

TUSCALOOSA COUNTY COMMISSION  
MEETING  
October 20, 2010

TUSCALOOSA COUNTY                   §  
STATE OF ALABAMA                   §

This being the date and hour to which the Tuscaloosa County Commission adjourned, the County Commission met pursuant to such adjournment with Probate Judge W. Hardy McCollum presiding as Chairman. The following members were present:

Gary Youngblood  
Don Wallace  
Bobby Miller  
Reginald Murray

Commissioner Bobby Miller moved, seconded by Commissioner Don Wallace, the County Commission voted unanimously to adopt a resolution accepting Country Highlands Phase 2-A Subdivision for maintenance.

Exhibit 10-1, Page

Probate Judge W. Hardy McCollum presented a 30-year service pin to Engineering Coordinator Mike Henderson and thanked him for his dedication to Tuscaloosa County.

Commissioner Gary Youngblood moved, seconded by Commissioner Bobby Miller, the County Commission voted unanimously to approve the warrants issued to cover Tuscaloosa County's expenditures for the month of September, 2010.

Exhibit 10-2, Page

•

Commissioner Reginald Murray's motion for Tuscaloosa County Commission to go on record supporting loaning money to the Tuscaloosa City School Board, upon their Board's approval, for the purpose of purchasing textbooks, with a repayment plan to start in three years, was seconded by Commissioner Bobby Miller. Commissioner Don Wallace's motion to table until the next Commission meeting was approved unanimously.

Commissioner Bobby Miller moved, seconded by Commissioner Reginald Murray, the County Commission voted unanimously to appoint LaShea Cobb-England to the Tuscaloosa County Mental Retardation Authority Board to fill the unexpired term of Felicia Gilliam who resigned in May 2010. This term will expire April 1, 2014.

Exhibit 10-3, Page


Commissioner Don Wallace moved, seconded by Commissioner Bobby Miller, the County Commission voted unanimously to adopt a resolution and authorize a Special Work Authorization Agreement (SWA) between the County and the Alabama Department of Transportation for the installation, operation, and maintenance of a traffic control signal at the intersection of U.S. Highway 43 North and County Road 38 (Northside Road).


Exhibit 10-4, Page

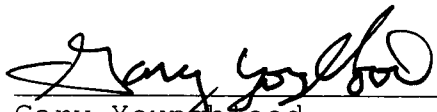
Commissioner Gary Youngblood presented a petition with signatures of citizens from the Abertant community requesting two speed tables on 2<sup>nd</sup> Avenue near First Baptist Church.

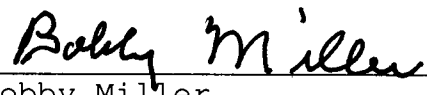
Exhibit 10-5, Page


There being no further business to come before the Tuscaloosa County Commission, the meeting adjourned to Wednesday, November 17, 2010.

  
\_\_\_\_\_  
W. Hardy McCollum  
Judge of Probate and Chairman  
Tuscaloosa County Commission

  
\_\_\_\_\_  
Don Wallace  
Commissioner - District I

  
\_\_\_\_\_  
Gary Youngblood  
Commissioner - District II

  
\_\_\_\_\_  
Bobby Miller  
Commissioner - District III

  
\_\_\_\_\_  
Reginald Murray  
Commissioner - District IV

**RESOLUTION ACCEPTING STREETS IN  
COUNTRY HIGHLANDS PHASE 2-A**

WHEREAS, the County Engineer has reported to the Tuscaloosa County Commission that the County Engineering Department has inspected and found that the streets, together with the drainage structures in the streets in COUNTRY HIGHLANDS PHASE 2-A are completed in accordance with the Subdivision Regulations of the Tuscaloosa County Commission, and that all of said construction has been done in accordance with the County specifications.

NOW, THEREFORE, BE IT RESOLVED BY THE TUSCALOOSA COUNTY COMMISSION:

1. That the County accept the streets, together with the drainage structures in, and which are a part of, said streets which are located in dedicated street rights-of-way, for maintenance by the Tuscaloosa County Commission. The drainage structures described herein are those structures which are part of or are located in the streets (curb and gutter, catch basins, flumes and pipes) and does not include any natural waterway which drains surface water in the area.
2. This resolution shall be effective on the date of the adoption thereof.

Adopted this the 20th day of October, 2010, by the TUSCALOOSA COUNTY COMMISSION.

  
\_\_\_\_\_  
W. Hardy McCollum, Chairman

  
\_\_\_\_\_  
Melvin Vines, County Administrator

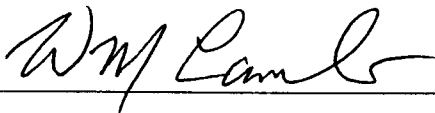
Seal

MONTH OF: **SEPTEMBER, 2010**

	<b>FUND</b>	<b>CHECK NUMBERS</b>	<b>AMOUNT</b>
001	GENERAL FUND	5131-5567	\$5,582,586.58
	SPECIAL SALES TAX	20-21	\$3,000,000.00
112	ROAD & BRIDGE	1013-1145	\$2,554,935.86
116	CAPITAL IMPROVEMENT		
117	RRR GAS TAX		
120	REAPPRAISAL	1465-1486	\$579,738.36
160	COMMUNITY DEVELOP	1538-1540	\$219,400.07
710	PAYROLL-CHECKS	91357-91404	\$1,241,591.34
		50529-50672	\$160,273.75
	PAYROLL-DIR DEP	31790-32673	\$952,960.70
720	EXCESS LAND SALES	345	\$5,580.45
730	FIDUCIARY	30-32	\$47.46
750	PISTOL PERMIT	3717-3749	\$38,125.39
780	E911	4398-4412	\$25,586.60
781	GAS TAX BONDING		
783	WORKMEN'S COMP	5122, 163	\$31,980.89
784	TAX COLL SPECIAL	280	\$32.77
785	TAX ASSR SPECIAL	1685-1691	\$1,342.98
786	MFG HOMES		
787	MOTOR VEH TRAINING	95	\$200.00

