

**Montevallo City Council Work Session  
April 14, 2014  
5:30 p.m. at City Hall**

**Montevallo City Council Meeting  
April 14, 2014  
6:00 p.m. at City Hall**

**Pledge of Allegiance**

**Meeting Call to Order**

**Approval and/or corrections of the minutes – 3/24/14**

**Student Recognitions / Awards**

**Opportunities for citizens to speak to the Council**

**Committee Reports and Consideration of Bills:**

- **Public Health & Safety** (Police, Fire, Code Enforcement, Housing Abatement)–
- **Sustainability** (Streets & Sanitation, Recycling, Arbor & Beautification, ValloCycle, Environmental Preservation Initiatives) –
- **Recreation, Preservation and Community Development** (Parks & recreation, Golf Course, Youth Athletics, Trails, Historical Commission, Planning & Zoning, Annexations) –
- **Education, Arts & Outreach** (Schools, UM, Boys & Girls Club, Library, American Village, Sister City Commission, Artwalk, Middle School Grant) –
- **Finance, Economic Development & Tourism** (Finance, MDCD, IDB, Chamber) –

**Consent Agenda:**

**New Business:**

- **ABC License – Montevallo Citgo**
- **ABC License – American Fuel**
- **MES Parking Lot Land Disturbance Permit -**
- **Acceptance of Pleasant Circle as City Street (left off previous Resolution)**
- **PD Radio Project – Southern Link**
- **De-annexation Request – 1390 Hwy 10 (PID 27-4-19-2-001-005)**
- **Police Explorer Policies**
- **Ordinance Transferring Ownership of Lot in front of Middle School to the BOE**

**Old Business:**

**Board Appointments**

- **Trail Committee – Betsy Inglesby; Gary Muehlbauer; Michele Pawlik, Dee Woodham; and Heather Longo**

**Other Business**

**Citizen Participation**

**Adjourn**

**Montevallo City Council Work Session**  
**April 14, 2014**  
**5:30 p.m. at City Hall**

Minutes – Work Session

Mayor Hollie C. Cost, Council Members Rusty Nix, Willie Goldsmith, Don Hughes, Dee Woodham, Sharon Gilbert were present. Council Member Dee Woodham and Council Member Don Hughes were absent.

Mayor Hollie C. Cost called the work session to order at 5:30 p.m.

Guest Speaker: Jody Trautwen, currently running for State House District 73, addressed the council.

**Committee Reports & Consideration of Bills**

**Public Health & Safety (Willie Goldsmith)**

**Lieutenant Tim Alexander - Montevallo Police Department**

**Council Meeting March 2014**

Total Cases	121
Traffic Accidents	19
Traffic Stops	270
Traffic Citations	131
DUI Arrests	0
Alias Arrests	24
Misdemeanor Arrests	2
Felony Arrests	4
Total Arrests	31
Burglaries	7
Fraud/Forgery	8
Thefts/Attempts	10
Zone Checks	636
Extra School Patrols	60
<b>SRO Report</b>	
Offense Reports	5
Incident Reports	1
Arrest Report	2
Juvenile Petitions	2

Old Patrol Cars were removed today for auction

### Code Enforcement Activity Report March 25 – April 11, 2014

<u>Junk Cars</u>	-1
Pending	-1
Closed	-0
<u>Animal Complaints</u>	-0
Pending	-0
Closed	-0
<u>Abandoned Buildings/Houses</u>	-2
Pending	-9
Closed	-2
<u>Un-Kept Property</u>	-5
Pending	-3
Closed	-2
<u>Misc. Complaints</u>	-1
Pending	-0
Closed	-1
<u>Total Inspections This Period</u>	-9
<u>Total Inspection Year To Date</u>	-26

### Projected Radio Cost

Chief Littleton sent out a letter to everyone with regard to the radio proposal. Projected cost for the Southern Link system was \$6,314. Projected cost to purchase our own radio system would be \$54,597. Projected cost to go with the P-25 digital radio system with Shelby County, including Dispatch console and labor and installation, would be \$81,369.90. Overall, after researching and looking at the numbers, the best choice right now will be to go with Southern Link. This money is in the overall budget and Chief Littleton said that it would not be a problem to move around and to actually accommodate that cost. Chief Littleton has checked in other areas and Southern Link picks up all over the State of Alabama and would be the best match to help fix our problems. Mayor Cost said that Chief Littleton has communicated that this is important and that we go ahead and get this taken care of. The only dead zone that can be found is on the Mahler Property, around a 20 yard section.

March 18, 2014

Mayor and Council:

Over the past several years we have been experiencing problems with our current radio system. Since we followed federal mandates to go from wideband to narrowband last year our coverage has been reduced significantly. Our current system is operating on old, cheap and outdated equipment and is subject to go down at any time. Our officers are also having major problems communicating with our dispatchers in numerous areas in our city. This is a serious safety issue that must be addressed as soon as possible.

I have checked into three possible solutions to correct our radio needs. I have considered using SouthernLinc as our primary radio system, installing our own digital radio system or using the new and untested P-25 system that Shelby County is currently installing. After reviewing all three options, it is my recommendation to use SouthernLinc as our primary radio system.

We currently use SouthernLinc radios as our secondary system of communications. Our department can completely switch to SouthernLinc with minimal cost. This will immediately correct our current radio issues and keep us within budget. We have been testing SouthernLinc as our primary radio system for the past several weeks with officers and dispatchers. It not only solves our coverage issues within the city, but also gives us coverage statewide. We have excellent reception with handheld radios so we will not have to purchase radios for the cars which will save us cost on equipment. The only cost we will have going to SouthernLinc is the initial purchase of upgraded radios for our patrol officers and an annual increase for our service. The current phones that dispatch and administrative personnel use are provided free of charge except for the monthly service that we already pay for.

After several weeks of testing by our department, all personnel have been completely satisfied with the performance of this system. Everyone agrees that the coverage is a huge improvement from what we have now. The University of Montevallo and all agencies in Chilton County are also using SouthernLinc radios as their primary radio system with great success. There is also no known scanner that can scan SouthernLinc Radios so we can communicate securely and not be monitored by the public.

As you can see, the cost is enormous for the other two systems that I have reviewed. We currently do not have the funds in our budget to purchase these systems and it's very doubtful that we will anytime in the near future. If we install our own radio system, we will be responsible for maintenance and upkeep. With SouthernLinc, we are only responsible for radios that we use and some of that equipment is free of charge. With any of the three systems reviewed, radio equipment will have to be maintained. The equipment with SouthernLinc will be a lot less costly than with the other systems. We can also discontinue this system in the future with minimal cost if it does not work for us.

I have included proposals for the estimated cost of these three systems. I have also attached letters from other agencies with their review of SouthernLinc during natural disasters and weather situations within the southeast. I currently have the funds in our budget and forfeiture fund for this purchase if you will grant me approval. I feel that this is an issue that needs to be addressed as quickly as possible. The safety of our police department personnel depends on it. Thanks for your consideration.

Jeremy Littleton  
Chief of Police

Projected Radio Cost

**Current bill with SouthernLinc**

\$308.00 Monthly      \$3,696.00 Annually      Currently Using (9) phones

Switching completely to SouthernLinc for all radio communication

\$548.00 Monthly      \$6,576.00 Annually      (Difference \$2,880.00 Annually)

Radio Equipment Purchase

(11) R765 Handheld Radios	\$449.00	\$4,939.00
(11) Shoulder Mic	\$125.00	\$1,375.00
Total for equipment		\$6,314.00

**Projected cost to purchase our own radio system**

Equipment Purchase MIP5000 Console for Dispatch/Labor		\$28,887.00
MTR3000 Repeater/Labor		\$ 6,350.00
(15) XPR6550 Handheld Radio	\$699.00	\$10,485.00
(15) PMMN4024 Speaker Mic	\$ 89.00	\$ 1,335.00
(10) Mobile Digital Radio/Heavy Duty Mic	\$579.00	\$ 5,790.00
Installation of (10) Mobile Radios	\$175.00	\$ 1,750.00
Total		\$54,597.00

**Projected cost to go on P-25 digital radio system with Shelby County**

(15) Harris EX55-PBV1B Portable Radio	\$1,813.00	\$27,195.00
(13) Harris Mobile M7300 Radio	\$3,992.30	\$51,899.90
Installation (13) Mobile Units	\$ 175.00	\$ 2,275.00

**Dispatch console/labor estimate      Unknown**

Total      \$81,369.90

Additional Annual Charge per User      Estimate      \$ 1,920.00

### **Montevallo Police Explorers Ride-Along Program**

A combination of other Explorer policies & procedures were used to come up with the Montevallo Police Explorers Ride-Along Program. Our policy was revised by Terry Sanders. The BSA League has accepted our policy and is ready for us to start our own post. All that is needed for this policy is to be approved.

Mayor Cost - We will call for a vote on these – later in the council meeting



**MONTEVALLO POLICE EXPLORERS RIDE-ALONG  
PROGRAM**

I, \_\_\_\_\_ have received a copy of the Montevallo Police Explorer Ride-Along policy. I have read and understand the policy and agree to act within the guidelines of said policy. I am aware that failure to comply with this policy could result in the suspension of my ride-along privileges and/or dismissal from the Montevallo Police Explorers.

\_\_\_\_\_  
Explorer's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Parent's Signature  
(Explorer under 18 years of age)

\_\_\_\_\_  
Date

## Montevallo Police Department Explorer Policy

### 1. Goals and Objectives of the Explorers:

To achieve the goals and objectives of Law Enforcement Exploring, several approaches are used. The regular weekly meetings where representatives of various law enforcement agencies (federal, state, and local) meet with the members of the post to present topics related to law enforcement and the criminal justice system.

- A. To learn the functions of the Montevallo Police Department
- B. To learn positive public relations
- C. To learn how to handle emergency and stressful situations
- D. To build self confidence and discipline
- E. To learn about our community
- F. To further the Explorer's Education
- G. To gain maturity
- H. To develop leadership qualities
- I. To encourage Explorer participation in rewarding and productive community service.
- J. To enhance Explorer preparation for future roles as citizens and community service members

### 2. Membership

- A. The applicant must be at least fourteen (14) years old. After acceptance, members may remain in the program until the age of twenty-one (21), or until the currently held Boy Scout Charter expires.
- B. The Explorer must maintain a "C" average in school. This requirement pertains only to those Explorers in middle or high school. A copy of the Explorer's report card must be provided to the Advisors within one week of issuance from the Explorer's respective school. Failure of any Explorer to maintain a "C" average will result in disciplinary action including, but not limited to, suspension for an academic term to allow the Explorer to regain an adequate GPA. During this suspension, the Explorer will be assigned an Explorer mentor to help with homework and check on the Explorer's progress. Explorers who fail one or more classes in four (4) consecutive periods will be dismissed from the Post.
- C. The applicant is subject to a background investigation by the Senior Advisor. Any criminal arrest or detention by a police agency may be grounds for dismissal or rejection. All applicants under the age of Eighteen (18) will be required to have their parents or legal guardians sign a release allowing the post Advisors to conduct any necessary checks. Failure to sign the release will result in the rejection of the proposed applicant's membership.
- D. The applicant must attend three (3) consecutive meetings and return all necessary waivers and paperwork before a formal offer to join the post will be extended.
- E. Following the receipt of the formal application and waivers, the applicant is subject to an oral interview by the post officers and Advisors. The applicant is subject to rejection at any time during the interview and application process.
- F. Applicants who submit any incorrect information, either orally or written, with the intent to mislead post officers or Advisors will be subject to immediate rejection.
- G. Applicants must not have been denied membership or involuntary termination from this post or any other law enforcement post within the past six (6) months.

### 3. Probationary Period

- A. New members of the Montevallo Police Department Explorers will attend **ALL** post meetings for a period of six (6) months unless excused by a post Advisor (Notification of a post officer will **NOT** suffice).

## Montevallo Police Department Explorer Policy

- B. During the probationary period, the Explorer will be subject to **IMMEDIATE DISMISSAL** for **ANY** violations of the post SOP, Criminal Code of Alabama (Title 13, 32, and 28 pertaining to crimes, traffic and alcohol offenses), or any lawful city ordinances. Violations and disciplinary action will be reviewed on a case by case basis by post Advisors.
- C. Explorers may obtain or purchase the approved uniforms of the post after completing one (1) month of satisfactory service to the post or upon Advisor approval.
- D. Within one (1) month after the Explorer's six-month probationary period is completed, the explorer will be required to have **ALL** mandatory equipment set forth by the **SOP**. Inability to obtain any items by the deadline should be reported to post officers or Advisors as soon as possible.

### 4. Meetings and Attendance

- A. The day and time of the regular post meetings will be established by the post Advisors and may only be changed with the majority of the post and Advisor approval.
- B. Special meetings and/or training sessions may be called as needed.
- C. The Explorer will attend each meeting in the uniform of the day as approved by post officers and Advisors the previous week.
- D. Advisors and post officers will hold meetings prior to regular post meeting at the Advisor's discretion.
- E. Work Assignments: Explorers must make an attempt to participate in post work assignments. If an Explorer does not show up for a scheduled work assignment then that Explorer must notify their Advisor or Explorer Captain, and give written reason(s) as to why the assignment was missed. Failure to make notification of the Advisors or the Explorer Captain will result in disciplinary action and/or reduction in rank. Work assignments are used in consideration for promotion to the next highest rank.
- F. Community Service Projects: In order to maintain support with the community and the Montevallo Police Department, this post and its Explorers should make every reasonable effort to attend and participate in community service project assignments. Failure to notify an Advisor or Explorer Captain will result in disciplinary action.

