structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions above, and shall provide such certification to the official as set forth above and as required in Articles 3(B)(1)(c) and (3)(B)(2).
- (3) Drainage paths shall be provided to guide floodwater around and away from any proposed structure.

ARTICLE 5

VARIANCE PROCEDURES

- (A) The Montgomery County Commission shall hear and decide requests for appeals or variance from the requirements of this ordinance.
- (B) The board shall hear and decide appeals when it is alleged an error in any requirement, decision, or determination is made by the Floodplain Administrator in the enforcement or administration of this ordinance.
- (C) Any person aggrieved by the decision of the Montgomery County Commission may appeal such decision to the Circuit Court, as provided in Section 11-52-81, Alabama Code 1975.
- (D) Variances may be issued for the repair or rehabilitation of Historic Structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as an Historic Structure and the variance is the minimum to preserve the historic character and design of the structure.
- (E) Variances may be issued for development necessary for the conduct of a functionally dependent use, provided the criteria of this Article are met, no reasonable alternative exists, and the development is protected by methods that minimize flood damage during the base flood and create no additional threats to public safety.
- (F) Variances shall not be issued within any designated floodway if ANY increase in flood levels during the base flood discharge would result.
- (G) In reviewing such requests, the Montgomery County Commission shall consider all technical evaluations, relevant factors, and all standards specified in this and other sections of this ordinance.
- (H) **Conditions for Variances:**
 - (1) **A variance shall be issued ONLY when there is:**
 - (i) a finding of good and sufficient cause,
 - (ii) a determination that failure to grant the variance would result in exceptional hardship; and,
 - (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

- (2) The provisions of this Ordinance are minimum standards for flood loss reduction, therefore any deviation from the standards must be weighed carefully. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief; and, in the instance of an Historic Structure, a determination that the variance is the minimum necessary so as not to destroy the historic character and design of the building.
- (3) **Any applicant to whom a variance is granted shall be given written notice specifying the difference between the base flood elevation and the elevation of the proposed lowest floor and stating that the cost of flood insurance will be commensurate with the increased risk to life and property resulting from the reduced lowest floor elevation.**
- (4) The Floodplain Administrator shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency and the Alabama Department of Economic and Community Affairs/Office of Water Resources upon request.
- (I) Upon consideration of the factors listed above and the purposes of this ordinance, the Montgomery County Commission may attach such conditions to the granting of variances as it deems necessary to further the purposes of this ordinance.

ARTICLE 6 **DEFINITIONS** (Note: * Indicates data must be inserted)

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

"Addition (to an existing building)" means any walled and roofed expansion to the perimeter of a building in which the addition is connected by a common load-bearing wall other than a fire wall. Any walled and roofed addition which is connected by a fire wall or is separated by an independent perimeter load-bearing wall shall be considered "New Construction".

***"Appeal"** means a request for a review of the Floodplain Administrator interpretation of any provision of this ordinance.

"Area of shallow flooding" means a designated AO or AH Zone on a community's Flood Insurance Rate Map (FIRM) with base flood depths from one to three feet, and/or where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident.

"Area of special flood hazard" is the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. In the absence of official designation by the Federal Emergency Management Agency, Areas of Special Flood Hazard shall be those designated by the local community and referenced in Article 2, Section B.

"Base flood" means the flood having a one percent chance of being equaled or exceeded in any given year.

"Basement" means that portion of a building having its floor sub grade (below ground level) on all sides.

"Building" means any structure built for support, shelter, or enclosure for any occupancy or storage.

"Development" means any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation, drilling operations, and storage of equipment or materials.

"Elevated building" means a non-basement building which has its lowest elevated floor raised above ground level by foundation walls, pilings, posts, columns, piers, or shear walls.

"Existing Construction" Any structure for which the "start of construction" commenced before September 25, 1978. [i.e., the effective date of the FIRST floodplain management code or ordinance adopted by the community as a basis for that community's participation in the National Flood Insurance Program (NFIP)].

"Existing manufactured home park or subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum the installation of utilities, the construction of streets, and final site grading or the pouring of concrete pads) is completed before September 25, 1978. [i.e., the effective date of the FIRST floodplain management regulations adopted by a community].

"Expansion to an existing manufactured home park or subdivision" means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed, including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads.

"Flood" or "flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- a. the overflow of inland or tidal waters; or
- b. the unusual and rapid accumulation or runoff of surface waters from any source.

"Flood Hazard Boundary Map (FHBM)" means an official map of a community, issued by the Federal Insurance Administration, where the boundaries of areas of special flood hazard have been designated as Zone A.

"Flood Insurance Rate Map (FIRM)" means an official map of a community, on which the Federal Emergency Management Agency has delineated the areas of special flood hazard and/or risk premium zones applicable to the community.

"Flood Insurance Study"/ "Flood Elevation Study" means an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide and/or flood-related erosion hazards.

"Floodplain" means any land area susceptible to being inundated by water from any source.

"Floodway" (Regulatory Floodway) means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

"Functionally dependent facility" means a facility which cannot be used for its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facility that are necessary for the loading and unloading of cargo or passengers, and shipbuilding, and ship repair facilities. The term does not include long-term storage or related manufacturing facilities.

"Highest adjacent grade" means the highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a structure.

"Historic Structure" means any structure that is;

- a. Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register:
- b. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district:
- c. Individually listed on a state inventory of historic places and determined as eligible by states with historic preservation programs which have been approved by the Secretary of the Interior; or
- d. Individually listed on a local inventory of historic places and determined as eligible by communities with historic preservation programs that have been certified either:
 1. By an approved state program as determined by the Secretary of the Interior, or
 2. Directly by the Secretary of the Interior in states without approved programs.