\$14,394,383.20

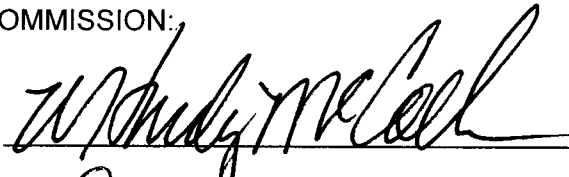
CHECKED BY:



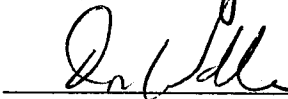
WILLIAM M. LAMB, ACCOUNTING MANAGER

APPROVED BY TUSCALOOSA COUNTY COMMISSION:

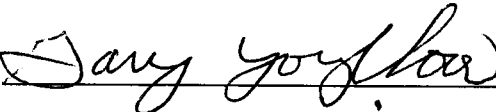
CHAIRMAN, W. HARDY MCCOLLUM



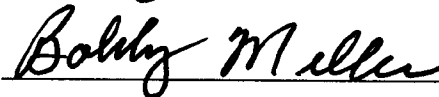
COMMISSIONER, DON WALLACE



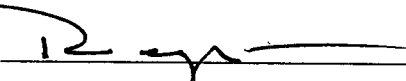
COMMISSIONER, GARY YOUNGBLOOD




COMMISSIONER, BOBBY MILLER



COMMISSIONER, REGINALD MURRAY



COPY

**Ability Alliance  of West Alabama**

*Promoting full inclusion for individuals with developmental disabilities*

**1002 McFarland Blvd., Suite K  
Northport, AL 35476**

**Phone: (205) 333-1577    FAX: (205) 333-2904    Email:  
[vturnage@abilityalliance.info](mailto:vturnage@abilityalliance.info)**

8/5/10

Judge W. Hardy McCollum and Tuscaloosa County Commissioners  
P.O. Box 20067  
Tuscaloosa, Al. 35402-0067

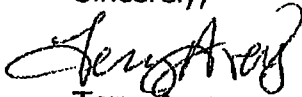
Dear Judge McCollum:

This is to advise you that Felicia Gilliam has resigned from the Board of Directors of Ability Alliance of West Alabama. A copy of her resignation is attached. She was appointed by the city to serve on our Board until 2014.

We would like to request that the Council consider the appointment of LaShea Cobb England as her replacement to our Board. Ms Cobb England is the former Director of Quality Assurance for the Tuscaloosa Department of Human Resources and is currently the Director of Human Resources for Pickens County. She has a Masters in Social Work from the University of Alabama. Ms. Cobb England resides at 1681 Ozier Drive Tuscaloosa, Al. 35405 . I have attached a copy of her resume for your consideration.

If you have any questions regarding this request, please contact Vicki Hicks Turnage, Executive Director at 205-333-1577 Ext. 219

Sincerely,



Terry Avery  
President  
Board of Directors  
Tuscaloosa Mental Retardation Authority  
DBA, Ability Alliance of West Alabama



Vicki Hicks Turnage, LCSW, ACSW, PIP  
Executive Director

CC: LaShea Cobb-England



Bob Riley  
Governor

## ALABAMA DEPARTMENT OF TRANSPORTATION

FIFTH DIVISION  
OFFICE OF THE DIVISION ENGINEER  
2715 East Skyland Boulevard

P. O. Box 70070, Tuscaloosa, Alabama 35407  
Telephone: 205-553-7030  
Fax: 205-556-0900



Joe McInnes  
Transportation  
Director

August 13, 2010

Bobby Hagler  
Tuscaloosa County Engineer  
2810 35<sup>th</sup> Street  
Tuscaloosa, AL 35401

Dear Mr. Hagler:

Re: Proposed Traffic Control Signal  
U. S. Highway 43 and CR 38, Tuscaloosa County

Per the County's request, the Fifth Division will request approval for the installation of an unwarranted signal at the above referenced location. In accordance with the Department's Guideline for Operations, the Transportation Director must approve the installation of an unwarranted signal on a U.S./State Route for school access before we can request/receive funding and an Agreement from the County.

Attached is a Permit/Agreement for the installation, operation and maintenance of the traffic control signal, which states that the County will be responsible for 100% of the cost for the purchase, installation, operation and maintenance of the signal. We are sending a letter to the Central Office Maintenance Bureau with a request for approval by Mr. McInnes. If we receive approval, we will notify you and request submittal of the executed agreement and the required funding amount.

If you have questions, please contact this office.