### 5. Montevallo Police Explorer Code of Ethics

- A. I believe that America's strength lies in her trust in God and in courage and strength of her people. I will maintain a personal sense of honor in my own life. I will recognize the dignity and worth of my fellow man and will use fair play and goodwill in dealing with them. I will acquire the Explorer attitude that seeks the truth in all things and adventure on the frontiers of our changing world.
- B. As a Montevallo Police Explorer, I do solemnly swear, that I will support the Constitution of the United States of America, the Constitution of the State of Alabama, and the charter and code of laws to the City of Montevallo, and I will perform with fidelity the duties imposed on me as a member of the Montevallo Police Explorer Program to the best of my ability, that I will serve the Montevallo Police Explorer Program honestly and faithfully and I will obey the order of officials placed over me, according to law.
- C. I will keep my private life unsullied as an example to all and will behave in a manner, which does not bring discredit to me or my agency. I will maintain courageous calm in the face of danger, scorn or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in both thought and deed in both my personal and official life, I will be exemplary in obeying the law and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official

## Montevallo Police Department Explorer Policy

capacity will be kept ever secret unless revelation is necessary in the performance of my duty. I will never act officiously or permit personal feelings, prejudices, political beliefs, aspirations, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities. I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of police service. I will never engage in acts of bribery nor will I condone such acts by other police explorers. I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice. I know that I alone am responsible for my own standard of professional performance and will take every opportunity to enhance and improve my level of knowledge and competence. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession

....**LAW ENFORCEMENT**

### 6. Absence

- A. Attendance by the Explorer is required at all Explorer meetings.
- B. Absences will be deemed excused and not charged to the Explorer, provided the Explorer contacts an Advisor or post Captain prior to the meeting time, excluding the probationary period. The reason must be valid, as this privilege must not be abused. If no contact with an Advisor or post Captain is made prior to the meeting, the absence will be deemed unexcused.
- C. One (1) unexcused absence may be grounds for disciplinary action.
- D. Excessive unexcused absences from post meetings may be deemed grounds for dismissal from the post.
- E. Explorers are expected to be fifteen (15) minutes early for ALL post meetings and functions. Police Officers, guest speakers, and instructors have the right to expect the common courtesy of Explorers being on time. An Explorer that is more than five (5) minutes late to a regularly scheduled meeting will be counted as tardy for that meeting. Three episodes of tardiness to a meeting will result in disciplinary action by a member of the Advisor Staff.

### 7. Confidential Information

- A. Explorers shall treat all official information divulged by the Montevallo Police Department, outside agencies, victims, or complainants as **Confidential Information**. Explorers shall not disclose any information to anyone other than the person for whom it is intended.
- B. Explorers do not have access to police files. The Explorer must have express permission from department personnel to access any filed information.
- C. The Explorer will not release ANY information on ANY subject to the press without the permission of an Advisor or a supervisor of the Montevallo Police Department.

**\*\*\*\*VIOLATIONS OF THIS SECTION WILL RESULT IN THE IMMEDIATE DISMISSAL OF THE EXPLORER FROM THE POST AND MAY RESULT IN CRIMINAL PROSECUTION\*\*\*\***

### 8. Discipline

## Montevallo Police Department Explorer Policy

Objectives of disciplinary action are twofold. First, it is administered in an effort to cause a positive change in the behavior of the Explorer. Secondly, it is to discourage other potential offenders from similar behavior. Disciplinary actions will not be used to humiliate an Explorer.

- A. All Explorers will obey any lawful order given by an Advisor, police officer, or Explorer officer of superior rank. No Explorer will be expected to obey any unlawful order, regardless of who issued it.
- B. Grounds for discipline:
  - 1. Violations of any law.
  - 2. Violation of any rule or regulation contained in this manual.
  - 3. Conduct outside the Explorer Program which would tend to discredit or bring criticism to the post as a whole.
- C. Types of Discipline
  - 1. Oral reprimand
  - 2. Written reprimand
  - 3. Assignment to detail
  - 4. Revocation of privileges
  - 5. Demotion of rank
  - 6. Imposition of probation or suspension from post activities
  - 7. Dismissal from the post
  - 8. Other appropriate measures as decided by an Advisor.
- D. **Right of Appeal**

Explorers, just as real police officers, must carry out lawful orders issued to them. Any Explorer who feels that an order is unjustly or unfairly given should consult an Advisor through the Chain of Command. It may be necessary to provide a written statement of the alleged injustice.

\*\*\*\*NOTE\*\*\*\*Any order given to an Explorer by a Police Officer during a ride-along **MUST** be immediately obeyed, as the safety and well-being of the Explorer may be in question.

### 9. Complaint Procedures

- A. Upon receiving a complaint or an allegation of misconduct by an Explorer, an incident report should be reviewed and signed by each member in the Chain of Command of the Explorer that is the source of the complaint. The report is then handed to the Post Senior Advisor for review.
- B. Once the Post Senior Advisor reviews the complaint, he/she will establish whether or not the complaint is valid. If it is discovered that the complaint is unfounded or did not occur, the incident report will reflect an "unfounded" complaint and will be filed in the Explorer's personnel file.
- C. If the Post Senior Advisor determines that there is a cause for further investigation, he/she shall forward a copy of the internal incident report to the Chief of Police for assistance in the investigation.
- D. If the investigation discloses insufficient evidence to prove or disprove clearly the allegation made, the complaint shall be cleared and filed as "not sustained" in the Explorers personnel file.
- E. If the investigation indicates that the act occurred but that the act was justified lawful and proper, the complaint shall be cleared and filed as "exonerated" in the Explorers personnel file.
- F. If the investigation discloses that the act did occur, the investigating person will impose corrective action according to the policy set forth in this manual.
- G. If the investigation reveals criminal conduct, whether committed or just attempted and the Explorer knowingly committed the act; it will result in immediate dismissal from the Post.
- H. An internal incident report shall be completed with an explanation of the corrective action taken and filed in the Explorers personnel file. All corrective action taken upon an

## Montevallo Police Department Explorer Policy

Explorer for any founded complaint will be done by a member of the Advisor staff. At no time will any Explorer attempt to punish another Explorer subordinate in rank for a violation of the Rules and Regulations of this Post.

### 10. Conduct

- A. Explorer conduct shall be such as to merit the respect and confidence of the citizens and the Police Department's personnel.
- B. When speaking with **ANY** police officer, official, or citizen, the Explorer will address them in a polite and courteous manner. This includes addressing them as "Chief", "Captain", or "Officer", and replies of "sir and ma'am" when appropriate.
- C. No Explorer shall use coarse, profane, or inappropriate language.
- D. Courtesy, patience, and tact are vital in all communications with the public and departmental officials.
- E. Dating among the members of the post, Advisors, Montevallo Police Department Officers, personnel, or any combination thereof is strictly prohibited.
- F. Any Explorer, who is subject to disciplinary action while at school or at any school related function, shall notify an Advisor immediately of both the incident in which the Explorer was involved that subjected him/her to disciplinary action, and the actions taken against the Explorer. Notification of a post officer will **NOT** suffice. Failure to notify an Advisor of disciplinary action will result in the Explorer being subject to further disciplinary action through the post.

### 11. Personal Appearance

- A. All Explorers will be neat, clean, and well groomed at all Explorer functions.
- B. Haircuts:
  - 1. Men: Hair shall not touch the top of the collar. No ponytails permitted. Mustaches shall be neat and trimmed. No hair in front shall be lower than one (1) finger space above the eyebrow. Sideburns must not reach past the bottom of the earlobe. Beards of any length are prohibited. Hair must be a "natural" color, i.e. brown, black, and blond, etc. Hair color of another "artificial" origin must be approved by post Advisors.
  - 2. Women: When in uniform, the hair must either be in a braid above the collar or in a ponytail. Makeup will be kept to a minimum while in uniform. Nail polish shall be a proper color in line with the uniform. Clear polish is preferred. Said rules pertaining to hair color apply to women also.
- C. No strong amount of cologne or perfume is to be worn while in uniform.
  - D. No jewelry will be worn while in uniform. This includes ear, nose, lip, tongue, and brow rings. No earrings will be worn by male Explorers at Explorer functions. Chains and necklaces will not be worn while in uniform. Rings may be worn so long as they are small and do not protrude out from the finger. The wearing of rings is restricted to one per finger, per hand.
  - E. No tobacco products of any type will be used in public or at Explorer functions. This will be **STRICTLY** enforced. No Explorer, under the legal age, shall consume or be in possession of tobacco products.

### 12. Montevallo Police Department and City Facilities.

- A. No Explorer shall loiter in or around the Police Department or related Facilities.
- B. Explorers should only go to the Police Department with a legitimate purpose in mind. Remember, the Police Department is a place of business.
- C. No Explorer shall use any special non-public city facility without the permission of the appropriate city personnel.

## Montevallo Police Department Explorer Policy

### 13. Identification

As an Explorer, you have **NO** law enforcement authority of any type. It is of the utmost importance that **ALL** of the rules in this section are followed. Violation of any of these rules or regulations will result in immediate dismissal from the post and possible criminal prosecution.

- A. Any Explorer insignia (badge, patches, or shoulder patches) shall only be worn on approved explorer uniforms. No patch or badge of any type shall be affixed or carried on or about the Explorer for any reason, unless said Explorer is employed by a law enforcement agency which requires such items to be carried.
- B. Badge wallets, or badge billfolds will not be carried by any Explorer, unless said Explorer is employed by a law enforcement agency that requires such items to be carried,
- C. The Explorer ID Card when issued shall remain the property of the Montevallo Police Department Explorer Post and shall be surrendered upon termination. The Explorer ID card shall be carried at all times while engaged in any kind of Post function. It must be displayed on the outer clothing while inside any City of Montevallo building, while on Explorer business. The ID Card shall not be carried while off duty.
- D. All Police Department Explorer patches are property of the post and shall be returned after separation from the post. Failure to return post property will result in legal action. Explorers have fourteen (14) days, after separation from the post, to return all equipment issued to them by the post.
- E. \*\*\*\*No Explorer will use any badge, ID card, patch, business card, etc. in an attempt to escape the consequences of any illegal action, or to find favor with any law enforcement or public official. Violation of this section will result in immediate dismissal from the post
- F. \*\*\*\*No Explorer will attempt to identify himself or herself as a law enforcement officer of any type for any reason. Violation of this section will result in immediate dismissal from the post and possible criminal prosecution for Impersonating a Law Enforcement Officer.
- G. No Explorer shall purchase, obtain, or wear; any item of clothing, hat, or equipment with "POLICE" or "DEPUTY" imprinted or applied to it without prior Advisor approval. Items with "EXPLORER" or other titles **MUST** be approved by an Advisor prior to purchase. This will be **STRICTLY** enforced.

### 14. Personnel and Rank Structure

- A. *Advisor*: The Advisor is responsible to the Chief of Police, the Boy Scouts of America, and the parents of the Explorers for the overall conduct and administration of the Explorer program. The Advisors are the highest appeal authority for disciplinary matters within the post. The Senior Advisor will be responsible for maintaining the financial records of the post.
- B. *Explorer Captain*: The Explorer Captain position will be appointed by the Advisor Staff. The Explorer Captain will preside over the meetings of the post and be responsible for the leadership, morale, and coordination of projects within the post. The Explorer Captain shall receive and review all suggestions from the members of the post. The Explorer Captain shall keep the Advisors informed on matters of importance within the post and functions as a liaison between the Advisors and members of the post. The Explorer Captain shall also be responsible for the recruiting efforts of the post. It shall be the Explorer Captain's responsibility to assist with outside recruiting and to greet new Explorers at each meeting and ensure that they have all pertinent applications and forms before the meeting concludes. The Captain will oversee all units of the Special Operations group and assist in their prior appointment. The Explorer Captain shall have satisfactory service to the post prior to appointment. The Explorer Captain shall insure that all post records, files, and reports are kept neat and up to date. The Explorer Captain will also call roll, oversee the uniform inspection, and call each meeting to order. The Explorer Captain must be in top physical and mental shape.

## Montevallo Police Department Explorer Policy

- C. *Explorer Lieutenant*: The Explorer Lieutenant shall be the senior Explorer assigned to post training. The Explorer Lieutenant shall assist the post Advisors in planning and scheduling all training for the post. The Explorer Lieutenant must pass all physical and academic requirements necessary. The Explorer Lieutenant shall have satisfactory service to the post prior to appointment.
- D. *Explorer Sergeant*: The Explorer Sergeant shall be responsible for the matters of discipline within the post and for reporting infractions through the Chain of Command to a higher authority. The Explorer Sergeant will also be responsible for maintaining equipment and issue files for the post. The Explorer Sergeant keeps an updated list of all members complete with address and phone numbers as well as emergency contacts. These files will be kept in a neat and orderly fashion. The Explorer Sergeant must pass all physical and academic requirements necessary. The Explorer Sergeant shall have satisfactory service to the post prior to appointment.
- E. *Explorer First Class*: The Explorer First Class is to have an exemplary record and average service to the post. Explorers maintaining a 3.0 GPA in addition to their Explorer service will be considered for promotion to Explorer First- Class as a reward for their hard work and dedication to academics. Explorer First- Class promotions will be issued randomly throughout the year by the Advisors. This rank will not be part of annual officer elections, as it is a rank designated by the Advisors. There will be no more than five (5) Explorers in the post at any given time with the rank of Explorer First-Class. The Senior Explorer First-Class will assume the random duties assigned to him/her by the Advisors or the Explorer Captain. The position of Senior Explorer First-Class will change annually during the elections for other post officers. If the Senior Explorer First-Class is not elected to an office, he/she will remain a First-Class rank, but will be replaced by the Explorer First-Class with the next most seniority. The outgoing Senior Explorer First Class will assume a position in the First Class ranks based on his/her seniority as an explorer.
- F. *Explorer*: A member of the post in good standing.
- G. *Seniority*: Seniority will determine pick of duty assignments at Explorer Functions.
- H. Any vacancy among the officers of the post may be filled by the Advisors. This rank will be considered temporary, pending future officer elections.