Levee means a man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.

Levee System means a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

Lowest floor means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, used solely for parking of vehicles, building access, or storage, in an area other than a basement, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of other provisions of this code.

"Manufactured home" means a building, transportable in one or more section, built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term also includes park trailers, travel trailers, and similar transportable structures placed on a site for 180 consecutive days or longer and intended to be improved property.

Manufactured Home Park or Subdivision means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

"Mean Sea Level" means the average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the floodplain. For purposes of this ordinance, the term is synonymous with National Geodetic Vertical Datum (NGVD) of 1929 or other datum.

"National Geodetic Vertical Datum (NGVD)" as corrected in 1929 is a vertical control used as a reference for establishing varying elevations within the floodplain.

***"New construction" means** ANY structure (see definition) for which the "start of construction" commenced after September 25, 1978 and includes any subsequent improvements to the structure. [* i.e., the effective date of the FIRST floodplain management ordinance adopted by the community as a basis for community participation in the (NFIP)] and includes any subsequent improvements to such structures.

***"New manufactured home park or subdivision"** means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after September 25, 1978. [i.e., the effective date of the first floodplain management regulations adopted by a community].

"Repetitive Loss" means flood-related damages sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25 percent of the market value of the structure before the damages occurred.

"Recreational vehicle" means a vehicle which is:

- a. Built on a single chassis;
- b. 400 square feet or less when measured at the largest horizontal projection;
- c. Designed to be self-propelled or permanently towable by a light duty truck; and
- d. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

"Remedy a violation" means to bring the structure or other development into compliance with State or local flood plain management regulations, or, if this is not possible, to reduce the impacts of its noncompliance. Ways that impacts may be reduced include protecting the structure or other affected development from flood damages, implementing the enforcement provisions of the ordinance or otherwise deterring future similar violations, or reducing Federal financial exposure with regard to the structure or other development.

Section 1316: No new flood insurance shall be provided for any property which the Administrator finds has been declared by a duly constituted State or local zoning authority or other authorized public body, to be in violation of State or local laws, regulations or ordinances which are intended to discourage or otherwise restrict land development or occupancy in flood-prone areas.

"Start of construction" means the date the development permit was issued, provided the actual start of construction, repair, reconstruction, or improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of the structure such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation, and includes the placement of a manufactured home on a foundation. (Permanent construction does not include initial land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of buildings appurtenant to the permitted structure, such as garages or sheds not occupied as dwelling units or part of the main structure. (NOTE: accessory structures are NOT exempt from any ordinance requirements) For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

"Structure" means a walled and roofed building that is principally above ground, a manufactured home, a gas or liquid storage tank.

"Substantial damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. [Substantial damage also means flood related damages sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25 percent of the market value of the structure before the damages occurred. (Optional)]

"Substantial improvement" means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "repetitive loss" or "substantial damage", regardless of the actual repair work performed. The market value of the building should be (1) the appraised value of the structure prior to the start of the initial repair or improvement, or (2) in the case of damage, the value of the structure prior to the damage occurring. This term includes structures which have incurred "substantial damage", regardless of the actual amount of repair work performed.

For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the building. The term does not, however, include either: (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions or; (2) Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".

"Substantially improved existing manufactured home parks or subdivisions" is where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds 50 percent of the value of the streets, utilities and pads before the repair, reconstruction or improvement commenced.

"Variance" is a grant of relief from the requirements of this ordinance which permits construction in a manner otherwise prohibited by this ordinance.

"Violation" means the failure of a structure or other development to be fully compliant with the community's flood plain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in the Code of Federal Regulations (CFR) §44, Sec. 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) and corresponding parts of this ordinance is presumed to be in violation until such time as that documentation is provided.

ARTICLE 7: SEVERABILITY

If any section, clause, sentence, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of this Ordinance.

Ordinance adopted on December 1, 2014.

BY: _____
Elton N. Dean, Sr., Chairman
Montgomery County Commission

Daniel Harris, Jr., Vice Chairman

Jiles Williams, Jr.

Rhonda M. Walker

Andrew D. Hall

Certified by: _____
Donald L. Mims, County Administrator

SEAL

Date: _____

Tammy Nix

From: George Speake
Sent: Monday, July 14, 2014 7:39 AM
To: Donald Mims
Cc: Tammy Nix; Lonnie McGough; James Kelley; Don Cook
Subject: FEMA Letter Dated 7/7/2014
Attachments: FEMA Letter 7-7-2014.pdf

Donnie:

Wanted to let you know we have received the attached letter from FEMA (I only scanned first page of letter). This resulted from a flood study that was done on the Alabama River that will change flood elevations at some locations in the north Montgomery County area. These changes will require that the County adopt a revised Flood Damage Prevention Ordinance because the new flood maps will become effective January 7, 2015. The Engineering Department will handle preparation of revised ordinance and submit as a County Commission agenda item sometime around December 1, 2014.

George C. Speake, P.E., P.L.S.
Montgomery County Engineer
P.O. Box 1667
Montgomery, AL 36102-1667
Phone: (334) 832-2551
Fax: (334) 832-7190
Email: georgespeake@mc-ala.org



Federal Emergency Management Agency

Washington, D.C. 20472

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

IN REPLY REFER TO:
115-I

July 7, 2014

Mr. Elton Dean
Chairman, Montgomery County Commission
P.O. Box 1667
Montgomery, AL 36102-1667

Community: Montgomery County, Alabama
Community No.: 010278
Map Panels Affected: See FIRM Index

Dear Chairman Dean:

On January 3, 2014, you were notified of proposed modified flood hazard determinations affecting the Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS) report for the Unincorporated Areas of Montgomery County, Alabama. The statutory 90-day appeal period that was initiated on January 19, 2014, when the Department of Homeland Security's Federal Emergency Management Agency (FEMA) published a notice of proposed flood hazard determinations for your community in *The Montgomery Advertiser*, has elapsed.