Sincerely,

L. Dee Rowe  
Division Engineer

LDR/ERF

pc: File



Bob Riley  
Governor

## ALABAMA DEPARTMENT OF TRANSPORTATION

FIFTH DIVISION  
OFFICE OF THE DIVISION ENGINEER  
2715 East Skyland Boulevard  
P. O. Box 70070, Tuscaloosa, Alabama 35407  
Telephone: 205-553-7030  
Fax: 205-556-0900



Joe McInnes  
Transportation Director

October 14, 2010

Tuscaloosa County Commission  
The Honorable Hardy McCollum  
714 Greensboro Avenue  
Tuscaloosa, AL 35402-0113

Attn: Mr. Farrington B. Snipes, Jr.  
Director, Department of Planning,  
Economic and Community Development

RE: Project STMTE-TE09(939)  
Sidewalks & Lighting along  
Hillcrest High School Patriot Pkwy  
Tuscaloosa County

Dear Sir:

We have received the first and second reimbursement request for this project. The first reimbursement request has been processed and sent to the Finance Bureau for payment to The Tuscaloosa County Commission in the amount of \$111,991.99. However, there are issues with both reimbursement requests that must be addressed.

**Reimbursement Request #1:**(see attachment)

- This request includes charges for the following two (2) Professional Civil Engineers:
  - John Stevens, P.E. 49 hrs \$1,837.50
  - Gilbert Sentell, P.E. 22 hrs \$1,320.00
- It is our understanding that Mr. Stevens, a Professional Civil Engineer, is serving as Project Manager.
- Mr. Sentell, the firm's principal, is listed as serving as a Professional Civil Engineer for this project. The intent of this classification is to provide professional engineering services required as part of the CE&I work. Based on our oversight responsibilities, we are not aware of the need for those services, especially since Mr. Stevens, the Project Manager, is also a Professional Engineer. Therefore, it appears these charges were duplicated services and not eligible for reimbursement. If this is incorrect, additional information is needed to justify these charges.

**Reimbursement Request #2:** (see attachment)

- This request includes charges for the following two (2) Professional Civil Engineers:
  - John Stevens, P.E. 35.5 hrs \$1,331.25
  - Gilbert Sentell, P.E. 16.0 hrs \$960.00
- See comments for Reimbursement Request #1.
- Gallet & Associates was not an ALDOT approved sub-consultant for this project. There was much discussion concerning this matter prior to letting.
- The Gallet invoice of \$375 x 1.10 (profit) = \$412.50 must be credited back to the project.



The Honorable Hardy McCollum  
October 14, 2010


Page 2

Based on the Division's review of the reimbursement requests, Mr. Sentell and Gallet & Associates charges are non-eligible and \$6,083.77 needs to be credited to the next project reimbursement request, as shown on the attached spreadsheets.

Should you have any questions, please contact Robert P. Hoggle of this office at 205-553-7030.

Sincerely,

L. Dee Rowe, P.E.  
Division Engineer

A handwritten signature in black ink, appearing to read 'WJP', is written over a horizontal line.

Winston J. Powe, P.E.  
Assistant Division Engineer  
County Transportation

LDR/WJP/RPH/kl  
Attachments  
Cc. Ms. L. Dee Rowe/File

STMTE-TE09(939)  
Patriot Parkway

Sentell Engineering #1  
Period Ending 24 July 2010

**AS SUBMITTED**

Direct Labor Cost (DLC):	\$5,731.75
Expense (travel,...)	\$0.00
Over Head(O/H) Rate:	123.8500%
FCCM Rate:	2.5052%
Profit Margin:	10.0000%
Direct Labor Cost (DLC):	\$5,731.75
DLC * O/H Rate:	\$7,098.77
<b>Sub-Total #1 =</b>	<b>\$12,830.52</b>
Expense (travel,...)	\$0.00
<b>Sub-Total #2 =</b>	<b>\$12,830.52</b>
Sub-Total #2 x Profit Margin=	\$1,283.05
<b>Sub-Total #3 =</b>	<b>\$14,113.57</b>
DLC x FCCM Rate =	\$143.59
<b>GRAND TOTAL =</b>	<b>\$14,257.16</b>
<b>RETAINED</b>	<b>-\$712.86</b>
	<b>\$13,544.30</b>

**SHOULD HAVE BEEN:**

Direct Labor Cost (DLC):	\$4,411.75 (-\$1,320 Gilbert)
Expense (travel,...)	\$0.00
Over Head(O/H) Rate:	123.8500%
FCCM Rate:	2.5052%
Profit Margin:	10.0000%
Direct Labor Cost (DLC):	\$4,411.75
DLC * O/H Rate:	\$5,463.95
<b>Sub-Total #1 =</b>	<b>\$9,875.70</b>
Expense (travel,...)	\$0.00
<b>Sub-Total #2 =</b>	<b>\$9,875.70</b>
Sub-Total #2 x Profit Margin=	\$987.57
<b>Sub-Total #3 =</b>	<b>\$10,863.27</b>
DLC x FCCM Rate =	\$110.52
<b>GRAND TOTAL =</b>	<b>\$10,973.79</b>
As Submitted:	\$13,544.30
Should Have Been:	\$10,973.79
<b>Non-Eligible:</b>	<b>\$2,570.51</b>

STMTE-TE09(939)  
Patriot Parkway

Sentell Engineering #2  
Period Ending 21 August 2010

**AS SUBMITTED:**

Direct Labor Cost (DLC):	\$4,769.00
Expense (travel,...)	\$0.00
Over Head(O/H) Rate:	123.8500%
FCCM Rate:	2.5052%
Profit Margin:	10.0000%
Direct Labor Cost (DLC):	\$4,769.00
DLC * O/H Rate:	\$5,906.41
<b>Sub-Total #1 =</b>	<b>\$10,675.41</b>
Expense (travel,...)	\$0.00
<b>Sub-Total #2 =</b>	<b>\$10,675.41</b>
Sub-Total #2 x Profit Margin=	\$1,067.54
<b>Sub-Total #3 =</b>	<b>\$11,742.95</b>
DLC x FCCM Rate =	\$119.47
<b>GRAND TOTAL =</b>	<b>\$11,862.42</b>
<b>EXPENSES:</b> (Gallet, \$375 x 1.1 = \$412.50)	<b>\$412.50</b> (not approved sub-cons.)
<b>PAY-BACK RETAINAGE:</b>	<b>\$712.86</b>
	<b>\$12,987.78</b>

