

TUSCALOOSA COUNTY COMMISSION

MEETING

April 24, 2013

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:

Stan Acker
Jerry Tingle
Reginald Murray

Commissioner Stan Acker moved, seconded by Commissioner Jerry Tingle, the County Commission voted unanimously to declare the following vehicle surplus property and authorize the disposal:

036 - 1992 Chevrolet Sportvan VIN 2GAGG35K1N4133293

Commissioner Jerry Tingle moved, seconded by Commissioner Stan Acker, the County Commission voted unanimously to authorize payment of invoices to Burk-Kleinpeter and Almon Associates for the following bridge replacement projects:

Upper Tyro Road \$12,080.84
South Sandy Road \$12,218.06
Malone Creek Road \$1,743.50
Traweek Road \$2,065.00

Exhibit 4-1, Page

Commissioner Stan Acker moved, seconded by Commissioner Reginald Murray, the County Commission voted unanimously to approve a Subdivision Regulation Waiver Request to Hunter Taylor.

Exhibit 4-2, Page

Commissioner Reginald Murray moved, seconded by Commissioner Jerry Tingle, the County Commission voted unanimously to adopt resolutions accepting streets in the following subdivisions for maintenance at the recommendation of County Engineer Bobby Hagler.

Laurel Wood Gardens
Greymont Phase 2
Hinton Place No. 14 Section 1
Hinton Place No. 14 Section 2
Remington Phase 5
Braelin Village Phase 1

Exhibit 4-3, Page

The County Commission voted unanimously to approve the warrants issued to cover Tuscaloosa County's expenditures for March 2013.

Exhibit 4-4, Page

After a public hearing at this meeting, Commissioner Reginald Murray moved, seconded by Commissioner Stan Acker, the County Commission voted unanimously to grant a 30-day extension to property owners requesting to self perform the demolition of the following property:

6814 Unity Road, Tuscaloosa, AL 35401
Parcel ID #63-31-09-31-3-002-026.000

After a public hearing at this meeting, Commissioner Reginald Murray moved, seconded by Commissioner Stan Acker, the County Commission voted unanimously to remove the following properties from the list of structures deemed to be public nuisances. It was noted by County Attorney Robert Spence, that both properties have been inspected and the owners are in the process of completing the necessary repairs.

6600 Pearson Circle, Tuscaloosa, AL 35401
Parcel ID #63-31-09-31-4-001-063.000

6708 Pearson Circle, Tuscaloosa, AL 35401
Parcel ID #63-31-09-31-4-001-059.000

After a public hearing at this meeting, Commissioner Stan Acker moved, seconded by Commissioner Jerry Tingle, the County Commission voted unanimously to grant a 30-day extension to property owners who are in the process of making repairs:

15712 Highway 69 North, Northport, AL 35476
Parcel ID# 63-15-07-26-0-001-026.001

Commissioner Stan Acker moved, seconded by Commissioner Reginald Murray, the County Commission voted unanimously to adopt a resolution authorizing the vacation of a right-of-way of a portion of Reese Road. It was noted by County Attorney Robert Spence that a public hearing was held April 17, 2013 and no persons were in attendance to object.

Exhibit 4-5, Page

Commissioner Reginald Murray moved, seconded by Commissioner Jerry Tingle, the County Commission voted unanimously to go into executive session prior to the end of this meeting to discuss pending litigation and settlement opportunities.

Commissioner Reginald Murray moved, seconded by Commissioner Stan Acker, the County Commission voted unanimously to enter into an agreement with West Alabama Traffic Safety Program, whereby the County Commission will receive a traffic enforcement grant in the amount of \$1,950.00.

Exhibit 4-6, Page

Commissioner Jerry Tingle moved, seconded by Commissioner Stan Acker, the County Commission voted unanimously to adopt a resolution changing the polling place of ward #12 from Lake View Fire Department to Lake View Baptist Church Activity Facility.

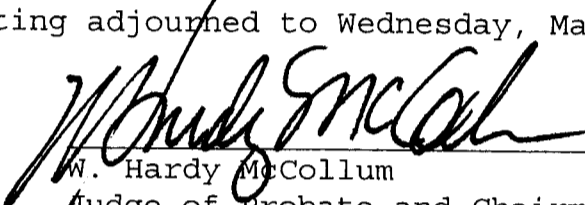
Exhibit 4-7, Page

Commissioner Jerry Tingle moved, seconded by Commissioner Stan Acker, the County Commission voted unanimously to authorize a request from Englewood Hulls Volunteer Fire Department for 40 yards of concrete for their new building on Highway 69 South.

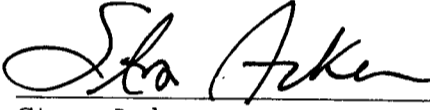
The Tuscaloosa County Commission received a Patron of the Arts Award from the Tuscaloosa Arts and Humanities Council. Commissioner Stan Acker previously accepted the award on behalf of the County Commission and presented it to Chairman W. Hardy McCollum.

Commissioner Jerry Tingle moved, seconded by Commissioner Stan Acker, the County Commission voted unanimously to authorize \$55,000.00 for the settlement of the Howard Green workers compensation case.

There being no further business to come before the Tuscaloosa County Commission, the meeting adjourned to Wednesday, May 1, 2013.



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



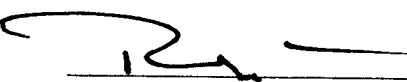
Stan Acker
Commissioner - District I



Jerry Tingle
Commissioner - District II

Absent

Bobby Miller
Commissioner - District III



Reginald Murray
Commissioner - District IV

BURK-KLEINPETER, INC.
ENGINEERS, ARCHITECTS, PLANNERS, ENVIRONMENTAL SCIENTISTS

CHAIRMAN OF THE BOARD
WM. R. "BIFF" BURK, III, PE

ASSOCIATES
DAVID S. HARGROVE, PE
CRAIG P. WILLIAMS, PE

WILLIAM R. BURK, JR., 1912-1986

600 LURLEEN WALLACE BLVD, SUITE 180
TUSCALOOSA, AL 35401-9166
TELEPHONE (205) 759-3221 FAX (205) 759-9166
WWW.BKIUSA.COM



OVER 100 YEARS OF SERVICE

PRESIDENT
GEORGE C. KLEINPETER, JR., PE

REGIONAL VICE PRESIDENT - AL
O. JEFFREY WOOD, PE

VICE PRESIDENT
BRUCE L. HIGGINBOTHAM, PE

March 31, 2013

Bobby Hagler
Tuscaloosa County Engineer
2810 35th Street
Tuscaloosa, AL 35401

Tuscaloosa County Misc. Bridge Replacements
Client Number 252
Invoice #20
BKI Job No. TU.11.006

For professional services rendered on the referenced project through the month of March 2013.