### 15. Elections

- A. Elections for post officers will be held in the month of October of each year.
- B. No elected officer shall maintain the same rank for more than (2) years.
- C. The Advisors reserve the right to veto the election of any person to any rank for any reason deemed necessary.

### 16. School/ Leave of Absence

- A. A printed schedule of classes should be presented to the officers and Advisors at the beginning of every quarter or semester for those Explorers in college.
- B. A leave of absence may be granted to an Explorer for attendance of a required course. This leave will be granted on a case by case basis. A leave of absence excuses an explorer only from functions that interfere with classes. Leave of absences must be submitted in writing, along with a copy of the Explorer's class schedule, at least two (2) weeks prior to the start of the class.
- C. Explorers may be granted leave of absences for other reasons with the Advisor's permission. All leave of absences request must be submitted to an Advisor, at least two (2) weeks prior to the beginning of the time requested.
- D. Once an Explorer decides to leave the Post due to personal reasons or conflict, the Explorer will submit in writing a letter of resignation to the Advisor staff. The



## Montevallo Police Department Explorer Policy

Explorer **must turn in all issued Explorer and Police Equipment.** Failure to return any Post equipment will result in the Explorer being billed to replace that equipment or face civil action.

### 17. Equipment

Mandatory equipment for each Explorer is listed below. Each Explorer must have this equipment anytime he/she is at any function in which the post is in uniform. All equipment is to be maintained in good working order and is subject to inspection at any time. All Explorers are required to have one Class A uniform and one utility uniform. The Class A uniform shall be worn only at special events, award ceremonies, parades, or when a member of the Advisor staff sees fit. The Utility uniform will be worn at all regularly scheduled post meetings, unless told otherwise by an Advisor or the Explorer Captain. At no time, shall any Montevallo Police Explorer uniforms be worn outside of any designated Montevallo Police Explorer function.

Plain black shoes or boots capable of taking on a polish or patent leather shoes of a uniform style is considered proper foot wear. Any Explorer who arrives at any Explorer uniform function without this equipment may be subject to disciplinary action and sent home. Explorers will maintain their uniforms in good condition. The uniform shall be pressed and free of damage. Any part of the uniform that becomes damaged or worn will be replaced or repaired as necessary.

All duty belt equipment shall be black nylon style **ONLY**. Belt gear must not have any gold or silver snaps or buckles. Hidden snaps and Velcro closures are acceptable.

- A. Mandatory Equipment for Montevallo Police Department Explorers:
  - 1. Two matching black ink pens.
  - 2. One pocket note pad.
  - 3. One whistle
  - 4. One black flashlight with orange wand.
  - 5. A briefcase or backpack to carry three ring binder
  - 6. One three ring binder.
  - 7. Latex Gloves and glove carrying case
- B. Optional Equipment  
Optional equipment is the equipment that an Explorer is not required, but approved to carry if he/she desires.
  - 1. "Multi-Pliers or Gerber" type tool
  - 2. Rain gear (must be lime green and Explorer has option of having "EXPLORER" imprinted on gear)
  - 3. Belt keepers (black nylon).
- C. All Montevallo Police Explorers, regardless of rank, shall wear the proper uniform at all Post functions unless otherwise directed by a Post Advisor. The uniform shall only be worn to official functions unless approved by a Post Advisor. In addition, the uniform should not be carried with the Explorer unless he/she is going to or returning from a sanctioned Post function in which that uniform is required. Explorers on leave of absence or on probation or suspension shall not carry or wear their Post uniform until they have been cleared to return to active status as members of the Post.
- D. Explorers should maintain their uniforms in a neat and clean appearance whenever they are wearing them. The uniform shall be free of dirt and debris and should not have wrinkles. Proper military creases should be pressed into shirt and each sleeve creased. Pants shall have creases as well.

Montevallo Police Department Explorer Policy

- E. When wearing the uniform shirt, it should be tailored in such a manner as to minimize blousing.
- F. Insignias shall be worn on the uniform as follows:
  - 1. The proper patches shall be worn on both sleeves. The short and long sleeve shirt should have the patch centered on the sleeve sewn one (1) inch down from the shoulder.
  - 2. The nameplate will be centered over the right breast pocket.
  - 3. Rank insignia shall be worn on the collar and are as follows:
    - a. Captain- Silver double bars
    - b. Lieutenant- Single Silver bar
    - c. Sergeant- Silver triple Chevrons
- G. Uniform slacks shall be maintained in a neat appearance and shall be tailored to prevent excessive bagginess.
- H. Shoes should be free from dirt and dust by remaining polished at all times.
- I. Black leather belt shall be worn at all times.
- J. Pagers and Cell Phones may be worn on the duty belt only while in uniform. Electronic devices shall be placed on silent or vibrate whenever an Explorer is in any uniform. If the device does not have a silent or vibrate mode, then the device must be turned off. The City of Montevallo, the Montevallo Police Department, and the Montevallo Police Explorer post is not responsible for lost or damaged electronic equipment.
- K. Any equipment issued to an Explorer by this Post will remain the property of this Post. Explorers are responsible for all issued equipment and must return this equipment upon leaving the program. Failure to return issued equipment may result in criminal and/or civil charges.

**18. Explorer Personal Weapons**

- A. No Explorer may possess a weapon of any type at any Explorer function. This includes, but is not limited to, firearms, pepper spray, knives, collapsible batons (ASP'S), and Stun guns. No Explorer shall carry on his person any weapons while participating in the ride-along program.  
**\*\*\*\*Violation of this section will result in immediate suspension and possible dismissal from the post. \*\*\*\***
- B. No Explorer shall own any firearm without the necessary permits.
- C. Any Explorer who possesses a concealed weapon permit shall present said permit to an Advisor for documentation immediately after issue.  
**\*\*\*\*Explorers MUST have a concealed weapons permit in order to carry a firearm while not serving in an Explorer function.\*\*\*\***
- D. No Explorer shall possess ANY collapsible baton for any reason. Police Officers are required to undergo certification and training to carry ASP batons: Explorers will not undergo such training.
- E. Any Explorer who uses a personal weapon in ANY situation outside of an Explorer function shall **NOT** identify himself/ herself as an Explorer or give any affiliation to the Montevallo Police Department to the investigating law enforcement agency unless directly asked for said affiliation. Explorers are not sworn officers, and the post, City, and department hold no liability for their actions outside Explorer functions.

Montevallo Police Department Explorer Policy

- F. Any Explorer who uses a personal weapon in **ANY** situation outside of an Explorer function shall report said incident to an Advisor as soon as possible. This includes after hours. Notification of a post officer will not suffice.

**19. Training**

- A. During the initial year of membership, the Explorer must complete, to the satisfaction of the Advisors, a training program, which shall include, but is not limited to, the following topics:
  - 1. CPR/Basic First Aid
  - 2. Firearms Familiarization/Qualifications
  - 3. Communications
  - 4. Defensive Tactics
  - 5. Traffic Stop Procedures
  - 6. Traffic Accident Investigation
  - 7. Traffic Direction and Control
  - 8. Domestic Violence Intervention
  - 9. Crime Scene Investigation
  - 10. Arrest and Search Techniques
  - 11. Emergency Response
  - 12. Community Policing
  - 13. Courtroom Testifying Techniques
  - 14. Hostage Negotiation
  - 15. Building Search/ Burglary Response
  - 16. Narcotics Identification
- B. Training classes will be held during regular post meetings, but may be rescheduled in order to prepare for competitions.
- C. Each Explorer will be provided with take-home materials to study for individual subjects.

**20. Ride-Along**

The Explorer ride-along program has been developed to allow the Explorer to experience the daily functions of a police officer from an inside the department perspective. The following guidelines have been developed for the safety of everyone involved.

**\*\*\*\*Failure to comply with the rules and regulations for ride-along will result in disciplinary action and may result in dismissal from the post.\*\*\*\***

Ride-alongs will be approved at the discretion of the Senior Advisor and shift supervisors.

- A. Requirements for ride-along:
  - 1. The Explorer must be in good standing
  - 2. The Explorer must have been a member for at least six (6) months
  - 3. The Explorer must be at least sixteen (16) years of age
  - 4. The Explorer must pass the ride-along test with at least an 80%.
  - 5. The Explorer must have the approval of Senior Advisor and the Chief of Police
  - 6. The Explorer must have a notarized release including medical and Hepatitis B Declination forms on file.
- B. Conditions for Ride-Along
  - 1. Explorers shall follow current sign-up procedures, including filing necessary request forms with the post Sergeant, and obtaining approval of the Senior Advisor and the shift supervisor.

Montevallo Police Department Explorer Policy

2. Explorers under the age of eighteen (18) are not allowed to ride past 2200 hours in accordance with the City of Montevallo ride along policy.
  3. Explorers shall be in utility uniform.
  4. Explorers on ride-alongs are to act as observers **ONLY** and assist the police officer only when requested.
  5. Explorers shall report for the ride-along fifteen (15) minutes prior to shift change.
  6. Explorers are limited to riding 4 hours a month, unless permission is granted otherwise by the Senior Advisor and the shift supervisor.
  7. Explorers shall not have physical contact with citizens or suspects (searching, handcuffing, etc.) unless it is an emergency situation.
  8. Explorers will be courteous to the public and fellow police officers at all times
  9. Explorers shall follow the directions and orders of the police officers with whom they are riding with.
  10. Explorers shall have all mandatory equipment as stated previously in Section 16
  11. An Explorer shall report any problems with the police officer with whom they are riding to the Senior Advisor as soon as possible.
  12. The Explorer shall follow one of the following procedures for any call that the ride-along police officer deems to be a high risk call:
    - a. The police officer may continue on the call with the Explorer remaining in the vehicle. While on scene, the Explorer will remain in the vehicle until the ride-along police officer or the on-scene supervisor deems it safe for the Explorer to exit the vehicle.
    - b. The police officer, while en route to the call, may drop the Explorer off at a Montevallo Police Department Substation, police station, or manned fire department. When a police officer drops an Explorer off at any location other than the Montevallo Police Department, he/she shall notify the dispatcher and if possible, arrange for another Police Officer not assigned to the high risk call to pick up the Explorer as soon as possible.
  13. The police officer to whom the Explorer is assigned will perform his or her normal duties.
  14. The Explorer shall be in good physical condition in order to ride in a patrol vehicle.
  15. Explorers will **ONLY** ride with police officers approved by the post Senior Advisor, and the Shift Supervisor.
  16. Explorers will not ride with police officers conducting any detail other than patrol.
  17. Explorers shall complete a daily ride-along report and turn it in to the post Sergeant for placing in the Explorer's file.
  18. While on a ride-along, **Explorers are to remain in the vehicle on all traffic stops.**
  19. Explorers are prohibited from riding with police officers who have not completed and signed the ride-along information and regulations report issued to them by the Senior Advisor. Any police officer who is on probation status or has less than one (1) year of service with the department may not participate unless approved for a ride-along by the post Advisors and the Chief of Police or Police Captain.
- \*\*\*\*REMEMBER, AS AN EXPLORER YOU HAVE NO LAW ENFORCEMENT AUTHORITY! WHILE ON A RIDE-ALONG YOU ARE TO ACT AS AN OBSERVER ONLY! \*\*\*\***

## 21. Covert Operations

The Boy Scouts of America and the Montevallo Explorer Post specifically prohibits the use of Explorers in dangerous or undercover activities especially where such actions within the school or neighborhood setting may cause long term negative implications with peers. Explorers are prohibited from performing covert acts or other

Montevallo Police Department Explorer Policy

actions, which might undermine the role of the Law Enforcement Exploring Program in the community.

**22. Special Operation Groups**

Drill Team/ Honor Guard: The Drill Team/ Honor Guard shall perform at the discretion of the Chief of Police or Senior Advisor in functions ranging from the presentation of colors at a special event, marching in parades, and serving as an official representative of the department at a law enforcement funeral or memorial service. Drill Team/ Honor Guard members shall have at least one (1) year of above average service to the post. Drill Team/ Honor Guard members will be responsible for purchasing additional uniform items in order to serve on the Team. The Drill Team/ Honor Guard shall be ready to attend any service or function at short notice as designated by the Chief of Police, Police Captain, or Senior Advisor. The Drill Team/ Honor Guard shall also compete in any drill team event at any competition attended by the post. The Drill Team/ Honor Guard shall consist of four (4) Explorers. Selection for Drill Team/ Honor Guard members will be conducted annually, or when attrition requires the addition of new members.

Community Policing Unit: The Community Policing Unit shall assist the Police Department in any event where additional manpower and resources are needed for Community Policing or Crime Prevention. Community Policing Unit members will assist the department in a wide range of community or civic groups, and helping establish neighborhood watch programs. This unit will be highly visible in the community, and members shall possess above average communication and public speaking skills. All Community Policing Unit members shall be available to attend any special event as designated by the Chief of Police, Police Captain, or Senior Advisor. Explorers serving on the Community Policing Unit shall have at least one (1) year of above average service to the post. Selection of unit members will be conducted annually, or when attrition requires the addition of new members.