**SHOULD HAVE BEEN:**

Direct Labor Cost (DLC):	\$3,809.00 (-\$960.00 Gilbert)
Expense (travel,...)	\$0.00
Over Head(O/H) Rate:	123.8500%
FCCM Rate:	2.5052%
Profit Margin:	10.0000%
Direct Labor Cost (DLC):	\$3,809.00
DLC * O/H Rate:	\$4,717.45
<b>Sub-Total #1 =</b>	<b>\$8,526.45</b>
Expense (travel,...)	\$0.00
<b>Sub-Total #2 =</b>	<b>\$8,526.45</b>
Sub-Total #2 x Profit Margin=	\$852.65
<b>Sub-Total #3 =</b>	<b>\$9,379.10</b>
DLC x FCCM Rate =	\$95.42
<b>GRAND TOTAL =</b>	<b>\$9,474.52</b>
As Submitted:	\$12,987.78
Should Have Been:	\$9,474.52
<b>Non-Eligible:</b>	<b>\$3,513.26</b>

STMTE-TE09(939)  
Patriot Parkway

Sentell Engineering

## SUMMARY

\$10,973.79 Correct Est. #1  
\$9,474.52 Correct Est. #2  

---

---

\$20,448.31 Total Earned  
-\$13,544.30 Paid Estimate #1  

---

---

\$6,904.01 Due Estimate #2

Paid To Sentell:

\$13,544.30

\$12,987.78

---

**\$26,532.08**

\$20,448.31

---

**\$6,083.77**

Check No.

5010

1540

**Total Paid To Date**

Total Eligible

**Non-Eligible To Date**

For Official Use Only: Legal Reference Number: _____ ALDOT Permit Number: _____
--

Division Permit Number: \_\_\_\_\_ Project Number: \_\_\_\_\_

Division: FIFTH County: TUSCALOOSA

**STATE OF ALABAMA acting by and through the  
 ALABAMA DEPARTMENT OF TRANSPORTATION: PERMIT/AGREEMENT for the  
 INSTALLATION and/or MAINTENANCE OF TRAFFIC CONTROL SIGNALS and/or ROADWAY LIGHTING**

This Permit/Agreement, in accordance with resolution number \_\_\_\_\_ dated (or minutes dated) \_\_\_\_\_ attached hereto and made part of this Permit/Agreement, is made and entered into by and between the Alabama Department of Transportation (herein referred to as STATE), the TUSCALOOSA COUNTY COMMISSION (herein referred to as OWNER), and the [  applicable  not applicable ] \_\_\_\_\_ (herein referred to as PERMITTEE, if applicable and so indicated) for the accomplishment of the following work as hereinafter indicated by the alphabetic letter of "X" marked in the check-boxes below, to wit:

	(A) New Installation	(B) Equipment Upgrade	(C) Complete Removal	(D) Operation & Maintenance
Traffic Control Signal:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Intersection Flashing Signal/Beacon:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Roadway Lighting:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The accomplishment of the work above indicated by the alphabetic letter of "X" marked in the check-boxes above and hereinafter signified by the use of the corresponding alphabetic letter A, B, C, and/or D as applicable, will be at the following location(s): {Example: AL-3/US-31 @ Main Street [A & D] denotes the installation, operation, and maintenance of the equipment installed} **NOTE** – if more space is needed, please use continuation sheets.

**INTERSECTION OF U. S. HIGHWAY 43 (ALABAMA HIGHWAY 13) AND COUNTY ROAD 38 IN TUSCALOOSA COUNTY AT APPROXIMATE MP 214.7**

1. In the event the work to be accomplished is herein above identified by (A) and/or (B), the  STATE  OWNER  PERMITTEE will furnish and the  STATE  OWNER  PERMITTEE will install the equipment and/or associated hardware utilized in the accomplishment of the work. In the event the STATE contributes funds to the work and the OWNER will be credited or debited for under-runs or overruns respectively, the "Exhibit O" is attached to and made part of this Permit/Agreement.
2. The equipment and/or associated hardware shall be installed in accordance with the applicable following:
  - A. Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD), current ALDOT approved edition.
  - B. The State of Alabama Project Details and Special and Standard Highway Drawings, current year version.
  - C. The National Electrical Code, current edition.
  - D. Alabama Department of Transportation (ALDOT) Standard Specifications for Highway Construction, current edition and applicable special provisions.
  - E. Code of Alabama, 1975 (as Amended) with specific reference to:
    - (1) §23-1-113, Municipal Connecting Link Roads – Stipulations and Conditions [specifically sub-paragraphs (6) and (7)].
    - (2) §32-5A-32, Traffic – Control signal legend.
    - (3) §32-5A-33, Pedestrian – Control signals.
    - (4) §32-5A-34, Flashing signals.
    - (5) §32-5A-35, Lane – Direction – Control signals.