FEMA received no valid requests for changes in the flood hazard determinations. Therefore, the determination of the Agency as to the flood hazards for your community is considered final. The final flood hazard determinations will be published in the *Federal Register* as soon as possible. The modified flood hazard determinations and revised map panels, as referenced above, will be effective as of January 7, 2015, and revise the FIRM that were in effect prior to that date. For insurance rating purposes, the community number and new suffix code for the/panels being revised are indicated above and on the maps and must be used for all new policies and renewals.

The modifications are pursuant to Section 206 of the Flood Disaster Protection Act of 1973 (Public Law 93-234) and are in accordance with the National Flood Insurance Act of 1968, as amended (Title XIII of the Housing and Urban Development Act of 1968, Public Law 90-448), 42 U.S.C. 4001-4128, and 44 CFR Part 65. Because of the modifications to the FIRM and FIS report for your community made by this map revision, certain additional requirements must be met under Section 1361 of the 1968 Act, as amended, within 6 months from the date of this letter. Prior to January 7, 2015, your community is required, as a condition of continued eligibility in the National Flood Insurance Program (NFIP), to adopt or show evidence of adoption of floodplain management regulations that meet the standards of Paragraph 60.3(d) of the NFIP regulations. These standards are the minimum requirements and do not supersede any State or local requirements of a more stringent nature.

It must be emphasized that all the standards specified in Paragraph 60.3(d) of the NFIP regulations must be enacted in a legally enforceable document. This includes the adoption of the effective FIRM and FIS report to which the regulations apply and the modifications made by this map revision. Some of the standards should already have been enacted by your community. Any additional requirements can be met by taking one of the following actions:

1. Amending existing regulations to incorporate any additional requirements of Paragraph 60.3(d);
2. Adopting all the standards of Paragraph 60.3(d) into one new, comprehensive set of regulations; or
3. Showing evidence that regulations have previously been adopted that meet or exceed the minimum requirements of Paragraph 60.3(d).

Communities that fail to enact the necessary floodplain management regulations will be suspended from participation in the NFIP and subject to the prohibitions contained in Section 202(a) of the 1973 Act as amended.

A Consultation Coordination Officer (CCO) has been designated to assist your community with any difficulties you may be encountering in enacting the floodplain management regulations. The CCO will be the primary liaison between your community and FEMA. For information about your CCO, please contact:

Ms. Jacky Bell
Acting Director, Federal Insurance and Mitigation Division
Federal Emergency Management Agency, Region IV
3003 Chamblee Tucker Road
Atlanta, GA 30341
(770) 220-5200

To assist your community in maintaining the FIRM, we have enclosed a Summary of Map Actions to document previous Letter of Map Change (LOMC) actions (i.e., Letters of Map Amendment (LOMAs), Letters of Map Revision (LOMRs)) that will be superseded when the revised FIRM panels referenced above become effective. Information on LOMCs is presented in the following four categories: (1) LOMCs for which results have been included on the revised FIRM panels; (2) LOMCs for which results could not be shown on the revised FIRM panels because of scale limitations or because the LOMC issued had determined that the lots or structures involved were outside the Special Flood Hazard Area as shown on the FIRM; (3) LOMCs for which results have not been included on the revised FIRM panels because the flood hazard information on which the original determinations were based is being superseded by new flood hazard information; and (4) LOMCs issued for multiple lots or structures where the determination for one or more of the lots or structures cannot be revalidated through an administrative process like the LOMCs in Category 2 above. LOMCs in Category 2 will be revalidated through a single letter that reaffirms the validity of a previously issued LOMC; the letter will be sent to your community shortly before the effective date of the revised FIRM and will become effective 1 day after the revised FIRM becomes effective. For the LOMCs listed in Category 4, we will review the data previously submitted for the LOMA or LOMR request and issue a new determination for the affected properties after the revised FIRM becomes effective.

The FIRM and FIS report for your community have been prepared in our countywide format, which means that flood hazard information for all jurisdictions within Montgomery County has been combined into one FIRM and FIS report. When the FIRM and FIS report are printed and distributed, your community will receive only those panels that present flood hazard information for your community. We will provide complete sets of the FIRM panels to county officials, where they will be available for review by your community.

The FIRM panels have been computer-generated. Once the FIRM and FIS report are printed and distributed, the digital files containing the flood hazard data for the entire county can be provided to your community for use in a computer mapping system. These files can be used in conjunction with other thematic data for floodplain management purposes, insurance purchase and rating requirements, and many other planning applications. Copies of the digital files or paper copies of the FIRM panels may be obtained by calling our FEMA Map Information eXchange (FMIX), toll free, at 1-877-FEMA MAP (1-877-336-2627). In addition, your community may be eligible for additional credits under our Community Rating System if you implement your activities using digital mapping files.

If you have any questions regarding the necessary floodplain management measures for your community or the NFIP in general, we urge you to call the Director, Federal Insurance and Mitigation Division of FEMA in Atlanta, Georgia, at (770) 220-5200 for assistance. If you have any questions concerning mapping issues in general or the enclosed Summary of Map Actions, please call our FMIX at the toll free number shown above. Additional information and resources your community may find helpful regarding the NFIP and floodplain management, such as *The National Flood Insurance Program Code of Federal Regulations*, *Answers to Questions About the National Flood Insurance Program*, *Use of Flood Insurance Study (FIS) Data as Available Data*, *Frequently Asked Questions Regarding the Effect that Revised Flood Hazards have on Existing Structures*, and *National Flood Insurance Program Elevation Certificate and Instructions*, can be found on our website at <http://www.floodmaps.fema.gov/lfd>. Paper copies of these documents may also be obtained by calling our FMIX.