**The contents of this manual are subject to revision by the Advisors and post Officers at any time. Post members will be notified of any changes or amendments as soon as possible.**

**Montevallo Police Explorers Ride-Along Program**

**Hold-Harmless and Release Form**

The undersigned, parents or guardians of \_\_\_\_\_, a participant of the Montevallo Police Explorer Ride-Along Program post 790, hereby indemnifies and holds harmless the City of Montevallo, its agencies and employees, specifically including any and all police officers or personnel involved with the supervision and control of the Montevallo Police Explorer Post 790 from any claims of any kind whatsoever or of any nature for injury to the person or damage to the property of \_\_\_\_\_, his/her parents, siblings, or heirs. I understand that participation in the program requires my child to complete a shotgun familiarization course to be conducted by a certified firearms instructor. This indemnity and hold-harmless agreement shall be considered a complete and total waiver of any and all liability on the part of the City of Montevallo, its servants, agents, or employees, and particularly the police officers engaged in the supervision and control as set forth herein above.

\_\_\_\_\_  
Explorer's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Parent's Signature  
(Explorer under 18 years of age)

\_\_\_\_\_  
Date

## Delineation of Responsibility

### **I. Purpose**

The purpose of this directive is to establish a policy for insuring the statements of the responsibilities of each organizational component are made available to all personnel.

### **II. Policy**

Written job descriptions describing the duties and responsibilities of each position and job assignment within the department will be maintained in the job assignment book located in the patrol room. All personnel are encouraged to periodically review the job descriptions and make suggestions to their supervisor or the Chief concerning any changes that should be made in their job description.

### **III. Official Jobs of the Department**

Chief of Police  
Lieutenant  
Corporal  
Investigator  
Patrol Officer  
Code Enforcement Officer  
School Resource Officer  
Communications Officer  
Investigative Assistant  
Administrative Personnel

**MONTEVALLO POLICE EXPLORERS RIDE-ALONG  
PROGRAM**

**MEDICAL RELEASE FORM**

I/We know of no health or fitness restriction that precludes the participation of Explorer \_\_\_\_\_ in the Explorer Ride-Along program for Explorer Post 790, sponsored by the City of Montevallo Police Department.

In the event of a serious illness or injury to \_\_\_\_\_ while involved in this activity, I/we consent to emergency medical treatment, x-ray examination, anesthesia, medical or surgical diagnostic procedures or treatment that is considered necessary in the best judgment of the emergency medical technician/paramedic and the attending physician, and is performed under the supervision of a member of the medical staff of the hospital furnishing the medical services.

It is understood that in the event of a serious illness or injury, reasonable effort to reach me/us will be attempted.

Parent(s)/Guardian(s) Name \_\_\_\_\_  
\_\_\_\_\_

Parent(s)/Guardians(s) Name \_\_\_\_\_  
\_\_\_\_\_

**Emergency Phone Numbers**

Home( ) \_\_\_\_\_ Work( ) \_\_\_\_\_ Cell ( ) \_\_\_\_\_

Notary Public \_\_\_\_\_ My commission expires \_\_\_\_\_

Advisor Approval \_\_\_\_\_ Date \_\_\_\_\_



Chief Bill Reed - Montevallo Fire Department

MONTEVALLO

Inspections by Inspector

Date Completed Between (03/01/2014) And  
(03/31/2014)

Date	Time	Inspection Type/Occupancy	Hours
0044 BROADHEAD, BRANDON			
03/04/2014	13:00	270 INSPECTION - Special MONT000002 Montevallo Elementary School 171 JETER CIR	1.42
03/07/2014	09:27	120 PLAN REVIEW - Fire Protection MONT000004 Montevallo Middle School 135 SANFORD ST	1.05
03/07/2014	11:23	200 INSPECTION - General I000004 Joe's Italian 4735 N 119 SH	0.16
03/07/2014	12:45	200 INSPECTION - General H000014 HOUSE OF SERENDIPITY 645 MAIN ST	0.26
Total For Staff:		4	Total Hours: 2.89
Grand Total Activities:		4	Grand Totals: 2.89



MONTEVALLO

Staff Activity by ID

Date Between {03/01/2014} And {03/31/2014} and  
 Staff ID = "0044 "

Date	Time	Incident	Type Code	Hours	Hrs Paid	Points
0044 BROADHEAD, BRANDON						
03/04/2014	09:15:00	14-0000155	M MX Medical At Scene	0.60	0.60	1.00
03/10/2014	13:39:00	14-0000169	C MX Medical At Scene	0.23	0.23	1.00
03/11/2014	09:09:00	14-0000172	O MX Medical At Scene	0.40	0.40	1.00
03/11/2014	09:29:00	14-0000173	O MX Medical At Scene	0.50	0.50	1.00
03/14/2014	10:11:00	14-0000182	M MX Medical At Scene	0.38	0.38	1.00
03/14/2014	11:22:00	14-0000183	M MX Medical At Scene	0.40	0.40	1.00
03/14/2014	14:49:00	14-0000184	M MS Medical On Standby	0.20	0.20	1.00
03/17/2014	11:51:00	14-0000188	M MX Medical At Scene	0.52	0.52	1.00
03/17/2014	12:53:00	14-0000189	F FX Fire At Scene	0.32	0.32	1.00
03/17/2014	14:01:00	14-0000190	M MX Medical At Scene	0.25	0.25	1.00
03/17/2014	19:25:00	14-0000191	M MX Medical At Scene	0.33	0.33	1.00
03/31/2014	13:19:00	14-0000225	M MX Medical At Scene	0.62	0.62	1.00
03/31/2014	13:57:00	14-0000226	M MX Medical At Scene	0.37	0.37	1.00
03/31/2014	20:35:00	14-0000228	F FX Fire At Scene	1.57	1.57	1.00
03/31/2014	17:02:00	14-0000227	M MX Medical At Scene	0.52	0.52	1.00
Staff Member Totals:				7.21	7.21	15.00
Avg Per Activity:				0.48	0.48	1.00

Types: F=Fire, M=EMS/Medical, R=Rescue, O=Other

04/05/2014 14:19

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MONTEVALLO

Incident Type Report (Summary)

Alarm Date Between {03/01/2014} And {03/31/2014}

Incident Type	Count	Pct of Incidents	Total Est Loss	Pct of Losses
<b>1 Fire</b>				
111 Building fire	3	3.52%	\$6,000	100.00%
142 Brush or brush-and-grass mixture fire	4	4.70%	\$0	0.00%
	<b>7</b>	<b>8.23%</b>	<b>\$6,000</b>	<b>100.00%</b>
<b>3 Rescue &amp; Emergency Medical Service Incident</b>				
300 Rescue, EMS incident, other	5	5.88%	\$0	0.00%
321 EMS call, excluding vehicle accident with	49	57.64%	\$0	0.00%
322 Motor vehicle accident with injuries	4	4.70%	\$0	0.00%
324 Motor Vehicle Accident with no injuries	2	2.35%	\$0	0.00%
	<b>60</b>	<b>70.58%</b>	<b>\$0</b>	<b>0.00%</b>
<b>4 Hazardous Condition (No Fire)</b>				
441 Heat from short circuit (wiring),	1	1.17%	\$0	0.00%
444 Power line down	1	1.17%	\$0	0.00%
	<b>2</b>	<b>2.35%</b>	<b>\$0</b>	<b>0.00%</b>
<b>5 Service Call</b>				
553 Public service	1	1.17%	\$0	0.00%
	<b>1</b>	<b>1.17%</b>	<b>\$0</b>	<b>0.00%</b>
<b>6 Good Intent Call</b>				
600 Good intent call, Other	1	1.17%	\$0	0.00%
611 Dispatched & cancelled en route	5	5.88%	\$0	0.00%
6112 No Response	7	8.23%	\$0	0.00%
622 No Incident found on arrival at dispatch	1	1.17%	\$0	0.00%
	<b>14</b>	<b>16.47%</b>	<b>\$0</b>	<b>0.00%</b>
<b>7 False Alarm &amp; False Call</b>				
745 Alarm system activation, no fire -	1	1.17%	\$0	0.00%
	<b>1</b>	<b>1.17%</b>	<b>\$0</b>	<b>0.00%</b>
<b>Total Incident Count:</b>	<b>65</b>		<b>Total Est Loss:</b>	<b>\$6,000</b>

**Sustainability (Council Member Hughes absent – Mayor Cost called on Kirk Hamby)**

Mr. Hamby received three quotes to purchase a new mower, which was included in their capital reserve budget for the year. He recommended purchasing the 31hp 60" Husqvarna from L & S in town, in the amount of \$8,799.96. This price includes 20% off the list price of the mower. Husqvarna also offers a point system. After a certain amount of points have been earned, the city will receive about \$500 worth of equipment. We will have the option of receiving two of the following items: weed-eater(s), edger(s) or a blower(s). Herman Lehman stated that this is budgeted in the capital budget.

TopLine Equipment	SCAG	60'	35 hp	10,341.27
TopLine Equipment	HUSQVARNA	60'	31hp	10,999.95
L & S SMALL ENGINE	HUSQVARNA	60	31 hp	8,799.96

There are new sidewalks on Shelby Street and we will continue to look in other areas and get small sections repaired.

Due to the weather we had last week, there are some washed out spots on the trail. There is some work to do and it is going to require purchasing a good bit of rock. Areas by the creek are the worst spots, since the trail follows the creek, so there is a big area to take care of.

Art Festival turned out well there were quite a few vendors, no parking spaces throughout the day. At the same time as the Art Festival we had about 600 people at Stephens Park for a rather large travel ball tournament.

The High School Baseball will be hosting the first round of the playoffs on Friday in the park. The High School girls could be hosting the area tournament but this will not be determined until late Saturday afternoon.

The recycling roof has been torn off. They are anticipating having it fixed by Wednesday.

Mayor Cost said that we have set up interviews for this week for the Park & Recreation Director position. There were several qualified applicants and we should be able to get a good candidate from that. Mr. Hamby also has three (3) additional positions in his department he is working on trying to fill at this time.

Mr. Herschel Hale reported the deadline for 2014 Spring Beautification Award nominations is Friday April 18, 2014. The judges should be in next week and we should make the announcement by end of that week.

Mayor Cost asked about the trees that are marked out at the park. Mr. Hale said that they are marked to show Council Member Woodham and the committee the amount of dead and dying trees we have, and there are no plans at this time to cut them down.

***Recreation, Preservation and Community Development (Council Member Rusty Nix)***

Park & Recreation – confirmed that they are doing the interviews for the Park Director on Wednesday.

We have the Easter Egg Hunt this Saturday – April 19, 2014 from 10 a.m. to 12:00 p.m.

Family Fun and Fitness will be the last Sunday in April - April 27, 2014 from 2:00 p.m. to 4:00 p.m.

Montevallo Golf Course – Mr. Ed Davis gave his report

Report as of April 13,2014

Before I get into the financials, I am happy to let everyone know that we are in the last few weeks of High School and Middle School golf seasons. We are home course for 7 schools from the area. Unfortunately Montevallo Middle didn't field a team this year. These teams have expressed a lot of gratitude to the City and the Golf Course for allowing them host course priveleges and thank us for very modest fees we charge them to play for the season. We are also in the final two weeks of our PGA Golf Academy with the Boys and Girls Club of Montevallo. The 20-25 kids participating really enjoy this activity and not only learn the basics of golf, but good nutrition and motor skills. We will have a field trip in two weeks, bringing the kids to the Montevallo golf course and letting them experience playing a hole on a real golf course.

Also, the rain has taken a big hit on the condition of the course, with the creek getting so high on #15 that all you could see was the flagstick on the green. It washed away part of the bridge going from hole 15 to hole 16. Mayor Hollie came over with Kirk and set up for repairs for tomorrow hopefully in time for the Chamber of Commerce tournament on Thursday. Everyone I am pretty sure is invited to lunch from 11:00-12:30.

Now to the finances. So far through the first 6.5 months, revenues from Cart/G.fees, Cart House rentals, Driving Range, Initiation fees, beer sales, and Membership fees have increased \$3940 while expenses have decreased by \$6211 for a net gain of \$10150 over last year. Pretty amazing with the number of rainout days we have had this year over last year.

#### Net gain over last year \$10,150####

1. Payroll for October-March 30th totaled \$85185 YTD to \$89142 in 2013, a decrease in payroll of \$3957, or a reduction of payroll of 4.5% this year over last year. This also includes an increase in insurance from \$763 to \$1280, so we start off each month \$517 behind. If you take insurance out of the equation, we have reduced payroll right at 10%. We are pleased with these efforts to control payroll.
2. So far this year Montevallo Golf Club has written checks to the City of Montevallo totaling \$90,781.00 compared to payroll expenses of \$85,185, and thus reducing the amount owed to the City of Montevallo by approximately **\$5400**, which considering we have lost 54 days since October 1 compared to 56 days last year when we lost a lot of ground during this time. We have gained ground with the same amount of lost days this year compared to losing substantial ground last year with the same amount of lost days.

Ed Davis-PGA  
Golf Department

Montevallo City Council Meeting  
April 14, 2014  
6:00 P.M. at City Hall

Mayor Hollie C. Cost, Council Members Rusty Nix, Willie Goldsmith, Don Hughes, Dee Woodham, Sharon Gilbert were present. Council Member Dee Woodham and Council Member Don Hughes were absent.

Mayor Hollie C. Cost called the Council Meeting to order at 6:00 p.m.