Initials: Owner WJH Permittee \_\_\_\_\_, Div. Engineer \_\_\_\_\_, Legal \_\_\_\_\_

3. The STATE shall determine the quantity of the equipment and/or associated hardware to be utilized in the accomplishment of the work identified by (A) and/or (B) above. In the event the OWNER or PERMITTEE, as applicable, furnishes the equipment and/or associated hardware to be utilized in the accomplishment of the work identified by (A) and/or (B) above, the OWNER or PERMITTEE, as applicable, shall ascertain that the type and quality of the equipment and/or associated hardware is in accordance with the STATE's Materials, Sources, and Devices with Special Acceptance Requirements (APL) as maintained by the STATE's Bureau of Materials and Tests.
4. Ownership of any and all equipment and/or associated hardware furnished by the STATE shall be transferred to the OWNER upon completion of the work indicated herein.
5. The equipment and/or associated hardware shall be operated and maintained at the sole expense of the OWNER. The OWNER agrees to provide electrical energy on a continuing basis as required, beginning at the time of the initial electrical service connection during the construction of the system. The OWNER agrees further to maintain said equipment and/or associated hardware in a good state of repair at all times, as required in accordance with the applicable documents: Manual on Uniform Traffic Control Devices for Streets and Highways and the Alabama Department of Transportation Standard Specifications for Highway Construction and applicable special provisions. Any traffic control signal equipment and/or associated hardware must also be in accordance with any traffic signal operating plan of the STATE which is in effect at the applicable time of such maintenance. If a malfunction of the equipment and/or associated hardware should ever occur, the OWNER shall effect repairs immediately. If said malfunction presents a potential hazard to the motoring public and the OWNER is unable to repair the equipment and/or associated hardware in a timely manner as determined by the STATE, the STATE reserves the right to repair the equipment and/or associated hardware, and invoice the OWNER for all costs incurred. The OWNER agrees to pay the STATE all such costs incurred by the STATE promptly upon receipt of the invoice from the STATE.
- 5a. In instances where ALDOT maintains a fiber-optic trunk line that is used in conjunction with a closed-loop signal system, the OWNER shall maintain the fiber-optic cable from the splice point in the trunk line out to the traffic control equipment.

6. A.  Unwarranted traffic control signal. (Mark with "X" if applicable in check-box)

If the installation is identified on page one as (A) "New Installation" or (B) "Equipment Upgrade" with "Traffic Control Signal:" marked, and this installation is requested by a school authority or a local government on behalf of a school authority and the signal is unwarranted as marked above, then upon installation of the equipment and/or associated hardware, the OWNER agrees to accept all responsibility for any injury that may be caused by or related to the installation, location, operation, sequencing, and/or maintenance of the equipment and/or associated hardware, unless and until Alabama statutory law relieves the OWNER of liability.

- B.  Warranted traffic control signal. (Mark with "X" if applicable in check-box)

If the location identified on page one has "Traffic Control Signal:" marked, and the signal is warranted as marked above, the  OWNER  PERMITTEE (mark with "X" as applicable for the party identified on page one, section 1) shall defend, indemnify, and hold harmless the State of Alabama, the Alabama Department of Transportation, and its agents, servants, employees, in their official or individual capacities and/or facilities from and against all claims, damages, losses and expenses, including but not limited to attorney's fees, arising out of or resulting from the installation of the equipment and/or associated hardware, or any claim, damage, loss, or expense to the person or property caused in whole or in part by the deliberate, wanton, willful, intentional, reckless, or negligent acts or omissions of the OWNER or PERMITTEE, as applicable, anyone employed by the OWNER or PERMITTEE, as applicable, or anyone for whose acts the OWNER or PERMITTEE, as applicable, may be liable.

Additionally, the OWNER shall defend, indemnify, and hold harmless the State of Alabama, the Alabama Department of Transportation, its officers, officials, agents, servants, employees, in both their official

Initials: Owner WJ Permittee \_\_\_\_\_ Div. Engineer \_\_\_\_\_ Legal \_\_\_\_\_

and individual capacities, from and against any and all claims, damages, losses, and expenses, including but not limited to attorney's fees, arising out of or resulting from the OWNER'S operation and maintenance of the equipment and/or associated hardware, or any claim, damage, loss or expense to the person or property caused in whole or in part by the deliberate, wanton, willful, intentional, reckless, or negligent acts or omissions of the OWNER, anyone employed by the OWNER, or anyone for whose acts the OWNER may be liable.

The term "hold harmless" includes the obligation of the OWNER or the PERMITTEE, as applicable, to pay damages on behalf of the State of Alabama, the Alabama Department of Transportation, and its agents, servants, and/or employees.

7. Complete removal of the equipment and/or associated hardware, hereinabove identified by (C), will be at the sole expense of the  STATE  OWNER  PERMITTEE.
8. The STATE reserves the right to demand the removal of the equipment and/or associated hardware should the STATE deem its condition or operation hazardous. Further, the STATE shall have the right to remove the equipment and/or associated hardware should the OWNER fail to do so upon demand by the STATE. Any equipment and/or associated hardware which is deemed by the STATE to be non-uniform or obsolete will be removed and disposed of by the OWNER. None of the non-uniform or obsolete equipment and/or associated hardware which has been removed shall be reused on the STATE highway system.
9. If future traffic conditions require changes and/or adjustments to said equipment and/or associated hardware (other than ordinary timing), the OWNER shall obtain the approval of the STATE before such changes are implemented and the STATE shall make a determination on whether a new Permit/Agreement is required to be submitted for the UPGRADING, OPERATION, and MAINTENANCE of the new equipment and/or associated hardware. All such changes shall be at the sole cost and expense of the OWNER.
10. In the event Federal funds are utilized in the accomplishment of the work hereinbefore described, "Exhibit M" is attached to and made a part of this Permit/Agreement.