Sincerely,



Luis Rodriguez, P.E., Chief
Engineering Management Branch
Federal Insurance and Mitigation Administration

Enclosure:
Final Summary of Map Actions

cc: Community Map Repository

Mr. Lonnie McGough, Building Inspector/Floodplain Administrator

FINAL SUMMARY OF MAP ACTIONS

Community: MONTGOMERY COUNTY

Community No: 010278

To assist your community in maintaining the Flood Insurance Rate Map (FIRM), we have summarized below the previously issued Letter of Map Change (LOMC) actions (i.e., Letters of Map Revision (LOMRs) and Letters of Map Amendment (LOMAs)) that will be affected when the revised FIRM becomes effective on January 7, 2015.

1. LOMCs Incorporated

The modifications effected by the LOMCs listed below will be reflected on the revised FIRM. In addition, these LOMCs will remain in effect until the revised FIRM becomes effective.

LOMC	Case No.	Date Issued	Project Identifier	Old Panel	New Panel
			NO CASES RECORDED		

2. LOMCs Not Incorporated

The modifications effected by the LOMCs listed below will not be reflected on the revised FIRM panels because of scale limitations or because the LOMC issued had determined that the lot(s) or structure(s) involved were outside the Special Flood Hazard Area, as shown on the FIRM. These LOMCs will remain in effect until the revised FIRM becomes effective. These LOMCs will be revalidated free of charge 1 day after the revised FIRM becomes effective through a single revalidation letter that reaffirms the validity of the previous LOMCs.

LOMC	Case No.	Date Issued	Project Identifier	Old Panel	New Panel
LOMR-F	952-090	06/27/1995	LOT 11, BLK B, BARACHIAS PLACE, PLAT 1	01101C0135F	01101C0241J
LOMA	98-04-2266A	08/12/1998	STEGALL PLAT 2 - LOT 11-B - 550 HOLLOW WOOD ROAD	01101C0070F	01101C0114J
LOMR-F	99-04-2060A	05/19/1999	EASTERN OAKS PLAT NO. 3, BLOCKS D, E, F, & H	01101C0060F	01101C0118J
LOMA	00-04-2524A	06/08/2000	15044 TROY HIGHWAY	01101C0225F	01101C0388J
LOMR-F	00-04-4242A	08/31/2000	EASTERN OAKS PLAT NO. 4 - VARIOUS LOTS	01101C0060F	01101C0116J 01101C0118J
LOMA	01-04-2596A	04/06/2001	GLYNLAKES PLAT NO. 6, LOT 31 - 251 GLYNLAKES DRIVE	01101C0135F	01101C0244J
LOMR-F	02-04-3430A	04/19/2002	LOTS 24, 25, AND 34-70, BRIDLE BROOK FARMS PLAT 7	01101C0155F	01101C0252J
LOMR-F	02-04-7160A	10/16/2002	LOT 21, GLYNLAKES PLAT NO. 7 - 201 GLYNLAKES DRIVE	01101C0135F	01101C0244J

FINAL SUMMARY OF MAP ACTIONS

Community: MONTGOMERY COUNTY

Community No: 010278

LOMC	Case No.	Date Issued	Project Identifier	Old Panel	New Panel
LOMR-F	03-04-3846A	03/28/2003	4829 BROOKS ROAD	01101C0060F	01101C0103J
LOMA	03-04-11044A	11/24/2003	18858 (TROY HIGHWAY) U.S. HIGHWAY 231 SOUTH	01101C0425G	01101C0505J
LOMR-F	04-04-4412A	05/06/2004	11653 WARES FERRY ROAD	01101C0090G	01101C0381J
LOMR-F	07-04-0257A	12/21/2006	BRIDLE BROOK FARMS PLAT NO. 9, LOTS 1-10 & 32	01101C0180G	01101C0252J
LOMR-F	08-04-5018A	08/19/2008	D. DOZIER NO. 1, LOT 1 - RIVERSIDE ROAD	01101C0070G	01101C0116J
LOMR-F	08-04-6359A	10/09/2008	DOZIER MINI WAREHOUSES NO. 1-A, LOT A-A, BUILDINGS 1 & 2 - 8941-8977 & 9001-9037 WARES FERRY ROAD	01101C0070G	01101C0117J
LOMR-F	08-04-6360A	10/21/2008	JIMMY DOZIER, PLAT NO. 2A, LOT 1A, BUILDINGS 1-6 - COOK STATION ROAD & WARES FERRY ROAD	01101C0070G	01101C0117J
LOMR-F	09-04-0323A	11/25/2008	101 MERIWETHER ROAD - LOT A, WIREGRASS PLAT NO. 1 & PORTION OF SECTION 18, T15N, R19E	01101C0170G	01101C0243J
LOMR-F	09-04-0500A	12/08/2008	BRIDLE BROOK FARMS PLAT 7, LOT 44 - 139 GILDER COURT	01101C0180G	01101C0252J
LOMR-F	11-04-8302A	11/29/2011	LAKEVIEW PLACE PLAT NO. 1, LOT B - 3550 WETUMPKA HIGHWAY	01101C0055G	01101C0104J
LOMR-F	12-04-1117A	01/10/2012	CYPRESS VILLAGE PLANT NO. 1, LOT 2 - 3472 WETUMPKA HIGHWAY	01101C0055G	01101C0104J
LOMR-F	12-04-4839A	07/10/2012	DOZIER MINI WAREHOUSES PLAT NO. 1-A, LOT A-A - 9055 & 9057 WARES FERRY ROAD	01101C0070G	01101C0117J
LOMA	14-04-5521A	04/24/2014	SECTION 21, T16N, R16E - 6555 PUMPKIN ROAD	01101C0177H	01101C0177J
LOMA	14-04-4737A	05/13/2014	SECTION 7, T16N, R20E - 1583 SPROTT ROAD	01101C0139H	01101C0139J

3. LOMCs Superseded

The modifications effected by the LOMCs listed below have not been reflected on the Final revised FIRM panels because they are being superseded by new detailed flood hazard information or the information available was not sufficient to make a determination. The reason each is being superseded is noted below. These LOMCs will no longer be in effect when the revised FIRM becomes effective.