Pledge

**Approval and/or corrections of the minutes**

Council Member Nix made a Motion to Approve the Minutes from March 24, 2014. Council Member Goldsmith seconded. Council Member Gilbert abstained. ALL OTHER COUNCIL MEMBERS VOTED AYE . . . MOTION APPROVED

**Student Recognitions / Awards**

**Montevallo's Academic Excellence Award – presented by Dr. Wesley Hester, Principal**

Jordan Magner  
Skylar Martin  
Jonathan Pintaro  
Danielle Blake

**Montevallo's Excellence in Service Award**

Horacio Martinez  
Elizabeth Clark  
Aaron Terrill  
Dylan King  
Kirklynn Hamby  
Jessica Davis  
Sabrina Sherman

**Montevallo's School Staff Excellence Award**

Betty Walker

**Montevallo's Excellent Educator Award**

Blake Ray

Montevallo High School is having their annual Plant Sale on April 22, 2014 from 12 – 3 p.m.



### **Opportunities for citizens to speak to the Council**

Mr. Steve Gilbert (Montevallo Chamber of Commerce) wanted to thank Mr. Hamby and his crew that stepped up last week with the flood, removing the fallen tree in the park, and preparing for the Art Festival. He said it's a testament to their dedication and hard work. We counted around 1300 people that came to the Art Festival.

### **Committee Reports and Consideration of Bills**

#### **Recreation, Preservation and Community Development (Council Member Rusty Nix) - continued**

Council Member Nix made his report on the Historical Commission. We are moving forward with the local district for the downtown urban core.

The Historical Commission has asked people to write to the University about the Jeter Building. His understanding is they are looking at taking it down, that is a historic building in Montevallo even though it's university property. You can write to the University and they will give it to the Trustees. In his opinion he didn't think it would be a good idea to put a hotel two blocks away from Main Street. He was under the understanding that they were going to incorporate the Jeter Building with the Hotel. Let's see what we can do to protect the building because if we continue to tear down these buildings then we will not be able to call this the Historic Montevallo anymore.

We are looking at the Powell Cemetery again, it is still there, a lot of the head stones have been broken but they are still in the ground, there are about 19 graves. Mr. Brown has talked about quick claim deed. They Historic Commission are asking for the City to pay for a survey to be done.

Council Member Nix will set up a meeting for next week on Monday at 4:00 p.m. here at City Hall to discuss annexations.

#### **Education Arts & Outreach (Council Member Gilbert)**

Library Report given by Allie Williams

PARNELL MEMORIAL LIBRARY  
MONTHLY REPORT  
MARCH 2014

CIRCULATION:	3965 Items Charged (Decreased by 11% from last year)	
COMPUTER USE:	917 users (Decreased by 1%)	
STORYTIME/4:	131 Children (Increased by 111%)	
MOVIES/4:	178 People Attended (Increased by 12%)	
WEBSITE VISITS:	March 25 – April 14: 2,957	
ADULT PROGRAMS/4:	78	
ADDITIONAL CHILDRENS/2:	41	
DEPOSITS:	3/4/14	\$135.95
	3/13/14	\$196.10
	3/18/14	\$129.99
	3/24/14	\$202.10
	3/26/14	\$141.15
	3/31/14	\$138.34
	3/31/14	\$65.65
	3/31/14	\$39.54
	<b>Total</b>	<b>\$1048.82</b>

Tea party with Mrs. Pettigrew Saturday April 5<sup>th</sup>. 19 attended.

Egg hunts Wed April 16<sup>th</sup> at 10:15 for pre-k and Thurs April 17<sup>th</sup> at 3:30 for K-5. Thanks to all who donated candy!

The library would like to host a program about the civil war but the cost for this will be \$2500. Through donations from the Arts Council, Main Street Players, Foundation, Library Board and Cathy Lowe from Carmichael they will be able to host this program. The Library Board is requesting council members to approve \$500 from the library's surplus fund to help fund this program.

**Council Member Nix moves for a Motion to Approve the \$500.00 from surplus funds to host the event at the Library. Council Member Gilbert seconded. ALL COUNCIL MEMBERS VOTED AYE . . . MOTION APPROVED**

Council Member Gilbert said that the Art Walk will be held on May 2, 2014 from 4 until 8 p.m.

Mayor Cost said that the Boys & Girls Club have made a request to use the Scout Lodge for a couple of weeks in the summer, one at the beginning and one at the end. This does not require a vote but just wanted to make council aware of this.

Mayor Cost wanted to thank Jason Peterson and the University of Montevallo for the donation of the computers to Head Start and for Mr. Peterson taking time to set these computers up.

**Finance Committee** (Council Member Woodham – absent)

**Council Member Woodham provided Mayor Cost with a report**

The next meeting for the Finance Committee will be the last Wednesday of the month here at 4:30 p.m. here at City Hall

MDCD will meet on the last Monday of the month at Parnell Library at 4:00 p.m. to discuss the Hotel RFP.

**Steve Gilbert gave report from Chamber of Commerce**

# *Montevallo*

CHAMBER OF COMMERCE

## **Report to IDB & City Council March 2014**

1. Electronics Recycling Day on March 15 was a great success! We recycled 3,345 pounds of electronics on this day, making a total of 4.6 tons in the 3 years this event has occurred! The Chamber once again partnered with Technical Knock Out to recycle the electronics and UM Environmental Club for volunteers.
2. Business After Hours Wine Tasting at Mahler Property/Perry Hall on March 20 was a great success with 30 attendees! Hors d'oeuvres were catered by Eclipse Coffee & Books, with wine from Jerrie Patterson.
3. Monday Farmers' Market will occur every Monday from June 2-August 18 in the parking lot behind First Baptist Church. Jim Chomicz will be co-chair again this year!
4. Chamber hosted luncheon on March 19 with 20 attendees. Tiffany Roskamp-Bunt with Montevallo Arts Council and Montevallo Artwalk shared information about community art initiatives.
5. On March 27, a tour bus with 60 senior citizens from Tupelo, Mississippi stopped in Montevallo after a trip to Petals from the Past in Jemison. Steve Gilbert led the tour and shared attraction information with them. They also stopped at Chamber Member Lula B's for frozen yogurt and spent money on Main Street! They had such a great time that they plan to return to tour American Village.
6. The Chamber currently has 64 paid 2014 members.

### ***Select Upcoming Events***

**April 3:** Citizens' Night Awards Banquet at 6 PM at Anna Irvin Dining Hall. Tickets available at the door \$25

**April 5:** Montevallo Tour de Cure bicycle fundraiser, hosted by the American Diabetes Association.

**April 17:** Annual Golf Tournament at Montevallo Golf Club

# *Montevállo*

CHAMBER OF COMMERCE

**April 19:** Community Easter Egg Hunt in Orr Park 10 AM - 11 AM

**April 27:** Annual Family Fun and Fitness Day in Orr Park from 2-4 PM.

**May 2:** Montevállo Artwalk from 4-8 PM

**Cindy Holsombeck**

---

**From:** Montevallo Chamber of Commerce <montevallochamber@gmail.com>  
**Sent:** Monday, April 07, 2014 4:54 PM  
**To:** Herman Lehman; Hollie C. Cost; Cindy Holsombeck  
**Cc:** Susan Fulmer, Dixie Decorations; Steve Gilbert  
**Subject:** Re: Chamber Activities Report to City Council - March 2014

City staff:

I apologize for leaving this event off the original report! Please take note of some of Montevallo's upcoming events.

Courtney Bennett

**April 12:** Annual Montevallo Art Show in Orr Park, hosted by Montevallo Arts Council. 10 AM - 5 PM.

**April 17:** Annual Golf Tournament at Montevallo Golf Club

**April 19:** Community Easter Egg Hunt in Orr Park 10 AM - 11 AM

**April 27:** Annual Family Fun and Fitness Day in Orr Park from 2-4 PM.

**May 2:** Montevallo Artwalk from 4-8 PM

On Thu, Apr 3, 2014 at 2:49 PM, Montevallo Chamber of Commerce <[montevallochamber@gmail.com](mailto:montevallochamber@gmail.com)> wrote:

Hollie, Herman, and Cindy:

Attached is the Chamber Activities Report to City Council - March 2014. Please distribute as appropriate!

The next meeting is the 14th, correct? We will let you know if Steve or I plan to attend and read this report.

Thank you,  
Courtney Bennett  
Administrative Assistant

--  
*Montevallo Chamber of Commerce*

845 Valley Street  
**205.665.1519**  
[www.montevallocc.com](http://www.montevallocc.com)

**New Business**

March 28, 2014

Montevallo City Council  
c/o Mr. Herman Lehman, City Clerk  
545 Main Street  
Montevallo, Alabama 35115

Re: De-annexation: Property: 27-4-19-2-001-005  
Plat Bk. 3, Page 54, Sub. Name, Aldrich Town of Thomas Addition  
Lot 1, Block 2  
1390 Highway 10, Montevallo, Al. 35115

TO WHOM IT MAY CONCERN:

My mother and I were co-owners of the property listed above. My mother Edith McDaniel Dailey signed for annexation. I am requesting de-annexation since she has passed away.

Thank you in advance for your consideration in this matter.

Sincerely,



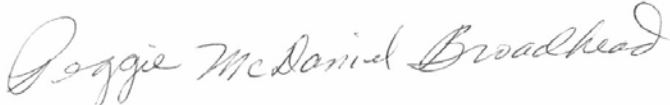
Peggie McDaniel Broadhead

April 4, 2014

Mr. Herman Lehman please add my address to the letter I sent to Montevallo City council c/o of you regarding de-annexation of the property at 1390 Highway 10. Montevallo, Alabama. There is no mailbox at that address.

You can contact me at:  
Peggie McDaniel Broadhead  
3893 Highway 10  
Montevallo, Al. 35115  
Phone: 665-7407

Thank You,

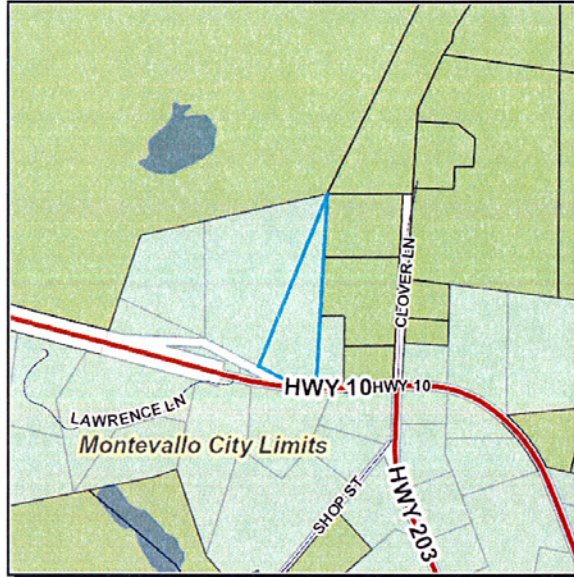


*Peggie McDaniel Broadhead*



Property Information: 27 4 19 2 001 005.000

Year: 2013



owner information						
name 1	name 2	address 1	address 2	city	state	zip
SCOTT BETTY D MCDANIEL &	C/O PEGGY W MCDANIEL	3893 HWY 10		MONTEVALL O	AL	35115
subdivision name	primary lot	secondary lot	block	section	township	range
ALDRICH TOWN OF THOMAS ADDITION	1		2	19	22S	03W
map book	map page	lot dimension 1	lot dimension 2	acres	square feet	
3	52	195.00	580.00	1.31	57,063.60	
description						

We do not vote on de-annexation and do not allow de-annexation. No further discussion required.

We have had two requests for ABC Licenses, one from Montevallo Citgo and the other from American Fuel. Both of them have been approved by Chief Littleton.

**Council Member Nix moves for a Motion to Approve ABC License for Montevallo Citgo. Council Member Gilbert seconded. ALL COUNCIL MEMBERS VOTED AYE . . . MOTION APPROVED**

**Council Member Nix moves for a Motion to Approve ABC License for American Fuel. Council Member Gilbert seconded. ALL COUNCIL MEMBERS VOTED AYE . . . MOTION APPROVED**

We also have a Parking Lot Land Disturbance Permit and for the parking lot in front of the Elementary School.



# MEMORANDUM

SHELBY COUNTY DEPARTMENT OF DEVELOPMENT SERVICES  
1123 COUNTY SERVICES DRIVE  
PELHAM, ALABAMA 35124  
(205) 620-6650  
FAX (205) 620-6630

**To:** Matthew Burgess, Montevallo City Engineer  
Herman Lehman, City Clerk

**From:** Sharman Brooks, Senior Planner

**Subject:** SP14-005, Montevallo Elementary School Parking Lot Renovations – Land Disturbance Permit

**Date:** March 18, 2014

The Development Services Department has received an application for a land disturbance permit for the above-referenced project. Please review the plan and respond with a memorandum containing any comments no later than April 2, 2014. This request requires final approval by the City Council.