11. FUNDS SHALL NOT BE CONSTITUTED AS A DEBT

It is agreed that the terms and commitments contained herein shall not be construed as 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. It is further agreed that if any provision of this Permit/Agreement shall contravene any statute of Constitutional Provision or Amendment, be enacted, then the conflicting provision in this Permit/Agreement shall be deemed null and void.

For any and all disputes arising under the terms of this Permit/Agreement, the parties hereto agree, in compliance with the recommendations of the Governor and Attorney General, when considering settlement of such disputes, to utilize appropriate forms of non-binding alternative dispute resolution including, but not limited to, mediation by and through the Attorney General's Office of Administrative Hearings or where appropriate, private mediators.

12. TERMINATION DUE TO INSUFFICIENT FUNDS

- A. If this Permit/Agreement term is to exceed more than one fiscal year, then said Permit/Agreement is subject to termination in the event that funds should not be appropriated for the continued payment of the Permit/Agreement in subsequent fiscal years.
- B. In the event of proration of the fund from which payment under this Permit/Agreement is to be made, this Permit/Agreement will be subject to termination.

13. Traffic volume counts, traffic signal warranting criteria, traffic signal diagrams, and final construction plans, as applicable, are attached hereto and made part of this Permit/Agreement.
14. The type and number of signal & pedestrian heads per intersection or roadway lighting hardware are as follows: {Example: 5 – 3 sec, 12", red ball, yellow/green left arrow. OPTION: If plans are available to convey information below, just enter "SEE ATTACHED PLANS".} NOTE – If more space is needed, please use continuation sheets.

**NB & SB: 1 EACH WAY - 3 SECTION HEAD (12" CIRCULAR RED, 12" CIRCULAR AMBER, 12" CIRCULAR GREEN); 1 EACH WAY - 5 SECTION HEAD (12" CIRCULAR RED, 12" CIRCULAR AMBER, 12" CIRCULAR GREEN, 12" GREEN ARROW, 12" AMBER ARROW); EB & WB: 2 EACH WAY - 3 SECTION HEAD (12" CIRCULAR RED, 12" CIRCULAR AMBER, 12" CIRCULAR GREEN)**

TYPE OF SIGNAL		CONTROLLER	
<input checked="" type="checkbox"/> Traffic Control	<input type="checkbox"/> Pedestrian Control	Make: EPAC	Model #: 300
<input type="checkbox"/> Flashing	<input type="checkbox"/> Lane Control	<input type="checkbox"/> Fixed Time	<input type="checkbox"/> Two Phase
<input type="checkbox"/> School Flasher	<input type="checkbox"/> Railroad Crossing	<input type="checkbox"/> Semi Actuated	<input type="checkbox"/> Four Phase
<input type="checkbox"/> Other: _____		<input checked="" type="checkbox"/> Full Actuated	<input checked="" type="checkbox"/> Eight Phase
		<input type="checkbox"/> Other: _____	
		SYSTEM <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	

15. Distance in feet to the nearest adjacent traffic control signal: NOTE – if this Permit/Agreement covers more than one intersection, please use a continuation sheet.

North N/A South N/A East N/A West N/A

16. Vertical and horizontal clearances for all traffic control signal equipment and/or associated hardware shall be in accordance with the Manual on Uniform Traffic Control Devices for Streets and Highways and the Alabama Department of Transportation Special and Standard Highway Drawings, current year edition.
17. The cycle length for actuated controllers shall be dictated by traffic actuation of the detectors, with minimum time ratios established from data contained in the traffic volume count. The cycle length and green time for fixed time controllers shall be dictated by the traffic volume count with adjustments when STATE approved.
18. In the event the warranting of the traffic control signal(s) is(are) based on projected traffic volumes developed and generated by a qualified Transportation Engineering Consulting firm using computer programs, data, and methodology noted in the Transportation Research Board's Highway Capacity Manual and the Institute of Transportation Engineers' Trip Generation Handbook, the following shall apply: If after the traffic signal is installed, the actual traffic volumes do not meet the Manual on Uniform Traffic Control Devices for Streets and Highways projected warranting criteria, the STATE reserves the right to demand the removal of the traffic control signal and/or associated hardware from the STATE highway system.
19. In the event the work to be accomplished is hereinbefore identified by (A), (B), and/or (C) and [1] in part or wholly constitutes an interconnected, coordinated, fixed time relationship, signal control operation between two or more intersections (herein referred to as a SYSTEM and hereinabove indicated by the SYSTEM check-box for YES marked in the controller box above), [2] is located within the limits of a SYSTEM, or [3] is within close proximity as to adjoin a SYSTEM, the  STATE  OWNER  PERMITTEE shall substantiate the work identified by (A), (B), and/or (C) to be SYSTEM compatible. Evidence of substantiation shall be submitted to the STATE prior to the execution of this Permit/Agreement and shall include a minimum of three (am peak, pm peak, and off peak) timing plans (cycles, split, and offset combinations) for all phasing sequences with associated time/space diagrams for each intersection location identified hereinbefore by (A), (B), and/or (C) and any immediately adjoining intersection(s) **NOT** identified hereinbefore but part of a SYSTEM. Said submittals may be computer generated; submittals may include simulation file data. The STATE reserves the

Initials: Owner WJH Permittee \_\_\_\_\_, Div. Engineer \_\_\_\_\_, Legal \_\_\_\_\_



right to require the use of any existing timing plan(s) in effect prior to the execution of this Permit/Agreement if the work constitutes an addition to or a part of a SYSTEM; any use of the existing number of timing plans may supersede the hereinabove required minimum of three. Submittal data described herein, as applicable, are attached hereto and made a part of this Permit/Agreement.