LOMC	Case No.	Date Issued	Project Identifier	Reason Determination Will be Superseded
------	----------	-------------	--------------------	---

FINAL SUMMARY OF MAP ACTIONS

Community: MONTGOMERY COUNTY

Community No: 010278

LOMC	Case No.	Date Issued	Project Identifier	Reason Determination Will be Superseded
			NO CASES RECORDED	

1. Insufficient information available to make a determination.
2. Lowest Adjacent Grade and Lowest Finished Floor are below the proposed Base Flood Elevation.
3. Lowest Ground Elevation is below the proposed Base Flood Elevation.
4. Revised hydrologic and hydraulic analyses.
5. Revised topographic information.

4. LOMCs To Be Redetermined

The LOMCs in Category 2 above will be revalidated through a single revalidation letter that reaffirms the validity of the determination in the previously issued LOMC. For LOMCs issued for multiple lots or structures where the determination for one or more of the lots or structures has changed, the LOMC cannot be revalidated through this administrative process. Therefore, we will review the data previously submitted for the LOMC requests listed below and issue a new determination for the affected properties after the effective date of the revised FIRM.

LOMC	Case No.	Date Issued	Project Identifier	Old Panel	New Panel
			NO CASES RECORDED		

Tammy Nix

From: Donald Mims
Sent: Monday, August 11, 2014 8:54 AM
To: George Speake
Cc: James Kelley; Lonnie McGough
Subject: Letter from FEMA re Flood Management
Attachments: Letter from FEMA re Flood Management.pdf

George,

Attached is a letter from the Federal Emergency Management Agency (FEMA) regarding flood management.

Please review and advise as to when the County Commission will need to take any action, if required.

Thank you for your assistance.

Donnie

ELTON N. DEAN, SR.
CHAIRMAN

DANIEL HARRIS, JR.
VICE CHAIRMAN

ANDREW D. HALL
RONDA M. WALKER
JILES WILLIAMS, JR.

A COUNTY OLDER THAN THE STATE

MONTGOMERY COUNTY COMMISSION

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

ESTABLISHED 1816

DONALD L. MIMS, CPA, MPA
ADMINISTRATOR

FLORENCE M. CAUTHEN
DEPUTY ADMINISTRATOR

(334) 832-1210

FAX (334) 832-2533

TDD (334) 265-3568

www.mc-ala.org

Agenda

DEC - 1 2014

November 25, 2014

MEMORANDUM

TO: Donald Mims
County Administrator

FROM: Scott Kramer
Director of Risk Management *SK*

SUBJECT: Public Risk Management Association (PRIMA) Membership Dues

I would like to request approval for payment of PRIMA membership dues. The cost of membership dues for government members is \$385 for the period of January 1, 2015 – December 31, 2015.

This organization has contributed to the success of our Risk Management program in the past, as I have used many of their resources including, but not limited, to sample policies, as well as national trends and regulations affecting our industry. As you are aware, I serve on the national Board of Directors for this association.

Membership Dues Notice



Date: November 3, 2014

Bill to:

Scott Kramer, MBA, ARM
Risk Manager
Montgomery County Commission, AL
PO Box 1667
Montgomery, AL 36102-1667

Public Risk Management Association
700 So. Washington Street, Suite 218
Alexandria, VA 22314
Telephone: 703-528-7701
Fax: 703-739-0200

Your membership will expire soon

Thank you for your payment and support!

Invoice#: Due60-Org153
Membership #: 10009399
Expires on: 12/31/2014
Member Type: Government Member
Terms: payable upon receipt

Details				
Item #	Qty.	Description	Dues Amount	Total
	1	Government Member	\$385	\$385
		<i>Just a reminder to keep us in mind and consider a PRIMA membership once again! PRIMA is "your association" and it continues to support its members and adds relevant benefits to you as a valued member!</i>		\$385
Don't miss your PRIMA benefits! You can renew online by going to http://www.primacentral.org. Renew now!				
If paying by check, please make it payable to PRIMA and mail to 700 So. Washington Street Suite 218 Alexandria, VA 22314 or if by credit card:				
Payment: Master Card Visa American Express				
Card Number _____ Expiration Date _____ CVV # _____				
Authorized Signature _____ Email _____ (required for receipt)				
Billing address _____				
City _____ State _____ Zip _____				
If you have any questions, contact Membership at bdones@primacentral.org				
<u>IMPORTANT:</u> Please <u>disregard</u> if you have already renewed your membership.				