PAYMENT REQUEST NO.20

| | TOTAL AMOUNT | % COMPLETE | AMOUNT COMPLETE | CURRENT AMOUNT DUE |
|---|---------------------|---------------|---------------------|-----------------------|
| <u>Jay Creek Bridge</u> | | | | |
| DESIGN SERVICES | \$32,500.00 | 0% | \$ - | \$ - |
| SURVEY SERVICES | \$8,050.00 | | | |
| <u>Upper Tyro Creek</u> | | | | |
| DESIGN SERVICES | \$51,000.00 | 97% | \$ 50,135.00 | \$ - |
| SURVEY SERVICES | \$8,050.00 | 100% | \$ 8,050.00 | \$ - |
| ADDITIONAL SERVICES/ GEOTECHNICAL SERVICES | \$20,988.00 | 76% | \$ 15,989.02 | \$ 12,080.84 |
| <u>Rock Castle Creek</u> | | | | |
| DESIGN SERVICES | \$25,500.00 | 98% | \$ 25,430.00 | \$ - |
| SURVEY SERVICES | \$8,050.00 | 100% | \$ 8,050.00 | \$ - |
| | \$133,150.00 | | \$ 96,583.18 | \$ 12,080.84 |

PREVIOUSLY INVOICED: \$ (95,683.18)
AMOUNT DUE: \$ 12,080.84

RECEIVED

APR 1 2013

TUSCALOOSA COUNTY
PUBLIC WORKS DEPARTMENT

BKI INVOICE: 52668



BATON ROUGE • NEW ORLEANS • SHREVEPORT • MOBILE

TUSCALOOSA • BIRMINGHAM • OCEAN SPRINGS • JACKSON

BURK-KLEINPETER, INC.

ENGINEERS, ARCHITECTS, PLANNERS, ENVIRONMENTAL SCIENTISTS

CHAIRMAN OF THE BOARD
WM. R. "BIFF" BURK, III, PE

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CRAIG P. WILLIAMS, PE

WILLIAM R. BURK, JR., 1912-1986

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TUSCALOOSA, AL 35401-9166
TELEPHONE (205) 759-3221 FAX (205) 759-9166
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PRESIDENT
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REGIONAL VICE PRESIDENT - AL
O. JEFFREY WOOD, PE

VICE PRESIDENT
BRUCE L. HIGGINBOTHAM, PE



OVER 100 YEARS OF SERVICE

March 31, 2013

Bobby Hagler
Tuscaloosa County Engineer
2810 35th Street
Tuscaloosa, AL 35401

RE: South Sandy Bridge Replacement
Client Number 252
Invoice #12
BKI Job No. Tu.12.010-01

For professional services rendered on the referenced project through the month of March 2013.

PAYMENT REQUEST NO.12

| | <u>TOTAL AMOUNT</u> | <u>% COMPLETE</u> | <u>AMOUNT COMPLETE</u> | <u>CURRENT AMOUNT DUE</u> |
|-------------------------------|-------------------------|-----------------------|----------------------------|-------------------------------|
| DESIGN SERVICES | \$65,000.00 | 95% | \$ 61,968.06 | \$ 4,468.06 |
| SURVEY SERVICES | \$7,500.00 | 100% | \$ 7,500.00 | \$ - |
| PROPERTY PLATS | \$2,500.00 | 60% | \$ 1,500.00 | \$ - |
| GEOTECHNICAL SERVICES | \$ 23,750.00 | 100% | \$ 23,750.00 | \$ 6,750.00 |
| | <u>\$98,750.00</u> | | <u>\$ 94,718.50</u> | <u>\$ 11,218.06</u> |
| SUPPLEMENTAL AGREEMENT | | | | |
| DESIGN SERVICES | \$51,750.00 | 94% | \$ 48,500.00 | \$ - |
| GEOTECHNICAL SERVICES | \$7,500.00 | 87% | \$ 7,500.00 | \$ 1,000.00 |
| SURVEY SERVICES | \$5,500.00 | 100% | \$ 5,500.00 | \$ - |
| | | | <u>\$ 61,500.00</u> | <u>\$ 1,000.00</u> |

PREVIOUSLY INVOICED: \$ (144,000.00)
AMOUNT DUE: \$ 12,218.06

RECEIVED
APR 10 2013
TUSCALOOSA COUNTY
PUBLIC WORKS DEPARTMENT

BKI INVOICE: 52671





PO Drawer 2729
 Tuscaloosa, AL 35403
 205-349-2100

REMITTANCE COPY

Tuscaloosa County Department of Public Works
 2810 35th St.
 Tuscaloosa, AL 35401

Invoice number 00002
 Date 03/31/2013

Project 2012131 TUSCALOOSA COUNTY
 MALONE CREEK ROAD BRIDGE OVER
 MALONE MILL CREEK

Professional Services provided from March 1, 2013 to March 31, 2013

Invoice Summary

| Description | Contract Amount | Prior Billed | Total Billed | Current Billed |
|---|-----------------|--------------|--------------|----------------|
| Survey | | | | |
| Deign Topographic Survey | 5,200.00 | 5,200.00 | 5,200.00 | 0.00 |
| Property Survey, Tract Sketches and Legal Descriptions | 2,850.00 | 114.00 | 285.00 | 171.00 |
| Additional Topographic Survey, if roadway realignmant is required | 1,850.00 | 0.00 | 0.00 | 0.00 |
| Subtotal | 9,900.00 | 5,314.00 | 5,485.00 | 171.00 |
| Structural | | | | |
| Bridge Structural Design | 37,000.00 | 0.00 | 0.00 | 0.00 |
| Transportation | | | | |
| Roadway Geometry and Approach Plans | 18,500.00 | 277.50 | 1,850.00 | 1,572.50 |
| Categorical Exclusion Preparation Services | 3,500.00 | 0.00 | 0.00 | 0.00 |
| Utility Coordination Services | 1,200.00 | 0.00 | 0.00 | 0.00 |
| Geotechnical Engineering | 21,300.00 | 0.00 | 0.00 | 0.00 |
| Additional Geotech, if 3 span brige is required | 3,700.00 | 0.00 | 0.00 | 0.00 |
| Subtotal | 48,200.00 | 277.50 | 1,850.00 | 1,572.50 |
| Total | 95,100.00 | 5,591.50 | 7,335.00 | 1,743.50 |



REMITTANCE COPY

PO Drawer 2729
Tuscaloosa, AL 35403
205-349-2100

Tuscaloosa County Department of Public Works
2810 35th St.
Tuscaloosa, AL 35401

Invoice number 00002
Date 03/31/2013

Project 2012309 TUSCALOOSA COUNTY
TRAWEEK ROAD BRIDGE OVER BINION
CREEK REPLACEMENT

Professional Services provided from February 1, 2013 to March 31, 2013

Invoice Summary

| Description | Contract Amount | Prior Billed | Total Billed | Current Billed |
|--|-----------------|--------------|--------------|----------------|
| Survey | | | | |
| Deign Topographic Survey | 4,200.00 | 4,200.00 | 4,200.00 | 0.00 |
| Property Survey, Tract Sketches and Legal Descriptions | 2,850.00 | 0.00 | 285.00 | 285.00 |
| Subtotal | 7,050.00 | 4,200.00 | 4,485.00 | 285.00 |
| Structural | | | | |
| Bridge Structural Design | 37,000.00 | 0.00 | 0.00 | 0.00 |
| Transportation | | | | |
| Roadway Geometry and Approach Plans | 17,800.00 | 0.00 | 1,780.00 | 1,780.00 |
| Categorical Exclusion Preparation Services | 3,500.00 | 0.00 | 0.00 | 0.00 |
| Utility Coordination Services | 1,900.00 | 0.00 | 0.00 | 0.00 |
| Geotechnical Engineering | 18,400.00 | 0.00 | 0.00 | 0.00 |
| Additional Geotech, if 3 span brige is required | 3,700.00 | 0.00 | 0.00 | 0.00 |
| Subtotal | 45,300.00 | 0.00 | 1,780.00 | 1,780.00 |
| Total | 89,350.00 | 4,200.00 | 6,265.00 | 2,065.00 |



Bobby C. Hagler
County Engineer

TUSCALOOSA COUNTY PUBLIC WORKS DEPARTMENT
2810 35th Street
Tuscaloosa, Alabama 35401
(205) 345-6600
FAX (205) 345-6600



Allan D. Springer, Sr.
Assistant County Engineer

Subdivision Wavier Request
Tuscaloosa County Commission
April 24, 2013

Commission District: 1

Owner: Hunter Taylor

Engineer / Surveyor: Herndon, Hicks, and Associates, Inc.