Attachments: Grading & Erosion Control Plan

---

RECOMMENDATION (Check One)

- Approve
- Approve with Conditions (attach list of conditions)
- Deny (please note reason)

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Reviewer's Signature

**LAND DISTURBANCE PERMIT APPLICATION**

City of Montevallo / Shelby County Department of Development Services  
205.665-2555 – Montevallo City Hall / 205.620.6650 – Shelby County Development Services

**PROPERTY INFORMATION**

PROJECT NAME: Montevallo Elementary School Parking Lot Renovations CASE NO. SP14-5  
PARCEL I.D. 27 5 21 3 002 002.004 AND 27 5 21 3 002 001.000 ZONING: \_\_\_\_\_  
TOWNSHIP 22S RANGE 03W SECTION 21 NO. ACRES about 1 acres  
GENERAL LOCATION/ADDRESS: At the intersection of Island Street and Park Drive in the parking lot of Montevallo Elem.  
APPLICATION DATE: 02/20/2014 PRELIMINARY PLAT APPROVAL DATE: \_\_\_\_\_  
SITE PLAN CERTIFICATION DATE: \_\_\_\_\_

*Note: No request for a land disturbance permit shall be considered complete until this application form and three (3) copies of a detailed site plan containing all necessary information has been submitted to the Shelby County Department of Development Services. If you have questions call 620-6650 ext. 628.*

**CONTACT INFORMATION**

Applicant Name: Brandon W Streety Company: Southeastern Sealcoating, Inc.  
Telephone: 205-798-9560 Cell: 205-540-1073 Email: brandonstreety@southeasternsealcoating.com  
Address: 1330 Adamsville Industrial Parkway Birmingham, AL 35224  
Street City State Zip

Engineer/Surveyor Name: Nadine Sisson Company: Lathan Associates and Arch.  
Telephone: 205-988-9112 Cell: \_\_\_\_\_ Email: NSisson@lathanassociates.com  
Address: 1550 Woods of Riverchase Drive Suite 200 Hoover, AL 35244  
Street City State Zip

Contractor Name: Brandon W Streety Company: Southeastern Sealcoating, Inc  
Telephone: 205-798-9560 Cell: 205-540-1073 Email: Brandonstreety@southeasternsealcoating.com  
Address: 1330 Adamsville Industrial Parkway Birmingham AL 35224  
Street City State Zip

Subcontractor Name: \_\_\_\_\_ Company: \_\_\_\_\_  
Telephone: \_\_\_\_\_ Cell: \_\_\_\_\_ Email: \_\_\_\_\_  
Address: \_\_\_\_\_  
Street City State Zip

Property Owner (if different from Applicant): Shelby County Board of Education Telephone: 205-682-7000  
*If applicant is not property owner a notarized authorization from the property owner must be attached. All communications will be directed to the applicant.*

**PROJECT DATA**

Land Disturbance Activity? Grading to Build and remodel parking lot

Proposed Use of Property? Parking Lot of Montevallo Elementary

Is the Subject Property located within a flood hazard area? \_\_\_\_\_ If yes, total amount of site area within flood hazard area: \_\_\_\_\_

Total Permitted Site Area: 1.50 Disturbed Area Proposed Start Date: 2/25/14 Proposed Completion Date: 5/26/14

Is the proposed development the subject of any request for subdivision, rezoning, conditional use, or other zoning action? no

If yes, state relevant Case Nos. \_\_\_\_\_

Will the project use a borrow/fill site? no (circle one: Borrow Fill Both)

Is the borrow/fill site within the city limits of Montevallo? \_\_\_\_\_

If yes, site address and size (acres) of property: \_\_\_\_\_

**ACKNOWLEDGEMENT**

I, the undersigned Applicant, certify under penalty of law that this document and all attachments were prepared under my direction or supervision and that I have personally examined and am familiar with information therein. Based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and civil penalty."

I, the undersigned Applicant, have reviewed a copy of the applicable land disturbance requirements as set forth in the Land Disturbance Ordinance of the City of Montevallo, Alabama. Please call (205) 620-6650 ext. 628 if any questions arise.

Signed BL Streeby Date: 2/20/14  
Please Print Name Brandon W Streeby

**STATE OF ALABAMA  
SHELBY COUNTY**

I, Angela Leann Guthrie, as Notary Public in and for said County and State, do hereby certify that Brandon W Streeby, whose name is signed to the foregoing certificate as applicant (and Brandon W Streeby, whose name is signed to same as owner), all of whom are known to me, acknowledged before me, on this date, that after having been duly informed of the contents of said certificates, they executed same voluntarily as such individuals (or in any other capacities) with full authority thereof.

Given under my hand and seal this 20 day of Feb, 2014.

Angela Leann Guthrie  
Notary Public (seal)



*FEES: COM Application fee \$100 – Single-family residence; \$500 – Other Applications; \$250 – Re-application or Permit modification. Bond Amount \$1,000 per acre or fraction thereof – Clearing; \$3,000 per acre or fraction thereof – Clearing and Earthwork or Earthwork. \*\*NOTE: The Bond amounts double for property within a flood hazard area.*

*All fees and bond amounts are due upon application.*

<b><u>OFFICE USE ONLY</u></b>			
Application Fee _____	Total Fees Paid _____	Receipt No. _____	Date _____
Bond Instrument Amount _____	Bond Instrument Type _____	Bond Instrument Expiration Date _____	
Received By _____	Reviewed By _____	City Council Mtg. Date _____	

Form COM-DS Land Disturbance 7/2010 (Form and fees may change without notice.)



February 19, 2014

Shelby County Department of Development Services  
1123 County Services Dr.  
Pelham, AL 35124-6128

To Whom It May Concern:

Please accept this notarized correspondence as authorization for Southeastern Sealcoating, Inc. to act on our behalf in processing any permits related to Parking Lot Renovations at Montevallo Elementary School in accordance with the executed construction contract included herein.

Should you have any questions, please do not hesitate to contact Mr. Randy Reeves at 682-7100.

Thank you in advance for your cooperation.

Sincerely,

Randy Fuller  
Superintendent

cc: Brandon Streeby, Southeastern Sealcoating, Inc.  
Randy Reeves, Facilities and Maintenance Coordinator



Randy Fuller  
Superintendent

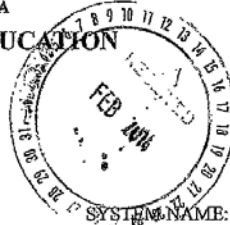
**Board Members**

Aubrey Miller, President • Peg Hill, Vice President • Steve Martin • Jane Hampton • Jimmy Bice

410 East College Street • Post Office Box 1010 • Columbiana, AL 35051 • (205) 682-7000 Phone • (205) 682-7005 Fax • www.shelbyed.k12.al.us



STATE OF ALABAMA  
DEPARTMENT OF EDUCATION



Thomas R. Bice  
State Superintendent of Education

Alabama  
State Board  
of Education

Governor  
Robert Bentley  
President

Tracy T. Roberts  
District I

Betty Peters  
District II

Stephanie Bell  
District III

Yvette M.  
Richardson, Ed.D.  
District IV

Ella B. Bell  
District V  
President Pro Tem

Charles E. Elliott, M.D.  
District VI  
Vice President

Jeff Newman  
District VII

Mary Scott Hunter, J.D.  
District VIII

Thomas R. Bice, Ed.D.  
Secretary and  
Executive Officer

DATE: February 6, 2014  
SYSTEM NAME: Shelby County  
TO: Mr. Randy Fuller, Superintendent  
Shelby County Board of Education  
FROM: E. Perry Taylor, State School Architect  
A/E: Lathan Associates - Architects, P.C.  
RE: Montevallo Elementary School  
Renovations and Additions  
Package B: Parking Lot Renovations (#13-17B)

The enclosed document(s) as approved by the State Superintendent of Education or his agent is/are forwarded for your records. Copies are being distributed as indicated.

Agreement Between Owner and Architect  Agreement Between Contractor and Owner  
 Change Order No. \_\_\_\_ ( )  Amendment No. \_\_\_\_  See Remarks

The enclosed document(s) is/are returned for your action and resubmittal.

Budget must be established  Signatures required  Alabama Building Commission forms must be used  See SDE Bulletin 1983 No. 26, Revised October 1997, for submittal procedures and for number of copies required  Bonds and Power of Attorney must be dated on or after contract date  Consent of Surety required  Bid Tabulation must accompany agreements  Concurrence by Owner's Legal Advisor required  See Remarks

Schematic  Preliminary  Revised Preliminary  Final  Revised Final Plans  
 A/E Agreement  Construction Contract is/are  approved  disapproved  on hold  subject to  ABC approval  SDE receipt and approval of Final Plans  Local Health Department approval, if applicable  Construction Approval Letter  approved A/E Agreement  Certification of Compliance  Statement of Compliance  E-Verify Documentation  See Remarks

Remarks: \_\_\_\_\_

pc:  Local Superintendent  Architect  Contractor  ABC  Kitchen and Cafeteria  Career-Tech.  Program Manager  File

State School Architect  
State Department of Education  
North Ripley Street, 5158 Gordon Persons Building, Montgomery, AL 36104-3833  
or  
P. O. Box 302101, Montgomery, AL 36130-2101  
Phone: 334-242-9731  
Fax: 334-353-5614

FEB 04 2014

ABC Form C-5  
August 2001

BC Project No. 2013233

## CONSTRUCTION CONTRACT

This Construction Contract is entered into this 20th day of December in the year of 2013

between the **OWNER(s)**, **SHELBY COUNTY BOARD OF EDUCATION**  
**Post Office Box 1910**  
**Columbiana, AL 35051**

and the **CONTRACTOR**, **SOUTHEASTERN SEALCOATING, INC.**  
**1330 Adamsville Industrial Parkway**  
**Birmingham, AL 35224**

for the **WORK** of the Project, identified as: **Architect's Job No. 13-17B**

### **RENOVATIONS AND ADDITIONS TO MONTEVALLO ELEMENTARY SCHOOL PACKAGE B: PARKING LOT RENOVATIONS**

The **CONTRACT DOCUMENTS** are dated November 6, 2013 and have been amended by  
**ADDENDA: No. 1 dated 12/03/13, No. 2 dated 12/12/13, No. 3 dated 12/13/13, and No. 4 dated 12/16/13.**

The **ARCHITECT** is **LATHAN ASSOCIATES ARCHITECTS, P.C.**  
**1550 Woods of Riverchase Drive, Suite 200**  
**Hoover, AL 35244**

The **CONTRACT SUM** is Three Hundred Sixty Thousand, Nine Hundred Eighty-Seven and 00/100  
Dollars (\$360,987.00) and is the sum of the Contractor's Base Bid for the Work and the following

**BID ALTERNATE PRICES:** Not Applicable.

The **CONTRACT TIME** is: All work under this Contract shall be complete and ready for Owner occupancy within Ninety (90) consecutive calendar days from written Notice To Proceed. The work under this Contract shall commence within Ten (10) calendar days from date of Notice To Proceed.

#### **THE OWNER AND THE CONTRACTOR AGREE AS FOLLOWS:**

The Contract Documents, as defined in the General Conditions of the Contract (ABC Form C-8), are incorporated herein by reference. The Contractor shall perform the Work in accordance with the Contract Documents. The Owner will pay and the Contractor will accept as full compensation for such performance of the Work, the Contract Sum subject to additions and deductions (including liquidated damages) as provided in the Contract Documents. The Work shall be commenced on a date to be specified in a Notice to Proceed issued by the Owner or the Director, Technical Staff, Alabama Building Commission, and shall then be substantially completed within the Contract Time.

**LIQUIDATED DAMAGES** for which the Contractor and its Surety (if any) shall be liable and may be required to pay the Owner in accordance with the Contract Documents shall be equal to six percent interest per annum on the total Contract Sum unless a dollar amount is stipulated in the following space, in which case liquidated damages shall be determined at XX dollars (\$ XX ) per calendar day.



**SPECIAL PROVISIONS** (Special Provisions may be inserted here, such as Acceptance or Rejection of Unit Prices.)

By signing this contract, the contracting parties affirm, for the duration of the agreement, that they will not violate federal immigration law or knowingly employ, hire for employment, or continue to employ an unauthorized alien within the state of Alabama. Furthermore, a contracting party found to be in violation of this provision shall be deemed in breach of the agreement and shall be responsible for all damages resulting therefrom.

1. Tabulation of Bids
2. Unit Price Proposal Form Attachment
3. Certificate of Compliance with the ARRA 2009 (Attachment A)
4. Waivers of Subrogation (Attachment B)

**STATE GENERAL CONTRACTOR'S LICENSE:** The Contractor does hereby certify that Contractor is currently licensed by the Alabama State Licensing Board for General Contractors and that the certificate for such license bears the following:

**License No.** 39074      **Bid Limit:** Unlimited

**Classification:** H/RR-S: RUNWAY MARKINGS, HS-S: CONCRETE, HS-S: SIDEWALKS, HS-S: SPECIAL COATINGS, HS-S: STRIPING, MU-S: CLEARING AND GRUBBING, MU-S: CURBS AND GUTTERS, MU-S: DRAINAGE AND CULVERT, MU-S: EROSION CONTROL, MU-S: PAVING AND ASPHALT, MU-S: SEWER PROJECTS, MU-S

The Owner and Contractor have entered into this Construction Contract as of the date first written above and have executed this Construction Contract in sufficient counterparts to enable each contracting party to have an originally executed Construction Contract each of which shall, without proof or accounting for the other counterparts, be deemed an original thereof.

The Owner does hereby certify that this Construction Contract was let in accordance with the provisions of Title 39, Code of Alabama 1975, as amended, and all other applicable provisions of law, and that the terms and commitments of this Construction Contract do not constitute a debt of the State of Alabama in violation of Article 11, Section 213 of the Constitution of Alabama, 1901, as amended by Amendment Number 26.