ELTON N. DEAN, SR.
CHAIRMAN

DANIEL HARRIS, JR.
VICE CHAIRMAN

ANDREW D. HALL
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www.mc-ala.org

Agenda

DEC - 1 2014

December 1, 2014

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) and to sign the contracts:

- C-2015-33: Montgomery County Recreation Department, Cleveland Avenue YMCA, for Montgomery Fire AAU Basketball Program - \$1,000; (Harris)
- C-2015-34: All Collaborating to Serve Community Development Corporation (ACTS CDC), for Community Development - \$1,000; (Harris)
- C-2015-35: Optimist International, for Central Montgomery Optimist Club, for Community Services Programs - \$500; (Harris)
- C-2015-36: Baptist Health Care Foundation of Montgomery, for Baptist Hospice Program - \$500; (Hall)

DLM/tll

MEMORANDUM

To: Donald L. Mims, Administrator

From: Tammy Turner, Buyer II TT

Date: November 5, 2014

Subject: Invitation to Bid No. 53100-15B-004
Electric Scissor Lift – Engineering Department

Request approval of the above referenced Invitation to Bid to the low bid received, United Rentals in the amount of \$14,465.00 be placed on future agenda for a County Commission meeting. (copy of spread sheet attached)

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

Attachment

Purchasing Department

[illegible]

28 BIDS MAILED

8-2

MEMORANDUM

To: Donald L. Mims, Administrator

From: Tammy Turner, Buyer II TT

Date: November 5, 2014

Subject: Invitation to Bid No. 53100-15B-005
Brush Chipper – Engineering Department

Request approval of the above referenced Invitation to Bid to the low bid received, JCB of Alabama in the amount of \$27,389.37 be placed on future agenda for a County Commission meeting. (copy of spread sheet attached)

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

Attachment

Purchasing Department Montgomery County Commission

ABSTRACT FOR BIDS:				BID # 1		BID # 2		BID # 3		BID # 4		BID # 5	
INVITATION TO BID NO: 53100-15B-005				JCB OF ALABAMA 791 ANDERSON RD MONTGOMERY, AL (334)262-8104		VERMEER SOUTHEAST 2950 PINSON VALLEY PARKWAY BIRMINGHAM, AL (205)841-9895		WARRIOR TRACTOR & EQUIPMENT P.O. BOX 210278 MONTGOMERY, AL (334)277-7260					
DATE ISSUED: OCTOBER 20, 2014													
DATE OPENED: OCTOBER 31, 2014													
ENGINEERING DEPARTMENT													
TERMS OF PAYMENT / DISCOUNT:													
DELIVERY DATE:													
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	BRUSH CHIPPER	EA	1	\$27,389.37	\$27,389.37	\$34,034.92	\$34,034.92	\$34,765.60	\$34,765.60				
	MODEL 150XP												
	12" DISC STYLE												

Notes:

28 BIDS MAILED

9-2

ELTON N. DEAN, SR.
CHAIRMAN

DANIEL HARRIS, JR.
VICE CHAIRMAN

ANDREW D. HALL
RONDA M. WALKER
JILES WILLIAMS, JR.

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TDD (334) 265-3568

www.mc-ala.org

Agenda

DEC - 1 2014

November 24, 2014

MEMORANDUM

TO: Montgomery County Commission

FROM: Donald L. Mims *DLM*
County Administrator

SUBJECT: Position Fill Request for Detention Facility

The Montgomery County Commission, at its meeting on November 17, 2014, agreed to place a on the next agenda a Position Fill Request for Corrections Officer Trainee/Corrections Officer, Position Number 179 from the Detention Facility.

I am requesting approval of this item.

DLM/tn

Attachment

ORIGINAL

POSITION FILL REQUEST

COMPLETED ACTION DATES

DEPARTMENT: M. C. Sheriff's Office - Detention Facility

DEPARTMENT HEAD: D. T. Marshall, Sheriff

SUPERVISOR: W. Robinson, Colonel

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

1. Position Title Correction Officer/Corrections Officer Trainee

Position Number 179

Proposed Effective Date November 10, 2014

Type of Appointment ☒ Permanent ☐ Temporary

Recruiting

- ☐ Promotional Register ☐ Transfer
☒ Open Competitive Register ☐ Reemployment

Pay Grade Correction Officer Trainee -\$29,244 Grade PCT
Correction Officer -\$30,456-43,356 Grade PC1

D T Marshall
Department Head

Date October 30, 2014

2. Administrative Review

- ☐ Approved
☐ Disapproved

Funding Authority

3. Certification

Promotional _____ Candidates
Open-Competitive _____ Candidates
Transfer _____ Candidates

Personnel Director Date _____

4. Selectee: _____

Appointing Authority Date _____

5. ☐ Manpower data entered by _____ Date _____
☐ Payroll entered by _____ Date _____

Montgomery County Commission
Travel / Training Request Approval

Appendix C

Agenda

DEC - 1 2014

Request # 5

Date: November 24, 2014
To: Donald L. Mims, Administrator
From: Donald L. Mims, Administrator
Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Prattville, AL (Marriott Prattville Hotel & Conf Ctr at Capitol Hill)

Departure Date: January 22, 2015 Return Date: January 23, 2015

Conference Leave (Days / Hours): 2 Days

Purpose of Travel: Attend Course 2: Ethical and Legal Issues for New Commissioners

Traveler (s) Name: 1. Andrew Hall 4. _____
2. _____ 5. _____
3. _____ 6. _____

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

Total (est.) Cost: \$190.00 Advance Registration Required: \$190.00

Department Name: County Commission Fund Name: General

Additional Comments: Registration -\$190.00

To: Donald L. Mims, Administrator

From: Donald L. Mims, Administrator

The above request is app. 12/01/14 reimbursement of actual and necessary expenses in the
approximate amount of \$190.00 and advance registration of \$190.00 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>\$22,500.00</u>	
Approved Requests:	<u>\$3,900.96</u>	
Budget Available:	<u>\$18,599.04</u>	
Current Requests:	<u>\$190.00</u>	
Budget Balance:	<u>\$18,409.04</u>	