Wavier Requested: Mr. Taylor would like to be excluded from the Subdivision Regulations

Comments:

Mr. Taylor is wishing to divide a twelve (12) acre parcel into two six (6) acre parcels. This parcel is located on Meadowbrook Road, a private 60 foot easement. The entrance to Meadowbrook Drive is connected to House Bend Road, a county maintained road.

The 2013 Subdivision Regulations states the following:

SECTION 3-3 EXCLUSIONS FROM THE SUBDIVISION PROCESS

The following shall not be considered a subdivision and shall be excluded from the subdivision process:

1. The parceling off or sale of tracts measuring 10 acres or more with a minimum of 30 feet access to a publicly maintained road.

This subdivision does not meet the requirements because it is less than 10 acres and has access to a private easement, not a County maintained road.

The 2013 Subdivision Regulations state the following:

Section 2-2 Jurisdiction

From and after the effective date set out in Article I, Section 1-5, these regulations shall govern each and every subdivision of land in all areas of Tuscaloosa County from and after the effective date set out in Article I, Section 1-5, these regulations shall govern each and every subdivision of land in all areas of Tuscaloosa County outside of a municipality. When the subdivided land lies within the planning jurisdiction of a municipality and outside the municipal limit, the more stringent regulations of the two shall govern, unless otherwise exempted by these regulations.

The 1999 Subdivision Regulations state the following:

SECTION 8-1. PUBLIC PROVISIONS

These regulations are not intended to interfere with, abrogate, or annul any other ordinance, rule, regulation, statute, or other provision of law. Where any provision of these regulations imposes restrictions different from those imposed by any other ordinance, rule, regulation, or other provision of law, the provisions of which are more restrictive or impose higher standards shall control.

Although the property was in the City of Tuscaloosa Planning Jurisdiction prior to the new law passed by the Alabama Legislature, SB236, the more stringent of the two regulations govern. The City of Tuscaloosa excludes all properties over 5 acres from their subdivision regulations.

The 2013 Subdivision Regulations state the following:

SECTION 3-3 Easements

Private Access Easements: Private access easements will be allowed for access to a county maintained road in conjunction with the following provisions:

- i. Lots or parcels must be three acres or greater in size
Most lots located on the private easement are larger than three (3) acres.
- ii. No more than three lots or parcels will be allowed using a common access easement as the source of ingress-egress, regardless if said easement existed prior to the new subdivision being created. Such easement shall not exceed twelve hundred feet in length.
This easement serves nine (9) separate tax parcels.
- iii. Easements to any parcels platted shall be no less than thirty feet in width. If multiple easements are required, said easements must be a minimum thirty feet apart in distance between the adjoining margins in said easements.
The easement is sixty (60) feet in width.
- iv. A gate must be placed at the entrance to the easement signifying that the road is not a public road. Also, a sign must be placed at the entrance depicting its "private" status prior to the plat being signed.
There is no gate located at the entrance to the easement.



Bobby C. Hagler
County Engineer

TUSCALOOSA COUNTY PUBLIC WORKS DEPARTMENT
2810 35th Street
Tuscaloosa, Alabama 35401
(205) 345-6600
FAX (205) 345-6600



Allan D. Springer, Sr.
Assistant County Engineer

Subdivision Wavier Request
Tuscaloosa County Commission
April 24, 2013

Commission District: 1

Owner: Hunter Taylor

Engineer / Surveyor: Herndon, Hicks, and Associates, Inc.

Wavier Requested: Mr. Taylor would like to be excluded from the Subdivision Regulations

Comments:

Mr. Taylor is wishing to divide a twelve (12) acre parcel into two six (6) acre parcels. This parcel is located on Meadowbrook Road, a private 60 foot easement. The entrance to Meadowbrook Drive is connected to House Bend Road, a county maintained road.

The 2013 Subdivision Regulations states the following:

SECTION 3-3 EXCLUSIONS FROM THE SUBDIVISION PROCESS

The following shall not be considered a subdivision and shall be excluded from the subdivision process:

1. The parceling off or sale of tracts measuring 10 acres or more with a minimum of 30 feet access to a publicly maintained road.

This subdivision does not meet the requirements because it is less than 10 acres and has access to a private easement, not a County maintained road.

The 2013 Subdivision Regulations state the following:

Section 2-2 Jurisdiction

From and after the effective date set out in Article I, Section 1-5, these regulations shall govern each and every subdivision of land in all areas of Tuscaloosa County from and after the effective date set out in Article I, Section 1-5, these regulations shall govern each and every subdivision of land in all areas of Tuscaloosa County outside of a municipality. When the subdivided land lies within the planning jurisdiction of a municipality and outside the municipal limit, the more stringent regulations of the two shall govern, unless otherwise exempted by these regulations.

The 1999 Subdivision Regulations state the following:

SECTION 8-1. PUBLIC PROVISIONS

These regulations are not intended to interfere with, abrogate, or annul any other ordinance, rule, regulation, statute, or other provision of law. Where any provision of these regulations imposes restrictions different from those imposed by any other ordinance, rule, regulation, or other provision of law, the provisions of which are more restrictive or impose higher standards shall control.

Although the property was in the City of Tuscaloosa Planning Jurisdiction prior to the new law passed by the Alabama Legislature, SB236, the more stringent of the two regulations govern. The City of Tuscaloosa excludes all properties over 5 acres from their subdivision regulations.

The 2013 Subdivision Regulations state the following:

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Private Access Easements: Private access easements will be allowed for access to a county maintained road in conjunction with the following provisions:

- i. Lots or parcels must be three acres or greater in size
Most lots located on the private easement are larger than three (3) acres.
- ii. No more than three lots or parcels will be allowed using a common access easement as the source of ingress-egress, regardless if said easement existed prior to the new subdivision being created. Such easement shall not exceed twelve hundred feet in length.
This easement serves nine (9) separate tax parcels.
- iii. Easements to any parcels platted shall be no less than thirty feet in width. If multiple easements are required, said easements must be a minimum thirty feet apart in distance between the adjoining margins in said easements.
The easement is sixty (60) feet in width.
- iv. A gate must be placed at the entrance to the easement signifying that the road is not a public road. Also, a sign must be placed at the entrance depicting its "private" status prior to the plat being signed.
There is no gate located at the entrance to the easement.

HERNDON, HICKS & ASSOCIATES, INC.
Professional Land Surveyors

April 18, 2013

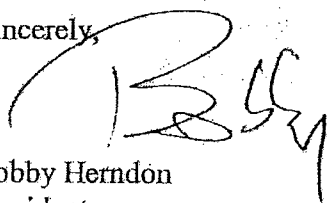
Tuscaloosa County Commission
Tuscaloosa, Alabama 35401

RE: Hunter Taylor

Gentlemen:

I respectfully request that you waive subdivision requirements on the 12 acre tract owned by Mr. Hunter Taylor and as shown on the attached drawings. Mr. Taylor was diligent in investigating subdivision regulations required by the City of Tuscaloosa and was told a subdivision plat was not needed because of the parcels being greater than 5 acres. Subsequently, the State Legislature past a law giving the County the controlling jurisdiction over Mr. Taylor's property, as far as subdivision regulations. This will cause great hardship, as Mr. Taylor already had a contract on a 6 acre parcel. I would greatly appreciate a favorable ruling on this request.