IN WITNESS WHEREOF, the parties hereto have caused this Permit/Agreement to be executed by those officers, officials, and persons thereunto duly authorized, and the Permit/Agreement is deemed to be dated and to be effective on the date stated hereinafter as the date of the approval of the Maintenance Engineer.

(Seal of OWNER)

_____
Legal Name of PERMITTEE (if applicable)
By: _____
Authorized Signature for PERMITTEE

Tuscaloosa County Commission

Legal Name of OWNER

Attest:

\_\_\_\_\_  
(Seal or notary signature)

By:

\_\_\_\_\_  
Authorized Signature for OWNER

Recommended for approval:

Approved as to form:

By: \_\_\_\_\_  
Division Engineer Signature

By: \_\_\_\_\_  
Jim R. Ippolito, Jr.  
Chief Counsel  
Alabama Department of Transportation

**STATE OF ALABAMA acting by and through the ALABAMA DEPARTMENT OF TRANSPORTATION**

The within and foregoing Permit/Agreement is hereby approved on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

APPROVED:

By: \_\_\_\_\_  
State Traffic Engineer Signature

By: \_\_\_\_\_  
State Maintenance Engineer Signature

RESOLUTION NUMBER \_\_\_\_\_

BE IT RESOLVED, by the County Commission of Tuscaloosa County, Alabama, that the County enter into an agreement with the State of Alabama; acting by and through the Alabama Department of Transportation for:

Installation, Operation, and Maintenance of traffic control signal at the intersection of U.S. Highway No. 43 North and County Road 38 (Northside Road).

which agreement is before this Commission and that the agreement be executed in the name of the County, by the Chairman of the Commission for and on its behalf and that it be attested by the County Clerk and the seal of the County affixed thereto.

BE IT FURTHER RESOLVED, that upon the completion of the execution of the agreement by all parties, that a copy of such agreement be kept of record by the County Clerk.

Passed, adopted, and approved this 30<sup>th</sup> day of October,  
20 10.

ATTESTED:

[Signature]  
County Clerk

[Signature]  
Chairman, County Commission

I, the undersigned qualified and acting clerk of Tuscaloosa County, Alabama, do hereby certify that the above and foregoing is a true copy of a resolution lawfully passed and adopted by the County Commission of the County named therein, at a regular meeting of such Commission held on the

20<sup>th</sup> day of October, 20 10, and that such resolution is of record in the Minute Book of the County.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the County on this

20<sup>th</sup> day of October, 2010.

[Signature]  
County Clerk

SEAL



**ALABAMA DEPARTMENT OF TRANSPORTATION**  
**SPECIAL WORK AUTHORIZATION AGREEMENT-SWA**  
 Form SJ-128 Revised 2-2007



DATE: October 8, 2010

Project Charge Number (Assigned by Finance and Audits): \_\_\_\_\_  
 Account \_\_\_\_\_ Program \_\_\_\_\_ Project Number \_\_\_\_\_  
 Originating Bureau Chief/Division Engineer \_\_\_\_\_ Lead Bureau \_\_\_\_\_

\*\*\*\*\* Note: Transportation Director must sign agreement before SWA work is started and/or services are rendered. \*\*\*\*\*

**PARTY REQUESTING ALDOT WORK/SERVICES:**

NAME TUSCALOOSA COUNTY Telephone No: (205) 345 - 6600 TIN/FEIN: \_\_\_\_\_

Address: Street 2810 35<sup>th</sup> Street City Tuscaloosa State AL Zip 35401

Party/SWA Type:  Municipality  Federal Gov  Project for Other (non-governmental) entries  
 County  County Transportation Bureau Project  State Agency  
 (check one)

**WORK/SERVICES TO BE PERFORMED IS/ARE AS FOLLOWS:**

Description (use an attached sheet, if necessary): FURNISH LABOR, MATERIAL AND EQUIPMENT TO INSTALL AUTHORIZED UNWARRANTED TRAFFIC CONTROL SIGNAL ON U. S. HIGHWAY 43 AT COUNTY ROAD 38 IN NORTHSIDE, TUSCALOOSA COUNTY

Labor \$3,592.20 Labor Additive \$2,810.33 Materials \$32,848.86 Equipment Usage \$2,240.31  
 Indirect Cost \$3,563.73 Other applicable charges (please list) \_\_\_\_\_

Total Estimated Cost for Reimbursement by Party Requesting ALDOT Work/Services: \$45,055.43

**SUBMITTAL/APPROVALS SIGNATURES**

Submitted By: \_\_\_\_\_ Division Engineer/Bureau Chief  
 Approved/Submitted By: \_\_\_\_\_ Bureau Chief of Lead Bureau  
 Budgetary Approval \_\_\_\_\_ Director of Finance and Audits

**A G R E E M E N T**

KNOW ALL MEN BY THESE PRESENTS, that in consideration of work to be performed by the State of Alabama Department of Transportation on the actual cost basis and described above on this Form SJ-128, <name> BOBBY HAGLER does hereby submit/guarantee payment to the State of Alabama Department of Transportation in the amount of estimated cost of performance of the work, estimated cost being \$45,055.43. The State of Alabama Department of Transportation further agrees that after work is commenced, and if an overrun occurs, the Department of Transportation will notify <name> BOBBY HAGLER and additional payment shall be made by TUSCALOOSA COUNTY to cover the estimated overrun. Upon completion of the work, the actual cost will be computed and any underrun will be refunded.