Donald L. Mims, Administrator

Reviewed by: S. Thomas

Date: 11/24/2014

cc: Finance Director / Buyer

Montgomery County Commission
Travel / Training Request Approval

Appendix C

Agenda

DEC - 1 2014

Request # 6

Date: November 24, 2014
To: Donald L. Mims, Administrator
From: Donald L. Mims, Administrator
Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Prattville, AL (Marriott Prattville Hotel & Conf Ctr at Capitol Hill)

Departure Date: January 21, 2015 Return Date: January 22, 2015

Conference Leave (Days / Hours): 2 Days

Purpose of Travel: Attend Elective: Open Meeting and Media Relations for New Commissioners

Traveler (s) Name: 1. Ronda Walker 4. _____
2. _____ 5. _____
3. _____ 6. _____

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

Total (est.) Cost: \$190.00 Advance Registration Required: \$190.00

Department Name: County Commission Fund Name: General

Additional Comments: Registration -\$190.00

To: Donald L. Mims, Administrator

From: Donald L. Mims, Administrator

The above request is app. 12/01/14 reimbursement of actual and necessary expenses in the
approximate amount of \$190.00 and advance registration of \$190.00 is authorized.

<i>To be completed by the Finance Department</i>		
Fund Code:	<u>001-51100.265</u>	(ex: 000-00000-000)
Description:	<u>Registration & Training</u>	
Current Budget:	<u>\$22,500.00</u>	
Approved Requests:	<u>\$3,900.96</u>	
Budget Available:	<u>\$18,599.04</u>	
Current Requests:	<u>\$380.00</u>	
Budget Balance:	<u>\$18,219.04</u>	

Donald L. Mims, Administrator

Reviewed by: S. Thomas

Date: 11/24/2014

cc: Finance Director / Buyer

Montgomery County Commission
Travel / Training Request Approval

Appendix C

Agenda

DEC - 1 2014

Request # 7

Date: November 24, 2014
To: Donald L. Mims, Administrator
From: Donald L. Mims, Administrator
Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Prattville, AL (Marriott Prattville Hotel & Conf Ctr at Capitol Hill)
Departure Date: March 18, 2015 Return Date: March 19, 2015
Conference Leave (Days / Hours): 2 Days
Purpose of Travel: Attend Course 3: Financial Administration for new Commissioners

Traveler (s) Name: 1. Ronda Walker 4. _____
2. Andrew Hall 5. _____
3. _____ 6. _____

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

Total (est.) Cost: \$380.00 Advance Registration Required: \$190.00

Department Name: County Commission Fund Name: General

Additional Comments: Registration -\$190.00 each

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

The above request is app. 12/01/14 reimbursement of actual and necessary expenses in the
approximate amount of \$380.00 and advance registration of \$190.00 is authorized.

<i>To be completed by the Finance Department</i>	
Fund Code:	<u>001-51100.265</u> (ex: 000-00000-000)
Description:	<u>Registration & Training</u>
Current Budget:	<u>\$22,500.00</u>
Approved Requests:	<u>\$3,900.96</u>
Budget Available:	<u>\$18,599.04</u>
Current Requests:	<u>\$760.00</u>
Budget Balance:	<u>\$17,839.04</u>

Donald L. Mims, Administrator

Reviewed by: S. Thomas
Date: 11/24/2014
cc: Finance Director / Buyer

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Montgomery County Commission
Travel / Training Request Approval

Appendix C

Agenda

DEC - 1 2014

Request # 8

Date: November 24, 2014
To: Donald L. Mims, Administrator
From: Donald L. Mims, Administrator
Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Prattville, AL (Marriott Prattville Hotel & Conf Ctr at Capitol Hill)
Departure Date: March 19, 2015 Return Date: March 20, 2015
Conference Leave (Days / Hours): 2 Days
Purpose of Travel: Attend Course 4: Roads and Bridges for New Commissioners

Traveler (s) Name: 1. Ronda Walker 4. _____
2. Andrew Hall 5. _____
3. _____ 6. _____

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

Total (est.) Cost: \$380.00 Advance Registration Required: \$190.00

Department Name: County Commission Fund Name: General

Additional Comments: Registration -\$190.00 each

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

The above request is app. 12/01/14 reimbursement of actual and necessary expenses in the
approximate amount of \$380.00 and advance registration of \$190.00 is authorized.

<i>To be completed by the Finance Department</i>	
Fund Code:	<u>001-51100.265</u> (ex: 000-00000-000)
Description:	<u>Registration & Training</u>
Current Budget:	<u>\$22,500.00</u>
Approved Requests:	<u>\$3,900.96</u>
Budget Available:	<u>\$18,599.04</u>
Current Requests:	<u>\$1,140.00</u>
Budget Balance:	<u>\$17,459.04</u>

Donald L. Mims, Administrator

Reviewed by: S. Thomas
Date: 11/24/2014
cc: Finance Director / Buyer

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Montgomery County Commission
Travel / Training Request Approval

Appendix C

Request # 1

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Agenda

DEC - 1 2014

Date: November 24, 2014
To: Donald L. Mims, Administrator
From: James Williams
Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Florence, AL
Departure Date: January 25, 2015 Return Date: January 28, 2015
Conference Leave (Days / Hours): 4 Days
Purpose of Travel: Alabama Recreation & Parks Association State Conference

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

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

Total (est.) Cost: \$887.97 Advance Registration Required: \$225.00

Department Name: Parks and Recreation Fund Name: Parks & Recreation

Additional Comments: Registration - \$225.00; Lodging - \$362.97; Meals - \$300.00

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

The above request is app. 12/01/14 reimbursement of actual and necessary expenses in the
approximate amount of \$887.97 and advance registration of \$225.00 is authorized.