APPROVALS	CONTRACTING PARTIES
STATE DEPARTMENT OF EDUCATION	Southeastern Sealcoating, Inc. <small>Contractor</small>
By <u>Thomas R. Rice</u> FEB 06 2014	By <u>Brandon Streety</u> Name & Title <u>Brandon Streety, President</u>
STATE OF ALABAMA BUILDING COMMISSION <small>(Not required for locally-funded, SDE projects.)</small>	Shelby County Board of Education <small>Owner</small>
By _____ Director, Technical Staff	By <u>Randy Fuller</u> Name & Title <u>Randy Fuller, Superintendent</u>

LANCE R. LEFLEUR  
DIRECTOR



ROBERT J. BENTLEY  
GOVERNOR

Alabama Department of Environmental Management  
adem.alabama.gov

1400 Coliseum Blvd. 36110-2400 ■ Post Office Box 301463  
Montgomery, Alabama 36130-1463  
(334) 271-7700 ■ FAX (334) 271-7950

February 10, 2014

BRANDON W. STREETY  
PRESIDENT  
SOUTHEASTERN SEALOCATING, INC  
1330 ADAMSVILLE INDUSTRIAL PKWY  
BIRMINGHAM AL 35224

RE: Montevallo Elementary School - Renovations/ Additions  
Shelby County (117)

Dear Mr. Streey:

Based on your request, coverage under **General NPDES Permit Number ALR10AH77** is granted. The effective date of coverage is February 5, 2014.

Coverage under this permit does not authorize the discharge of any pollutant or wastewater that is not specifically identified in the permit and by the Notice of Intent.

You are responsible for compliance with all provisions of the permit including, but not limited to, the performance of required inspections and/or monitoring, and the preparation and implementation of a Construction Best Management Practices Plan (CBMPP) required by the permit.

The Alabama Department of Environmental Management encourages you to exercise pollution prevention practices and alternatives at your facility. Pollution prevention will assist you in complying with permit requirements.

A copy of the General NPDES Permit under which coverage of your discharges has been granted is enclosed. If you have any questions concerning this permit, please contact Stephanie Bailey by email at [sbailey@adem.state.al.us](mailto:sbailey@adem.state.al.us) or by phone at (334) 394-4314.

Sincerely,

*Glenda L. Dean*

Glenda L. Dean, Chief  
Water Division  
GLD/scb

Enclosure: Permit

File: NOI

Birmingham Branch  
110 Vulcan Road  
Birmingham, AL 35209-4702  
(205) 942-6188  
(205) 941-1603 (FAX)

Decatur Branch  
2715 Sandlin Road, S. W.  
Decatur, AL 35603-1333  
(256) 353-1713  
(256) 340-9359 (FAX)



Mobile Branch  
2204 Perimeter Road  
Mobile, AL 36615-1131  
(251) 450-3400  
(251) 479-2593 (FAX)

Mobile-Coastal  
4171 Commanders Drive  
Mobile, AL 36615-1421  
(251) 432-6533  
(251) 432-6598 (FAX)



# NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT GENERAL PERMIT

DISCHARGE AUTHORIZED: DISCHARGES FROM CONSTRUCTION ACTIVITIES THAT RESULT IN A TOTAL LAND DISTURBANCE OF ONE ACRE OR GREATER AND SITES LESS THAN ONE ACRE BUT ARE PART OF A COMMON PLAN OF DEVELOPMENT OR SALE

AREA OF COVERAGE: THE STATE OF ALABAMA

PERMIT NUMBER: ALR10AH77

RECEIVING WATERS: ALL WATERS OF THE STATE OF ALABAMA

*In accordance with and subject to the provisions of the Federal Water Pollution Control Act, as amended, 33 U.S.C. §§1251-1378 (the "FWPCA"), the Alabama Water Pollution Control Act, as amended, Code of Alabama 1975, §§ 22-22-1 to 22-22-14 (the "AWPCA"), the Alabama Environmental Management Act, as amended, Code of Alabama 1975, §§22-22A-1 to 22-22A-15, and rules and regulations adopted thereunder, and subject further to the terms and conditions set forth in this permit, the Permittee is hereby authorized to discharge into the above-named receiving waters.*

ISSUANCE DATE: April 1, 2011

EFFECTIVE DATE: April 1, 2011

EXPIRATION DATE: March 31, 2016

*Glenda L. Dean*

Alabama Department of Environmental Management

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### C. Prohibited Discharges

The following discharges associated with construction are not authorized by this permit:

1. Stormwater discharges that are mixed with sources of non-stormwater unless such stormwater discharges are:
  - (a) In compliance with a separate NPDES permit, or
  - (b) Determined by the Department not to be a contributor of pollutants to waters of the State.
2. Stormwater discharges currently covered under another NPDES permit;
3. Wastewater from washout of concrete, unless managed by an appropriate control;
4. Wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds and other construction materials;
5. Fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance;
6. Soaps or solvents used in vehicle and equipment washing;
7. Discharges from dewatering activities, including discharges from dewatering of trenches and excavations, unless managed by appropriate controls;
8. Discharges to surface waters from sediment basins or impoundments, unless an outlet structure that withdraws water from the surface, unless infeasible, is utilized;
9. Discharges where the turbidity of such discharge will cause or contribute to a substantial visible contrast with the natural appearance of the receiving water;
10. Discharges where the turbidity of such discharge will cause or contribute an increase in the turbidity of the receiving water by more than 50 NTUs above background. For the purposes of determining compliance with this limitation, background will be interpreted as the natural condition of the receiving water without the influence of man-made or man-induced causes. Turbidity levels caused by natural runoff will be included in establishing background levels.
11. Discharges of any pollutant into any water for which a total maximum daily load (TMDL) has been finalized or approved by EPA unless the discharge is consistent with the TMDL; and
12. Discharges to waters listed on the most recently approved 303(d) list of impaired streams unless the discharge will not cause or contribute to the listed impairment.

2. The NOI shall be signed by a person meeting the requirements for signatories under ADEM Admin. Code r. 335-6-6-.09 and the person signing the NOI shall make the certification required for submission of documents under ADEM Admin Code r. 335-6-6-.09.
3. The NOI shall be signed by a QCP and shall have the following certification statement: *"I certify under penalty of law that a comprehensive Construction Best Management Practices Plan (CBMPP) for the prevention and minimization of all sources of pollution in stormwater and authorized related process wastewater runoff has been prepared under my supervision for this site/activity, and associated regulated areas/activities. The CBMPP meets the requirements of this permit and if properly implemented and maintained by the operator, discharges of pollutants in stormwater runoff can reasonably be expected to be effectively minimized to the maximum extent practicable according to the requirements of ADEM Administrative Code Chapter 335-6-6-.23 and this Permit. The CBMPP describes the erosion and sediment control measures that must be fully implemented and regularly maintained as needed at the permitted site in accordance with sound sediment and erosion control practices to ensure the protection of water quality."*

**D. Submittal of Documents**

The NOI and all other documents required to be submitted to the Department by this general permit shall be delivered to the following address:

Alabama Department of Environmental Management  
Water Division  
Post Office Box 301463 (Zip Code: 36130-1463)  
1400 Coliseum Boulevard (Zip Code: 36110-2059)  
Montgomery, Alabama

**E. Additional Permittees Under a Single NOI**

Multiple operators conducting regulated land disturbances in a common plan of development may jointly submit an NOI. An NOI covering multiple operators must include a site plan clearly describing each operator's areas of operational control.

**F. Authorization to Discharge**

1. Except as otherwise limited by Part II.F.2 or II.F.3., the operator is authorized to discharge in accordance with the requirements of this permit upon the Department's receipt of a complete and timely NOI which meets the requirements of this permit and ADEM Admin. Code r. 335-6-6-.23.
2. Coverage under this permit is conditionally granted, and the requirement to submit an NOI is suspended for governmental agencies and utilities for construction activity associated with immediate and effective emergency repairs and response to natural disasters, human health or environmental emergencies, or to avert/avoid imminent, probable, or irreparable harm to the environment or severe property damage. The operator or controlling/participating federal, State, or local government agencies/entities conducting emergency construction activity shall document the emergency condition, ensure compliance with the requirements of this permit to the extent possible, and shall notify the Department as promptly as possible regarding the occurrence of the emergency construction disturbance and measures that have been implemented and are being implemented to protect water quality. Unless the requirement to obtain a permit pursuant to the requirements of this permit are suspended or voided by the Director on a categorical or individual emergency basis, the operator shall submit the appropriate project information, NOI, and the required application fee for construction or

### **PART III Stormwater Pollution Prevention Requirements**

The stormwater control requirements in this Part are the technology-based, non-numeric effluent limitations and conditions that apply to all discharges from construction projects eligible for coverage under this permit. These requirements apply the national effluent limitations guidelines and new source performance standards found at 40 CFR Part 450.

Where the requirements in this Part are stricter than any corresponding Federal, State, or local requirements, the requirements in this permit take precedence.

#### **A. Erosion Controls and Sediment Controls**

The Permittee shall design, install, and maintain effective erosion controls and sediment controls, appropriate for site conditions to, at a minimum:

1. Control stormwater volume and velocity within the site to minimize soil erosion;
2. Control stormwater discharges, including both peak flow rates and total stormwater volume, to minimize erosion at outlets and to minimize downstream channel and streambank erosion;
3. Minimize the amount of soil exposed during construction activity through the use of project phasing or other appropriate techniques;
4. Minimize the disturbance of steep slopes, unless infeasible;
5. Minimize sediment discharges from the site;
6. Minimize the generation of dust;
7. Minimize all stream crossings;
8. Stabilize all construction entrances and exits; and minimize off-site tracking of sediment from vehicles;
9. Where applicable, install storm drain inlet protection measures to further prevent sediment discharges;
10. Provide and maintain natural buffers around surface waters, direct stormwater to vegetated areas to increase sediment removal and maximize stormwater infiltration, unless infeasible;
11. Minimize soil compaction and, unless infeasible, preserve topsoil; and
12. Implement measures or requirements to achieve the pollutant reductions consistent with a TMDL finalized or approved by EPA. Applicable TMDLs are located and/or can be accessed at <http://adem.alabama.gov/programs/water/approvedTMDLs.htm>
13. Additional Design Requirements
  - (a) Sediment control measures, erosion control measures, and other site management practices must be properly selected based on site-specific conditions, must meet or exceed the technical standards outlined in the Alabama Handbook and the site-specific CBMPP prepared in accordance with Part III.D.
  - (b) Unless specified otherwise by the Alabama Handbook, sediment control measures, erosion control measures, and other site management practices shall be designed and maintained to minimize erosion and maximize sediment removal resulting from a 2-year, 24-hour storm event.
  - (c) The Permittee is encouraged to design the site, the erosion prevention measures, sediment controls measures, and other site management practices with consideration of minimizing stormwater runoff, both during and following construction, including facilitating the use of low-impact development (LID) and green technologies.

1. At least one onsite employee shall be certified as a Qualified Credentialed Inspector (QCI) by completing an initial training and annual refreshers through an ADEM-approved Qualified Credentialed Inspector Program (QCIP) conducted by a cooperating training entity.
2. The QCIP must be approved by the Department prior to use and provide training in the following areas:
  - (a) The applicable requirements of the Alabama NPDES rules;
  - (b) The requirements of this permit;
  - (c) The evaluation of construction sites to ensure that QCP designed and certified erosion controls and sediment controls detailed in a CBMPP are effectively implemented and maintained;
  - (d) The evaluation of conveyance structures, receiving waters and adjacent impacted offsite areas to ensure the protection of water quality and compliance with the requirements of this permit; and
  - (e) The general operation of a turbidity meter or similar device intended for the measurement of turbidity.
3. Each individual holding a QCI Certification need not be on-site continuously and they may conduct site inspections at multiple sites permitted by them or their employer.
4. Each individual holding QCI certification shall obtain annual certification of satisfactory completion of formal refresher education or training regarding general erosion controls and sediment controls, the requirements of this permit, and the general operation of a turbidity meter or similar device intended for the measurement of turbidity. The refresher training requirements, including but not limited to, appropriate curricula, course content, course length, and any participant testing, shall be subject to acceptance by the Director prior to use.

**G. Inspection Requirements**

1. Daily Observations
  - (a) Each day there is activity at the site, the Permittee shall visually observe that portion of the construction project where active disturbance, work, or construction occurred to note any rainfall measurements occurring since the previous observation, and any apparent BMP deficiencies in the area of active disturbance.
  - (b) Such daily observations may be performed by appropriate site personnel.
  - (c) The Permittee shall maintain a log of all daily observations and record in such log any rainfall measurements and BMP deficiencies observed.
2. Site Inspections
  - (a) A site inspection shall consist of a complete and comprehensive observation of the entire construction site including all areas of land disturbance, areas used for storage of materials that are exposed to precipitation, affected ditches and other stormwater conveyances, as well as all outfalls, receiving waters and stream banks to determine if, and ensure that:
    - (i) Effective erosion controls and sediment controls have been fully implemented and maintained in accordance with this permit, the site CBMPP, and the Alabama Handbook;
    - (ii) Pollutant discharges have been prevented/minimized to the maximum extent practicable, and



3. CBMPP Evaluations

- (a) The QCP shall perform an onsite evaluation of all erosion and sediment controls being implemented for adequacy and consistency with site conditions.
- (b) The CBMPP evaluation shall be performed as often as necessary until poorly functioning or damaged erosion controls or sediment controls are corrected, and, at a minimum, once every six months.
- (c) If, based on the CBMPP evaluation, the QCP identifies any needed modifications or additions to erosion and sediment controls, the CBMPP shall be updated in accordance with Part III.D.4.
- (d) The Permittee shall maintain appropriate documentation of the CBMPP evaluation.