Sincerely,



Bobby Herndon
President

2728 Lurleen Wallace Boulevard
Post Office Box 508
Northport, Alabama 35476
Phone: 205.333.0003 • Fax: 205.333.0178

April 12, 2013

Tuscaloosa County Commission

RE: Parcel ID 10 20-01-11-0-001-006.003
(A parcel of land in the Police Jurisdiction of City of Tuscaloosa)

Dear Sirs;

June 2011 I purchased 12 acres of land from the Federal Land Bank Association of South Alabama. It was my understanding at this time that, later on, I could cut the property in to 6 acre parcels, if I elected to do so, without having to go thru the subdivision requirements.

July 2011 I hired Dale Thompson, a registered Land Surveyor in the State of Alabama, to cut the 12 acre tract in half (See attached Exhibit "B"). At this time the City of Tuscaloosa required a tract of land be 5 acres or larger to avoid going thru the subdivision requirements. To be sure that I was following the proper procedure I went a step further. November 20, 2012 I went to the City of Tuscaloosa Planning and Development to obtain a letter that would clarify what I was doing. Attached shown as Exhibit "A" is a copy of the letter. On or about January 2012 I purchased a building permit for Parcel 2 as shown on Exhibit "B" and built a house in which I now live in.

March 2013 I signed a Purchase Agreement to sell Parcel 1. During the course of getting the property sold it was brought to my attention that the City of Tuscaloosa has just turned over to the County all subdivision requirements outside the City limits. Due to the recent changes it would take 10 acres or more to avoid the subdivision requirements. I am asking for a Waiver of Recording a Subdivision plat or any requirements that subdivision would require. I am requesting this waiver so I can move forward with the sell of Parcel 1.

Thank you for you time and consideration of this matter.

Sincerely;

Hunter Taylor

21st Ave. 3-11-12
Regin R Rest 27 m 6

CITY OF TUSCALOOSA

PLANNING AND DEVELOPMENT SERVICES

2201 UNIVERSITY BOULEVARD • TUSCALOOSA • ALABAMA • 35401 • (205) 248-5110 • FAX (205) 349-0136

ALAN BOSWELL, MCP, CBO
CHIEF BUILDING OFFICIAL



PHILIP O'LEARY
DEPUTY DIRECTOR

JOHN MCCONNELL
DIRECTOR

EXHIBIT "A"

November 20, 2012

Re: Parcel ID: 20-01-11-0-001-006.003

To Whom It May Concern:

This letter is to verify that the above referenced property is not located within the corporate limits of the City of Tuscaloosa, but is currently in the Tuscaloosa City's PJ (Police/Planning Jurisdiction). There is no zoning in the PJ. Therefore, no zoning codes will apply.

It is not a violation to build two dwellings on the above referenced property, as long as all building codes are met.

All surrounding properties are also located within the PJ.

Should you have any questions, please do not hesitate to call 205-248-5110.

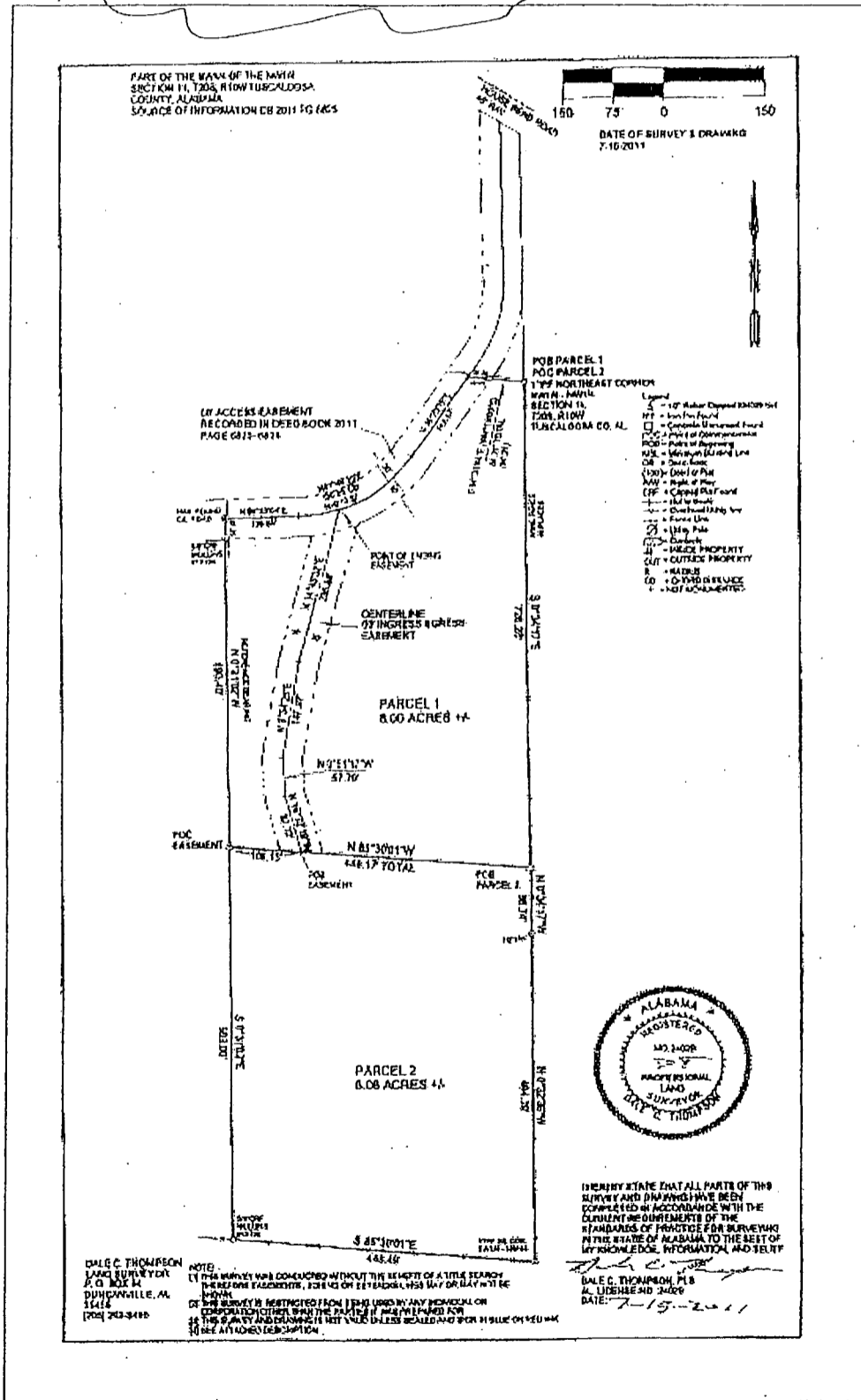
Sincerely,

Will Smith
Planning Technician

Plat Map

| | | | |
|------------------|--------------------------|----------|------------|
| Borrower/Client | Hunter Taylor | | |
| Property Address | 14241 Meadowbrook Road | | |
| City | Northport | County | Tuscaloosa |
| State | AL | Zip Code | 35475 |
| Lender | Alabama One Credit Union | | |

EXHIBIT "B"



REQUEST FOR SUBDIVISION REGULATION VARIANCE - MR. HUNTER TAYLOR

TUSCALOOSA COUNTY, ALABAMA



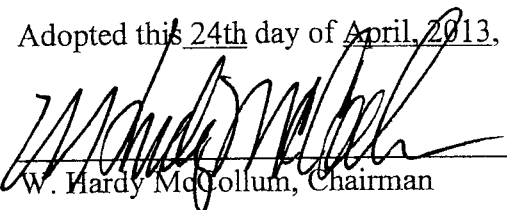
**RESOLUTION ACCEPTING STREETS IN
LAUREL WOOD GARDENS**

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 **LAUREL WOOD GARDENS** subdivision 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 24th day of April, 2013, by the TUSCALOOSA COUNTY COMMISSION.