To be completed by the Finance Department	
Fund Code:	<u>008-57200.265</u> (ex: 000-00000-000)
Description:	<u>Registration & Training</u>
Current Budget:	<u>\$2,500.00</u>
Approved Requests:	<u>\$1,550.04</u>
Budget Available:	<u>\$949.96</u>
Current Requests:	<u>\$887.97</u>
Budget Balance:	<u>\$61.99</u>

Donald L. Mims, Administrator

Reviewed by: S. Thomas

Date: 11/24/2014

cc: Finance Director / Buyer

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Montgomery County Commission
Travel / Training Request Approval

Appendix C

Request # 7

Agenda

DEC - 1 2014

Date: November 25, 2014
To: Donald L. Mims, Administrator
From: Clay Henley, Chief Appraiser
Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Auburn, AL
Departure Date: February 23, 2015 Return Date: February 27, 2015
Conference Leave (Days / Hours): 5 Days
Purpose of Travel: IAAO 102: Income Approach to Valuation

Traveler (s) Name: 1. Tammy Linton 4. _____
2. _____ 5. _____
3. _____ 6. _____

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

Total (est.) Cost: \$1,275.88 Advance Registration Required: \$550.00

Department Name: Appraisal Fund Name: Reappraisal

Additional Comments: REGISTRATION=550.00 MILEAGE=250.88 FOOD=375.00
HOTEL-one night/Thursday night \$100.00

To: Clay Henley, Chief Appraiser
From: Donald L. Mims, Administrator

The above request is app. 12/01/14 reimbursement of actual and necessary expenses in the
approximate amount of \$1,275.88 and advance registration of \$550.00 is authorized.

<i>To be completed by the Finance Department</i>	
Fund Code:	<u>120-51985.265</u> (ex: 000-00000-000)
Description:	<u>Registration & Training</u>
Current Budget:	<u>\$30,000.00</u>
Approved Requests:	<u>\$6,879.80</u>
Budget Available:	<u>\$23,120.20</u>
Current Requests:	<u>\$1,275.88</u>
Budget Balance:	<u>\$21,844.32</u>

Donald L. Mims, Administrator

Reviewed by: S. Thomas

Date: 11/25/2014

cc: Finance Director / Buyer

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Montgomery County Commission
Travel / Training Request Approval

Appendix C

Agenda

DEC - 1 2014

Request # 10

Date: November 21, 2014
To: Donald L. Mims, Administrator
From: Daryl D. Bailey
Re: Travel / Training Request

Request approval to be granted for the following:

Destination: News Orleans, LA
Departure Date: February 1, 2015 Return Date: February 6, 2015
Conference Leave (Days / Hours): 6 Days
Purpose of Travel: Attend: Nat'l District Attorney Assoc Prosecuting Homicide Cases

Traveler (s) Name: 1. Scott Green 4. J. P. Wilson
2. Wes Shaw 5.
3. Kenney Gibbs 6.

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

Total (est.) Cost: \$7,280.00 Advance Registration Required: \$2,230.00

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

Additional Comments: The participants would like the option of using either vehicle

To: Daryl D. Bailey

From: Donald L. Mims, Administrator

The above request is app. 12/01/14 reimbursement of actual and necessary expenses in the
approximate amount of \$7,280.00 and advance registration of \$2,230.00 is authorized.

<i>To be completed by the Finance Department</i>	
Fund Code:	<u>760-51260.265</u> (ex: 000-00000-000)
Description:	<u>Registration & Training</u>
Current Budget:	<u>\$65,000.00</u>
Approved Requests:	<u>\$490.00</u>
Budget Available:	<u>\$64,510.00</u>
Current Requests:	<u>\$7,280.00</u>
Budget Balance:	<u>\$57,230.00</u>

Donald L. Mims, Administrator

Reviewed by: S. Thomas

Date: 11/21/2014

cc: Finance Director / Buyer

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Montgomery County Commission
Travel / Training Request Approval

Appendix C

Agenda

DEC - 1 2014

Request # 4

Date: November 25, 2014
To: Donald L. Mims, Administrator
From: Judge Steven L. Reed
Re: Travel / Training Request

Request approval to be granted for the following:

Destination: Prattville, AL
Departure Date: January 14, 2014 Return Date: January 15, 2014
Conference Leave (Days / Hours): 2 Days
Purpose of Travel: to attend Alabama Licensing Officials Conference

Traveler (s) Name: 1. Kim Brown, Virginia Davis 4. Brandi Roberts
2. Brenda Robinson, Keisha Geter 5. Shamika Butts
3. Caron Young 6. Tikishia McCloud

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

Total (est.) Cost: \$1,107.52 Advance Registration Required: \$1,000.00

Department Name: Probate Fund Name: 783-51350-265

Additional Comments: _____

To: Judge Steven L. Reed
From: Donald L. Mims, Administrator

The above request is app. 12/01/14 reimbursement of actual and necessary expenses in the
approximate amount of \$1,107.52 and advance registration of \$1,000.00 is authorized.

To be completed by the Finance Department	
Fund Code:	<u>783-51350.265</u> (ex: 000-00000-000)
Description:	<u>Registration & Training</u>
Current Budget:	<u>\$3,000.00</u>
Approved Requests:	<u>\$0.00</u>
Budget Available:	<u>\$3,000.00</u>
Current Requests:	<u>\$1,107.52</u>
Budget Balance:	<u>\$1,892.48</u>

Donald L. Mims, Administrator

Reviewed by: S. Thomas
Date: 11/26/2014
cc: Finance Director / Buyer