**H. Corrective Action**

1. Any poorly functioning erosion controls or sediment controls, non-compliant discharges, or any other deficiencies observed during the inspections required under Part III.G.2 shall be corrected as soon as possible, but not to exceed five (5) days of the inspection unless prevented by unsafe weather conditions.
2. In the event of a breach of a sediment basin/pond temporary containment measures shall be taken within 24 hours after the inspection. Permanent corrective measures shall be implemented within five (5) days of the inspection; however, if permanent corrective measures cannot be implemented within the timeframes provided herein the Permittee shall contact the Department; and
3. The operator shall promptly take all reasonable steps to remove, to the maximum extent practical, pollutants deposited offsite or in any waterbody or stormwater conveyance structure.

**I. Suspension of Monitoring**

Suspension of applicable monitoring and inspection requirements for phased projects or developments may be granted provided:

1. The Department is notified in writing at least thirty days prior to the requested suspension;
2. The Permittee and the QCP certify in the request that all disturbance has been graded, stabilized, and/or fully vegetated or otherwise permanently covered, and that appropriate, effective steps have been and will be taken by the Permittee to ensure compliance with the requirements of this permit and commit that these measures will remain continually effective until the permit is properly terminated.
3. The Permittee notifies the Department prior to resumption of disturbance or commencement of the next phase of development and the Permittee complies with the requirements of this Permit prior to commencement of additional disturbance.

**J. Precipitation Measurement**

The Permittee shall measure and record all precipitation occurring at the construction site. Precipitation measurements shall be taken using continuous recorders or daily readings of an onsite rain gauge or other measurement device acceptable to the Department. Precipitation measurements must be representative of the Permittee's site.



- (b) Another operator has assumed control over all areas of the site that have not achieved final stabilization and the new operator has submitted an NOI for coverage under this permit; or
  - (c) Coverage under an individual permit or alternative general permit has been obtained.
3. Content of the Notice of Termination
- The NOT shall include:
- (a) The Permittee name, permit number, and location of the site; and
  - (b) Certification by the Permittee and the QCP that all construction activity covered by this permit has been completed and final stabilization has been achieved; or
  - (c) Identification, including complete contact information, of the person that has assumed legal or operational control over the construction site.

**S. Facility Identification**

The Permittee shall post and maintain sign(s) at the front gate/entrance, and if utility installation, where project crosses paved county, State, or federal highways/roads, and/or at other easily accessible location(s) to adequately identify the site prior to commencement of and during NPDES construction until permit coverage is properly terminated. Such sign shall display the name of the Permittee, "ADEM NPDES ALR10" followed by the five digit NPDES permit number, facility or project name, and other descriptive information deemed appropriate by the Permittee.

**T. Definitions**

- 1. 2-year, 24-hour storm event means the maximum 24-hour precipitation event with a probable recurrence interval of once in two years as defined by the National Weather Service and Technical Paper No. 40, "Rainfall Frequency Atlas of the U.S.," May 1961, or equivalent regional or rainfall probability information developed there from.
- 2. Alabama Handbook means the March, 2009 edition of Alabama Handbook For Erosion Control, Sediment Control, And Stormwater Management On Construction Sites And Urban Areas, Alabama Soil and Water Conservation Committee (ASWCC).
- 3. ADEM means the Alabama Department of Environmental Management.
- 4. AWPCA means the Alabama Water Pollution Control Act.
- 5. Best Management Practices or BMPs mean implementation and continued maintenance of appropriate structural and non-structural practices and management strategies to prevent and minimize the introduction of pollutants to stormwater and to treat stormwater to remove pollutants prior to discharge.
- 6. Common Plan of Development or Sale means any announcement or piece of documentation (e.g., sign, public notice, or hearing, sales pitch, advertisement, drawing, permit application, zoning request, computer design, etc.) or physical demarcation (e.g., boundary signs, lot stakes, surveyor markings, etc.) indicating construction activities may occur on a specific plot.
- 7. Construction means any land disturbance or discharges of pollutants associated with, or the result of building, excavation, land clearing, grubbing, placement of fill, grading, blasting, reclamation, areas in which construction materials are stored in association with a land disturbance or handled above ground, and other associated areas including, but not limited to, construction site vehicle parking, equipment or supply storage areas, material stockpiles, temporary office areas, and access roads. Construction also means significant pre-construction land disturbance activities performed in support or in advance of construction activity including, but not limited to, land clearing, dewatering and geological testing.
- 8. Construction Activity means the disturbance of soils associated with clearing, grading, excavating, filling of land, or other similar activities which may result in soil erosion.

23. **Minor Land Disturbing Activities** means activities which will result in minor soil erosion such as home gardens or individual home landscaping, repairs, maintenance work, fences, routine maintenance and other related activities.
24. **Mixing Zones** means that portion of the receiving waters where mixture of effluents and natural waters take place. Mixing zones in streams shall not preclude passage of aquatic life up or down stream, shall not exceed a width of 50 percent of the stream width, shall not exceed a length of 5 times the width of the mixing zone, and shall not exceed an area of 25 percent of the stream cross-sectional area, and a mixing zone shall not encompass drinking water intakes. The total area of all mixing zones in a lake shall not encompass more than ten percent of the surface area of the lake, the radius of any one zone shall not encompass water intakes.
25. **Nephelometric Turbidity Unit or NTU** means a numerical unit of measure based upon photometric analytical techniques for measuring the light scattered by fine particles of a substance in suspension.
26. **Normal Operating Hours** means from 6:00 a.m. to 6:00 p.m, Monday through Friday, excluding federal holidays established pursuant to 5 U.S.C. § 6103. Normal operating hours also include any time when workers are present or when construction activity is occurring, regardless of the particular day or time of day.
27. **Operator** means any person or other entity, that owns, operates, directs, conducts, controls, authorizes, approves, determines, or otherwise has responsibility for, or exerts financial control over the commencement, continuation, or daily operation of activity regulated by this permit. An operator includes any person who treats and discharges stormwater or in the absence of treatment, the person who generates and/or discharges stormwater, or pollutants. An operator may include but may not be limited to, property owners, agents, general partners, LLP partners, LLC members, leaseholders, developers, builders, contractors, or other responsible or controlling entities.
28. **Plan or Sale** as included in the phrase "larger common plan of development or sale" is broadly defined to mean any announcement or documentation, sales program, permit application, presentation, zoning request, physical demarcation, surveying marks, etc., associated with or indicating construction activities may occur in an area.
29. **Pollutant of concern** refers to sediment, turbidity, and any other pollutant known or reasonably expected to be found in untreated discharges associated with the construction site.
30. **Post-construction** refers to any phase of construction where final stabilization has been achieved, and all but minor construction activities have been completed. The term post-construction is not affected by the final operational status of the site or whether the site has been placed into operation according to its final intended use.
31. **Priority construction site** means any site that discharges to a waterbody which is listed on the most recently EPA approved 303(d) list of impaired waters for turbidity, siltation, or sedimentation, any waterbody for which a TMDL has been finalized or approved by EPA for turbidity, siltation, or sedimentation, any waterbody assigned the Outstanding Alabama Water use classification in accordance with ADEM Admin. Code r. 335-6-10-.09, and any waterbody assigned a special designation in accordance with ADEM Admin. Code r. 335-6-10-.10.
32. **Qualified Credentialed Professional or QCP** means a professional engineer (PE), or a Certified Professional in Erosion and Sediment Control (CPESC) as determined by CPESC, Inc. Other registered or certified professionals such as a registered landscape architect, registered land surveyor, registered geologist, registered forester, Registered Environmental Manager as determined by the National Registry of Environmental Professionals (NREP), or Certified Professional and Soil Scientist (CPSS) as determined by ARCPACS, and other Department accepted professional designations, certifications, and/or accredited university programs that can document requirements regarding proven training, relevant experience, and continuing education, that enable recognized individuals to prepare CBMPPs, to make sound professional judgments regarding Alabama NPDES rules, the requirements of this chapter, planning, design, implementation, maintenance, and inspection of construction sites, receiving

## PART V Turbidity Monitoring

### A. Applicability

Beginning six months after the effective date of this permit, the Permittee of a priority construction site disturbing ten (10) acres or more at one time shall conduct turbidity monitoring in accordance with Part V.

### B. Sampling and Monitoring Requirements

1. Required samples shall be collected:
  - (a) At the nearest accessible location just prior to discharge and after final treatment, or at the point(s) where stormwater runoff leaves the property boundary;
  - (b) In the receiving stream at the nearest accessible location upstream of the point of discharge; and
  - (c) In the receiving stream at the nearest accessible location immediately downstream of the mixing zone.
2. Samples shall be obtained and analyzed by a Qualified Credentialed Inspector (QCI); a Qualified Credentialed Professional (QCP); or a qualified person under the direct supervision of a QCP.
3. All turbidity measurements shall be recorded in a format acceptable to the Department.
4. Discharge turbidity monitoring shall be performed:
  - (a) In conjunction with any comprehensive inspection when discharges are occurring; or
  - (b) Following a qualifying precipitation event if discharges occur as a result of the event.
5. Samples and turbidity measurements are not required outside of normal operating hours or during unsafe weather conditions.

### C. Representative Monitoring Points

For the purposes of conducting turbidity monitoring required by this permit, the Permittee may designate one or more stormwater monitoring points as representative of all stormwater runoff from the construction site. This designation may only occur after the submittal of a certification by the QCP that the selected discharge point(s) adequately represent the flow and pollutant characteristics of the construction site. The certification must be submitted in writing and approved by the Department prior to the regulated land disturbance exceeding ten (10) acres. Any modifications to stormwater monitoring points that occur as a result of changing site conditions must also be certified by the QCP, submitted in writing and approved by the Department.

### D. Test Procedures

Sample collection and preservation shall conform to 40 CFR Part 136 and guidelines published pursuant to Section 304(h) of the FWPCA, 33 U.S.C. Section 1314(h). Samples collected for turbidity may be analyzed using a turbidimeter that is properly calibrated according to the manufacturer's instructions. The Permittee must maintain a calibration log which shall be made available to the Department for review upon inspection or request. In the event that the sample exceeds the upper range of the turbidimeter, the sample must be analyzed in accordance with the requirements of 40 CFR Part 136 and guidelines published pursuant to Section 304(h) of the FWPCA, 33 U.S.C. Section 1314(h).

**Council Member Goldsmith made a motion to approve the MES Parking Lot Land Disturbance Permit. Council Member Nix seconded. ALL COUNCIL MEMBERS VOTED AYE . . . MOTION APPROVED**

We have also received a request to accept Pleasant Circle as a city street that was left of the previous resolution. It was on the bid list but was not on the resolution, so it just needs to be added to the resolution.

**Council Member Nix moved to accept Pleasant Circle as a City Street. Council Member Gilbert seconded. ALL COUNCIL MEMBERS VOTED AYE ... MOTION APPROVED**

Next, the Police Department Radio Project and Southern Link we have received a lot of good information on this. Mr. Lehman said that Chief Littleton will take the amount of the radios out of his personnel line item and move it over to his communication line item, and this how he will pay for the radios. This will just be making an amendment to the budget.

**Council Member Goldsmith made a motion to approve the Police Department Radio Project. Council Member Gilbert seconded. ALL COUNCIL MEMBERS VOTED AYE ... MOTION APPROVED**

**Council Member Gilbert made a motion to approve the Police Explorer Policies. Council Member Goldsmith seconded. ALL COUNCIL MEMBERS VOTED AYE ... MOTION APPROVED.**

Ordinance Transferring Ownership of the lot in front of Middle School to the Board of Education. Mr. Ferguson said that not much has changed from the proposals that have been put together. The overall plan is to provide a focal point of the school from Hwy 119. Properties have been purchased to increase parking at the school. There are separate routes for the school buses from the car riders. It also includes increased parking in the rear of the school. There will be a new look to the school's front entrance and it will have a defined main entrance and improvements to the gymnasium. Mr. Ferguson will meet with the Chief of Police & Fire to discuss the access to the hydrants and weight restrictions. Michael Harmon will need to be included because the Water Board will be the ones to move any hydrants. Cindy Holsombeck will assist in getting the meeting organized.

### **Old Business**

### **Board Appointments**

**Council Member Nix made a motion to approve the slate for the Trail Committee. Council Member Gilbert seconded. ALL COUNCIL MEMBERS VOTED AYE ... MOTION APPROVED.**

**Betsy Inglesby; Gary Muehlbauer; Michele Pawlik, Dee Woodham; and Heather Longo**

**Council Member Nix motioned to approve the purchase of the Mower from L & S. Council Member Goldsmith seconded. ALL COUNCIL MEMBERS VOTED AYE ... MOTION APPROVED.**

**Council Member Nix made a motion to pay the bills as presented. Council Member Goldsmith seconded. ALL COUNCIL MEMBERS VOTED AYE ... MOTION APPROVED**

**Citizen Participation**

Mrs. Welcome still wants to know about 203. Mr. Lehman the bid has been done but there is a unit cost that has been set. Once we figure out what portion is ours, we can add that to the list. here is still a small discrepancy, and this will be on the agenda and will keep it on the agenda until we get this resolved.

Julie Smitherman requested the address for the trustees at the University of Montevallo. Cindy Holsombeck explained how to get the letters to them.

Trevor Jones & Susan Savia discussed ideas of possibly hosting a gaming convention in Montevallo.

There being no further business before the council, Council Member Nix made a motion to adjourn. Council Member Gilbert seconded. ALL AYES. Council meeting adjourned at 6:56 p.m.

Submitted by:

\_\_\_\_\_  
Sandy Byrd

ATTEST:

\_\_\_\_\_  
Herman Lehman  
City Clerk