W. Hardy McCollum, Chairman



Melvin Vines, County Administrator

Seal

**RESOLUTION ACCEPTING STREETS IN
GREYMONT PHASE II**

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 **GREYMONT PHASE II** subdivision 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.

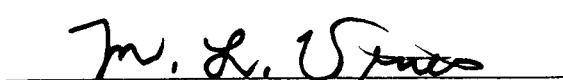
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1. That the County accept the streets, together with the drainage structures in, and which are a part of, said streets which are located in dedicated street rights-of-way, for maintenance by the Tuscaloosa County Commission. The drainage structures 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 24th day of April, 2013, by the TUSCALOOSA COUNTY COMMISSION.



W. Hardy McCollum, Chairman



Melvin Vines, County Administrator

Seal

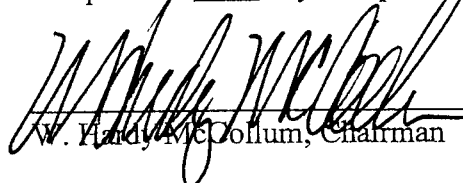
**RESOLUTION ACCEPTING STREETS IN
HINTON PLACE NO. 14 SECTION 1**

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 **HINTON PLACE NO. 14 SECTION 1** subdivision 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 24th day of April, 2013, by the TUSCALOOSA COUNTY COMMISSION.



W. Randy McCollum, Chairman



Melvin Vines, County Administrator

Seal

**RESOLUTION ACCEPTING STREETS IN
HINTON PLACE NO. 14 SECTION 2**

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 **HINTON PLACE NO. 14 SECTION 2** subdivision 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 24th day of April, 2013, by the TUSCALOOSA COUNTY COMMISSION.



W. Hardy McCollum, Chairman



Melvin Vines, County Administrator

Seal

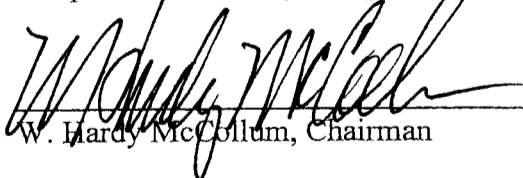
**RESOLUTION ACCEPTING STREETS IN
REMINGTON PHASE 5**

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 **REMINGTON PHASE 5** subdivision 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 24th day of April, 2013, by the TUSCALOOSA COUNTY COMMISSION.



W. Hardy McCollum, Chairman



Melvin Vines, County Administrator

Seal

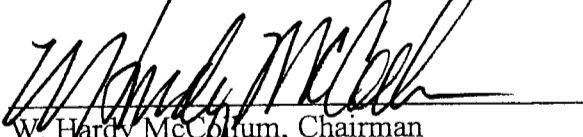
**RESOLUTION ACCEPTING STREETS IN
BRAELIN VILLAGE PHASE I**

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 **BRAELIN VILLAGE PHASE I** subdivision 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 24th day of April, 2013, by the TUSCALOOSA COUNTY COMMISSION.



W. Hardy McCollum, Chairman

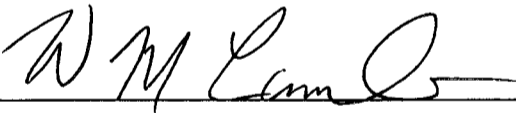


Melvin Vines, County Administrator

Seal

MONTH OF: MARCH , 2013

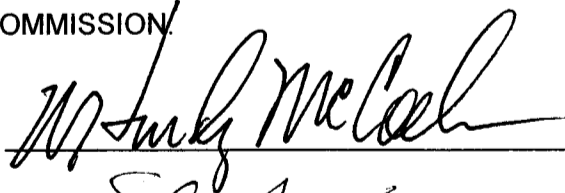
| FUND | CHECK NUMBERS | AMOUNT |
|---------------------------------------|-----------------|----------------|
| 001 GENERAL FUND SPECIAL SALES TAX | 16333-16827 | \$4,470,713.55 |
| 112 ROAD & BRIDGE | 4658-4875 | \$1,361,748.40 |
| 116 CAPITAL IMPROVEMENT | | |
| 117 RRR GAS TAX | 314-315 | \$1,000,000.00 |
| 120 REAPPRAISAL | 2049-2095 | \$174,700.37 |
| 160 COMMUNITY DEVELOP | 1576-1578 | \$2,251.99 |
| 710 PAYROLL-CHECKS | 93045-93102 | \$1,275,675.41 |
| | 55537-55652 | \$103,704.36 |
| | PAYROLL-DIR DEP | \$1,020,252.58 |
| 720 EXCESS LAND SALES | 11884-12778 | |
| 730 FIDUCIARY | 376 | \$15,689.94 |
| 750 PISTOL PERMIT | 7858-7876 | \$47,350.07 |
| 780 E911 | 4797-4807 | \$40,870.08 |
| 781 GAS TAX BONDING | | |
| 783 WORKMEN'S COMP | 116 | \$11,939.92 |
| 784 TAX COLL SPECIAL | | |
| 785 TAX ASSR SPECIAL | | |
| 786 MFG HOMES | | |
| 787 MOTOR VEH TRAINING | | |
| | | <hr/> |
| | | \$9,524,896.67 |

CHECKED BY: 

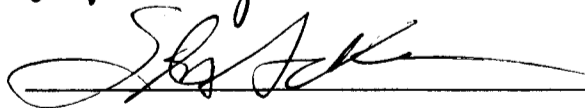
WILLIAM M. LAMB, ACCOUNTING MANAGER

APPROVED BY TUSCALOOSA COUNTY COMMISSION.

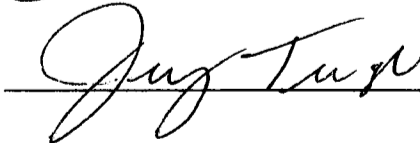
CHAIRMAN, W. HARDY MCCOLLUM



COMMISSIONER, STAN ACKER



COMMISSIONER, JERRY TINGLE



COMMISSIONER, BOBBY MILLER

Absent

COMMISSIONER, REGINALD MURRAY



THIS INSTRUMENT PREPARED BY:
ELIZABETH S. GORDON
ROSEN HARWOOD P.A.
ATTORNEYS AT LAW
2200 Jack Warner Parkway,
Suite 200 (35401)
Post Office Box 2727
Tuscaloosa, Alabama 35403
(205) 344-5000

Sources of Title: Deed Book 2001 at Page 7447

**RESOLUTION AUTHORIZING THE VACATION OF A PORTION OF
REESE ROAD, A RIGHT-OF-WAY IN TUSCALOOSA COUNTY, ALABAMA**

WHEREAS, the owner of the land abutting that certain right-of-way more particularly described in Exhibit "A," and depicted on Exhibit "B", said Exhibits being attached hereto and incorporated herein by reference, **Martin D. Scruggs** (hereinafter referred to as the "Owner"), alleges he owns all of the land abutting said right-of-way, street, alley, or portion thereof requested to be vacated in Tuscaloosa County, Alabama; and,

WHEREAS, said right-of-way does not lie within the corporate limits of any municipality in Tuscaloosa County, but within the jurisdiction of Tuscaloosa County, Alabama, and the assent of the Tuscaloosa County Commission to the vacation of said right-of-way has been requested and is desired by the Owners; and,

WHEREAS, it appears to the Tuscaloosa County Commission, that the vacation of said right-of-way, as hereinafter described, will not deprive other property owners of their right to convenient and reasonable means of ingress and egress to and from their property, nor will it adversely affect the interest of the public in any way.