STATE OF ALABAMA  
 (Name and Title of Party Requesting ALDOT work/services)

W. Hardy McCollum, Chairman, County Commission  
 Print or Type Name and Title

W. Hardy McCollum  
 ATTEST

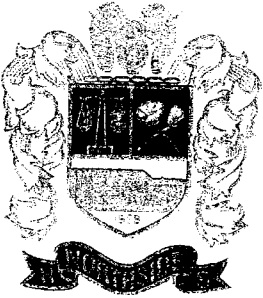
Signature: W. Hardy McCollum Date 10-20-10

STATE OF ALABAMA DEPARTMENT OF TRANSPORTATION

Signature \_\_\_\_\_ Date \_\_\_\_\_

ATTEST

DIRECTOR



## NORTHSIDE HIGH SCHOOL

OFFICE OF THE PRINCIPAL

19230 Northside Parkway

Northport, AL 35475

Phone: (205) 342-2755 Fax: (205) 339-3437

David W. Patrick  
Principal

Cindy Long  
Assistant Principal

October 19, 2010

Tuscaloosa County Commission  
Tuscaloosa, Alabama 35401

Dear Commissioners:

The Northside Community is seeking to get a red light placed at the intersection of *County Road 38 (Northside Road) and US Highway 43*. This is a very busy intersection during the school year. We have around 200 drivers who use this intersection daily who are under age 18. These are the most inexperienced drivers on the road. A red light would greatly improve the safety of these drivers as well as the many other drivers who travel in this area. With our three schools totaling over 1400 students, you can see we have a great deal of traffic at times during the day and for night activities such as PTO or athletic events.

If there is anything you could do to help with this process, we would greatly appreciate your support.

Thank you for all you have done and continue to do to support our community and our schools.

Sincerely,

Northside High School

David W. Patrick

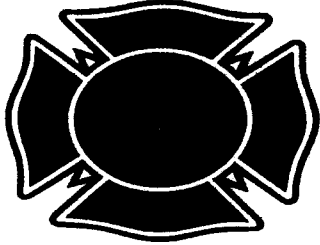
Northside Middle School

Bobby Beasley

Walker Elementary

Pat Johnson

# *Samantha Fire Department*



Fire Chief : *Gary Honeycutt*

**Station 1**

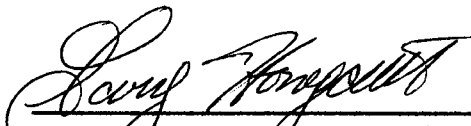
12995 Northside Road  
Samantha, Alabama 35482  
( 205 ) 333-3933

**Station 2**

17500 Finnell Road  
Northport, Alabama 35482  
( 205 ) 333-3933

**To: Tuscaloosa County Commission**

The Samantha Volunteer Fire Department wishes to express its concern for traffic safety at the intersection of US highway 43 and Tuscaloosa County road 38 ( Northside Road ) . This is a very busy intersection during the morning and evening school hours. This intersection handles traffic from three Tuscaloosa County schools ( Walker Elementaty, Northside Middle & Northsdie High Schools) at the same time. This intersection had only a blinking caution light to direct the traffic safely. The blinking light has been removed due to an unsafe pole and has not been replaced. We have approached the Alabama Department of Transportation with our concerns, but were told that the high volume of shool traffic could not be included in the traffic count to get a red light. The safety of our school children should not be written off due to such rules. To make the intersection even more dangerous is the fact that the areas largest convenience store and deli along with a Dollar General and Lawrence Farm and Lumber, a building materials and hardware company, are located at the Southwest corner of this busy intersection. The amount of delivery traffic these companies generate adds to the problem of the intersection. We, the Samantha Volunteer Fire Department and its Board of Directors, wish to ask for your help in moving forward with plans to install a traffic signal at this intersection. We would be happy to meet with you at any time to fully express our concerns and fears of this intersection and the safety safety of the citizens who pass through this intersection daily



*Gary Honeycutt, Chief*

*Samantha Volunteer Fire Department*



*Jeff Gilliam, Board President*

*Samantha Volunteer Fire Department*

*Striving for Excellence, Exceeding Expectations*

ISO Rating 4/6

P. O. Box 88  
Abernant, AL 35440  
August 26, 2010

Commissioner Gary Youngblood  
P. O. Box 20113  
Tuscaloosa, AL 35402

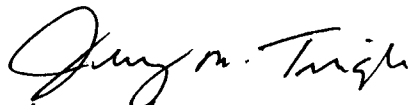
Dear Commissioner Youngblood:

The Abernant community citizens are requesting two speed tables on 2nd Avenue near First Baptist Church, 19494 2nd Ave. This area contains two blind curves as automobiles approach the church, one from the east and the other from the south as traveled from west to east. Children are constantly playing in the area and the vehicles are speeding from the corner of 2nd Avenue off of Abernant Loop to the intersection of 2nd Avenue and Kennedy Street. Since the blind curves run into the entrance and exist front doors of the church and the church does not have a setback, elderly people are also at risk of being stuck crossing the street. Individuals have been asked to slow down because a child may accidentally run into the street, but it has not stopped the speeding. Speed tables in these two areas would not only slow down vehicles but can prevent serious injury and loss of life, especially children and the elderly.

Thanking you in advance for your assistance.

Sincerely yours,

Jerry Tingle,  
Co-Chairman



Jewonia Daile Foster, Secretary

Marilyn Spitzer

Beulah Coleman

Elder Tommy Foster