NOW, THEREFORE, be it resolved by the Tuscaloosa County Commission, Alabama, as follows:

1. That it is in the interest of the public that the right-of-way located in Tuscaloosa County, Alabama, as described in Exhibit "A" and depicted on Exhibit "B" hereto, be vacated.
2. That the assent of the Tuscaloosa County Commission is hereby given to the vacation of said right-of-way located in Tuscaloosa County, Alabama, as described in Exhibit "A" and

depicted on Exhibit "B" hereto. Pursuant to Alabama Code (1975) §23-4-2 and §23-4-20, upon the filing of this Resolution, title to said right-of-way as described in Exhibit "A" and depicted on Exhibit "B" shall vest in Martin D. Scruggs.

3. That the Judge of Probate of Tuscaloosa County, Alabama, be, and is hereby, authorized to present a copy of this resolution, duly certified as correct by County Clerk, to the Owner in order that the same may be recorded in the Office of the Judge of Probate.

RESOLVED AND DONE this 27th day of April, 2013.

TUSCALOOSA COUNTY COMMISSION

By W. Hardy McCollum
W. Hardy McCollum, Judge of Probate

ATTEST:

Melvin Vines
Melvin Vines, County Administrator

APPROVED THIS THE 24th DAY OF April, 2013.

STATE OF ALABAMA }
COUNTY OF TUSCALOOSA }

PETITION FOR APPROVAL OF A
DECLARATION OF VACATION

TO THE HONORABLE, W. HARDY MCCOLLUM, Probate Judge of
Tuscaloosa County and Chairman of the Tuscaloosa County Commission, and THE
HONORABLE STAN ACKER, COMMISSIONER, THE HONORABLE BOBBY
MILLER, COMMISSIONER, THE HONORABLE REGINALD MURRAY,
COMMISSIONER AND THE HONORABLE, JERRY TINGLE COMMISSIONER,

COMES NOW, Martin D. Scruggs who presents unto your Honors:

THAT, Martin D. Scruggs is the owner of all the land abutting a portion of a
road right-of-way located in Tuscaloosa County, Alabama the centerline of which is
described as:

SEE EXHIBIT "A" ATTACHED HERETO

THAT the Martin D. Scruggs desires to vacate a portion of the Reese Road, a
public road, as provided in §23-4-20 of the Code of Alabama, 1975; and

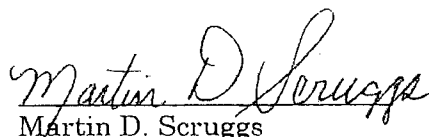
THAT, the vacation of the portion of the said road as hereinafter described will
not deprive other property owners of reasonable means of ingress and egress to and
from their property nor will it adversely affect the interest of the public in any way;
and

THAT, the portion of the road right-of-way to be vacated is within the County
of Tuscaloosa and assent to the vacation of the right-of-way must be been obtained
from the Tuscaloosa County Commission pursuant to the provisions of §23-4-20 of
the Code of Alabama, 1975;

NOW THEREFORE, in consideration of the premises, Martin D. Scruggs
hereby requests that your Honors assent to the vacation of the portion of the road
right-of-way described on the Exhibit A which is attached hereto and made a part
hereof by reference.

Martin D. Scruggs further requests that your Honors authorize and direct the
Chairman of the Tuscaloosa County Commission to present a resolution consenting
to the vacation of the road right-of-way as above said, duly certified as correct by
the Tuscaloosa County Administrator, the officer in charge of the records of
Tuscaloosa County, to Martin D. Scruggs in order that said resolution may be
attached to and filed and recorded with its legal Declaration of Vacation.

IN WITNESS WHEREOF, Martin D. Scruggs has hereunto set his hand and
seal on this the 2 day of January, 2013.

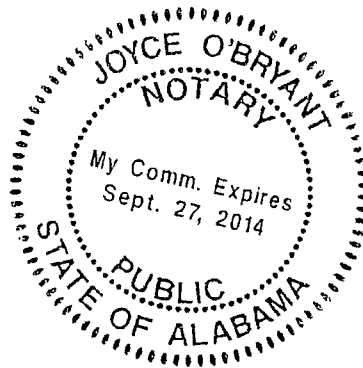

Martin D. Scruggs

Before me, the undersigned authority, personally appeared Martin D. Scruggs whose name as Petitioner is affixed to the foregoing petition, who is known to me and who being first duly sworn deposes and says that he is informed and believes and that upon such information and belief states that the facts set out in the foregoing petition are true and correct.

Martin D. Scruggs
Martin D. Scruggs

Sworn to and subscribed before me on January 2, 2013.

Joyce O'Bryant
NOTARY PUBLIC
My Commission Expires:



NOTICE

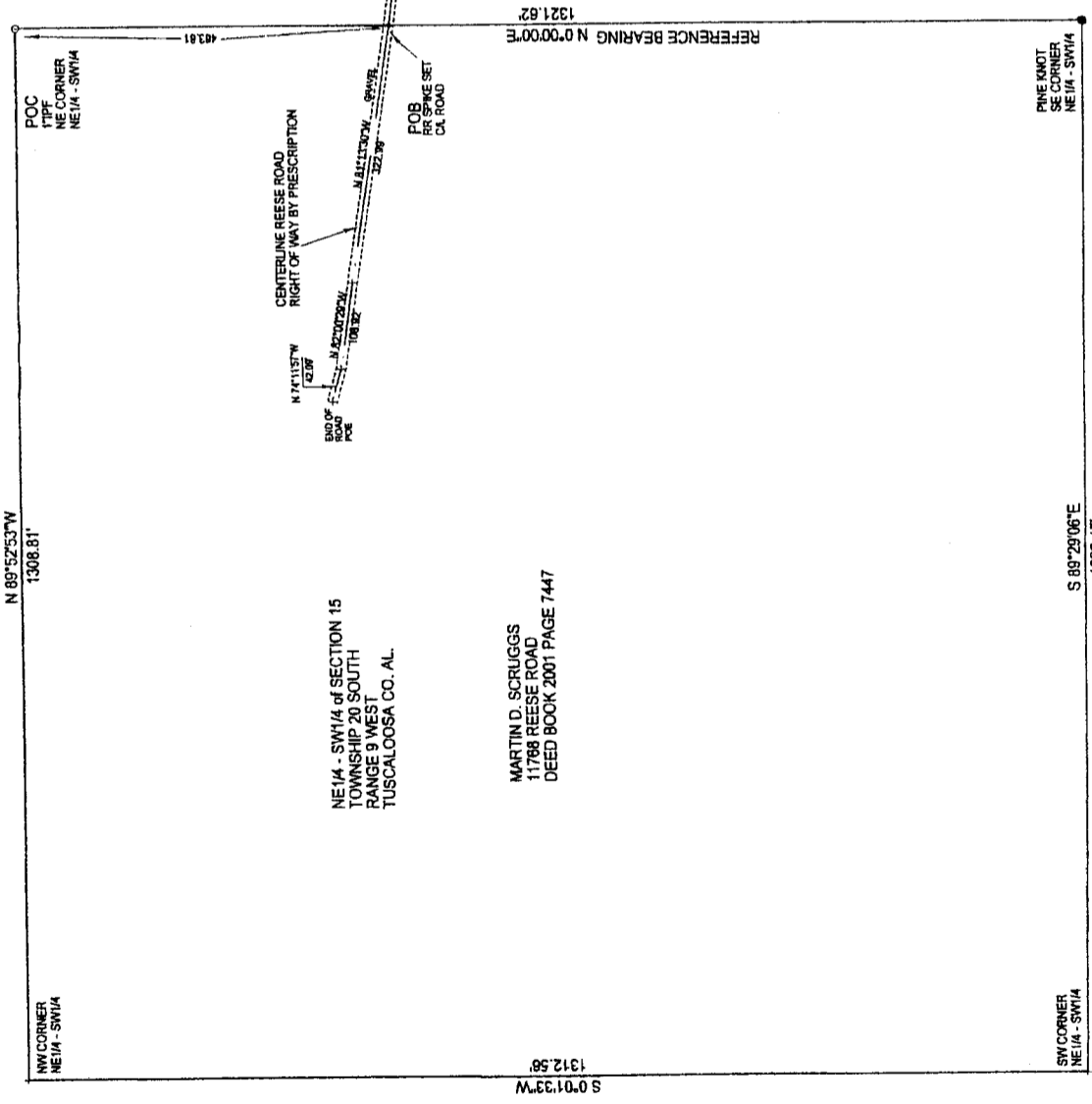
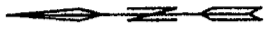
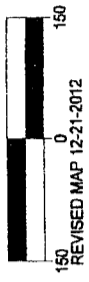
A public hearing on the proposed vacations of the rights-of-way more particularly described below will be held on April 17, 2013 at 4:00 p.m. in the County Commission Chambers at the Tuscaloosa County Courthouse, 714 Greensboro Avenue, Tuscaloosa, Alabama 35401. Any citizen alleging to be affected by the proposed vacation may submit a written objection to the Tuscaloosa County Commission or may request an opportunity to be heard at the public hearing. The legal description of the right-of-way is as follows:

VACATION OF A PART OF REESE RD.

Commence at a 1" iron pipe found and accepted as the Northeast corner of the Northeast quarter of the Southwest quarter of Section 15, Township 20, South, Range 9 West, Tuscaloosa County, Alabama; thence run South 00 degrees 00 minutes West along the east line of said NE 1/4 of SW 1/4 for a distance of 463.81 feet to a railroad spike lying in the centerline of Reese Road, and marking the Point of Beginning; thence run North 81 degrees 13 minutes 30 seconds West along the centerline of said road for a distance of 322.99 feet to a point; thence run North 82 degrees 00 minutes 29 seconds West along said centerline of road for a distance of 108.92 feet to a point; thence run North 74 degrees 11 minutes 57 seconds West along said centerline of road for a distance of 42.09 feet to the Point of Ending of Road.

Exhibit A

Commence at a 1" iron pipe found and accepted as the Northeast corner of the Northeast quarter of the Southwest quarter of Section 15, Township 20, South, Range 9 West, Tuscaloosa County, Alabama; thence run South 00 degrees 00 minutes West along the east line of said NE 1/4 of SW 1/4 for a distance of 463.81 feet to a railroad spike lying in the centerline of Reese Road, and marking the Point of Beginning; thence run North 81 degrees 13 minutes 30 seconds West along the centerline of said road for a distance of 322.99 feet to a point; thence run North 82 degrees 00 minutes 29 seconds West along said centerline of road for a distance of 108.92 feet to a point; thence run North 74 degrees 11 minutes 57 seconds West along said centerline of road for a distance of 42.09 feet to the Point of Ending of Road.



NE 1/4 - SW 1/4 of SECTION 15
TOWNSHIP 20 SOUTH
RANGE 9 WEST
TUSCALOOSA CO. AL.

MARTIN D. SCRUGGS
11788 REESE ROAD
DEED BOOK 2001 PAGE 7447

NOTE:
 (1) THIS SURVEY WAS CONDUCTED WITHOUT THE BENEFIT OF A TITLE SEARCH. THEREFORE ENCUMBRANCES, ZONING OR SETBACKS LINES MAY OR MAY NOT BE SHOWN.
 (2) THIS SURVEY IS RESTRICTED FROM BEING USED BY ANY INDIVIDUAL OR CORPORATION OTHER THAN THE PARTIES IT WAS PREPARED FOR.
 (3) THIS SURVEY AND DRAWING IS NOT VALID UNLESS SEALED AND SIGNED IN BLUE OR RED INK.
 (4) SEE ATTACHED DESCRIPTION.



I HEREBY STATE THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF ALABAMA TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.

DALE C. THOMPSON, P.L.S.
 AL LICENSE NO. 24029
 DATE: 12-21-2012

DALE C. THOMPSON
 LAND SURVEYOR
 P. O. BOX 94
 DUNCANVILLE, AL
 35456
 (205) 292-9480

May 20, 2013

Probate Judge W. Hardy McCollum
Tuscaloosa County Courthouse
Post Office Box 20067
Tuscaloosa, AL 35402-0067

Dear Judge McCollum:

The Tuscaloosa County Sheriff Department has been selected to receive a traffic enforcement grant of **One Thousand Nine Hundred and Fifty Dollars (\$1,950.00)**. Enforcement objectives will be realized through funding of overtime salary + fringe to state and local enforcement agencies to implement a comprehensive traffic safety program with a focus on statistic data contributing to crashes by implementing stationary, mobile (DUI), speed, safety belt, and child restraint enforcement programs.

Traffic enforcement programs coupled with intense community education and an awareness campaign has been found to be the most effective combination to reduce the number of traffic crashes, injuries and fatalities in a defined region. The West Alabama Traffic Safety Program Project will be used as a supplement to regular basis.

West Alabama Traffic Safety Program and The Tuscaloosa County Sheriff Department, hereafter referred to as AGENCY, for 100% funded salary plus allowable fringe overtime traffic enforcement and traffic safety education funds not to exceed \$ 1,950.00, enter into this agreement.

This funding is made available under the **Alabama Department of Economic and Community Affairs, (ADECA) 13-HS-K2-004 Project**. (Click It or Ticket)

Agency agrees to comply with all documentation procedures as outlined in the **Attached A and Attachment D** before reimbursement will be made by West Alabama Traffic Safety's Director.

The AGENCY agrees to appoint a traffic coordinator and alternates from their law enforcement department. This person will be responsible for submitting required documentation of overtime hours, required documentation of overtime hours, required reporting to West Alabama Traffic Director of overall project within their department.

All reimbursement statements, contact reports, and supporting documentation must be submitted to West Alabama Traffic Safety Director, on or before, the 15th of the month following the month of activities. Automatic suspension of funds, until documentation is received, will occur for those departments not meeting this deadline.

The Enforcement Committee will meet on a "call meeting" basis beginning May 1, 2013, and/or before the last day of the month at 10:00 A.M. at location chosen by West Alabama Traffic Safety's Director. The dates of the meetings will be chosen by the Law Enforcement committee.

The AGENCY will coordinate traffic safety activities to coincide with, but not limited to, the five (5) major holidays: Memorial Day, Fourth of July Day, Labor Day, Thanksgiving Day, Christmas Day, and National Drunk and Drug Driving Week in December.

The AGENCY agrees to maintain an average of two (2) written contacts per hour, excluding educational material and verbal contacts, throughout the life of the project. These contacts may be written warnings and/or citations. The enforcement committee for approval will review extenuating circumstances.

The AGENCY agrees to use budget funds for Click It or Ticket enforcement activities. The agencies will utilize CARE Data. Agencies will identify hot spots as identified by the State Data System.

The AGENCY is solely responsible for the acts and omission of its employees and agents. This agreement does establish an agency relationship between the Agency and West Alabama Traffic Safety Director. To the extent permitted bylaw, the Agency shall defend indemnify and hold harmless West Alabama Traffic Safety Director from all claims and demands for personal injury or death and property damages arising from the performance of this agreement by the Agency, its agents and employees, including expense, attorney fees, compensatory or punitive damages, claims, demands, actions, amounts, and costs incurred by the West Alabama Traffic Safety Director in the investigation and defense of such claims.

The AGENCY agrees to comply with all other requirements as outlined by West Alabama Traffic Safety Director which are needed to carry out the scope and intent of this project in accord with the Agreement entered into between West Alabama Traffic Safety Director and the State of Alabama Department of Economic Community Affairs, and the Law Enforcement Traffic Safety Division, as amended from time to time.

West Alabama Traffic Safety Director agrees to reimburse the AGENCY for actual traffic safety enforcement and education overtime worked under this project, provided the overtime is documented and spent in accordance with attachments A and approved by Enforcement and Education Committee Chairperson.

*The AGENCY agrees to submit a copy of their overtime policy with the return of the signed local agreement. The local agreement will not be considered complete unless an overtime policy is on file with WACTS. (Attachment D)

*The AGENCY will be required to submit time sheets indicating regular shift hours were met, when submitting a claim for reimbursement of overtime hours worked. Forms 1, 2, 3A, and roll up sheets are to be submitted with Form 3/Claims Reimbursement form.

ATTACHED A

DEFINITIONS

- a. Blitz – A period recognized by Federal agencies that require State action and reporting of a common action/goal. Blitz entails the maximum utilization of available resources towards the action or goal. Result reporting goes to State, then Federal Agencies in a timely manner.
- b. Mobilization – A period recognized and directed by State Agencies that require action and reporting of a common action/goal. Mobilization entails the utilization of available resources towards the action or goal. Result reporting goes to State Agencies in a timely manner.
- c. Operation – Is defined as a series of planned Details to be conducted within a 24 to 48 hour period.
- d. Detail – Local Police Departments and Sheriffs may work no more than twelve (12) hours for overtime traffic enforcement during an officer’s scheduled “OFF” time and no more than a total of fourteen (14) hours of combined regularly scheduled time and overtime traffic enforcement. Participating Trooper Posts may schedule details up to ten hours due to department reporting structure that follows state guidelines. The purpose is to prevent the perception of part time work for law enforcers, while ensuring adequate “Operator Rest” before the next work shift.
- e. Vote – Voting or eligibility thereof – the Chief Law Enforcement Official (Chief of Police or Sheriff) or his/her designee of the AGENCY is the official voting representative on the WALEC (West Alabama Law Enforcement Committee).
- f. Excused Absences – A preannounced note or letter mailed (faxed or e-mailed) to any WALEC Officer and WAHSO articulating the time, sensitivity, urgency of presence (e.g. court appearance; personal family or work emergency involving hospital, legal or death) and non availability of other personnel (designated alternate, clerk, or secretary) that may represent the Sheriff or Chief of absent agency.
- g. Overtime Defined – Time beyond an established limit, as working hours in addition to those of a regular schedule; payment for additional work done outside of regular scheduled working hours. *When working ADECA overtime, you may not be on regular shift; clock out to work the overtime detail and then clock back in to work those regular shift hours after your regular scheduled duty hours.*
- h. Overtime Reimbursement – When working ADECA overtime, the agency should not deviate from its overtime policy. ADECA overtime should be consistent with existing Agency or Department of Labor policy. Persons signing up to work this overtime must ensure they have satisfied the regular duty hours as outlined in the Agency’s overtime policy – thus ensuring they are overtime eligible. It is recommended WALEC representatives add a disclaimer on their agency overtime sign-up sheets. Here’s a sample disclaimer: *“Persons signing up to work this overtime should ensure they have*

satisfied the regular duty hours as outlined in the overtime policy---thus ensuring they are overtime eligible. Persons who are not overtime eligible may sign up, but should notify Agency WALEC representative of the possibility of their not meeting the overtime threshold". At which time the WALEC representative may claim time worked as straight time.

Also, agencies must ensure they are first "disbursing funds" to their officers/deputies before requesting "reimbursement of funds" from ADECA.

Level of Effort – *Supplement Not Supplant*

- a. Ascertain if the entity used Federal funds to provide services which they were required to make available under Federal, State, or local law and were also made available by funds subject to a supplement not supplant requirement.

OMB Circular A-133 2.2

Adjustments in funding level; time period or scope of this agreement may only be accomplished through written amendment to this agreement upon recommendation of the Enforcement Committee and approved by the Executive Committee.

Marie Thomas
Authorizing Official
West Alabama Traffic Safety

Date

W. Andy McCall
Agency Authorized Official
Probate Judge

4-24-13
Date

William Sharp Jr
Authorizing Enforcement Official
Sheriff

4-22-2013
Date

STATE CERTIFICATIONS AND ASSURANCES

Failure to comply with applicable Federal statutes, regulations and directives may subject State officials to civil or criminal penalties and/or place the State in a high-risk grantee status in accordance with 49CFR s18.12.

Each fiscal year the State will sign these Certifications and Assurances that the state complies with all applicable Federal statutes, regulations, and directives in effect with respect to the periods for which it receives grant funding. Applicable provisions include, but not limited to, the following:

- 23 U.S.C. Chapter 4 – Highway Safety Act of 1966, as amended;
- 49 CFR part 18 – Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments
- 49 CFR Part 19 – Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Nonprofit Organizations.
- 23 CFT Chapter II – (xx1200, 1205, 1206, 1250, 1251, 1252) Regulations governing highway safety programs
- NHTSA Order 462-6C Matching Rates for State and Community Highway Safety Programs
- Highway Safety Grant Funding Policy for Field-Administered Grants

Certifications and Assurances

The Governor is responsible for the administration of the State highway safety program through a State highway safety agency which has adequate powers and is suitably equipped and organized (as evidenced by appropriate oversight procedures governing such areas as procurement, financial administration, and the use, management, and disposition of equipment) to carry out the program (23 USC 402(b)(1)(A));

The political subdivisions of this State are authorized, as part of the State highway safety program, to carry out within their jurisdictions, local highway safety programs which have been approved by the Governor and are in accordance with the uniform guidelines promulgated by the Secretary of Transportation (23 USC 402(b)(1)(B));

At least 40 percent of all Federal funds apportioned to this State under 23 USC 402 for this fiscal year will be expended by or for the benefit of the political subdivision of the State in carrying out local highway safety programs (23 USC 402(b)(1)(C)), unless this requirement is waived in writing;

This State's highway safety program provides adequate and reasonable access for the safe and convenient movement of physically handicapped persons, including those in wheelchairs, across curbs constructed or replaced on or after July 1, 197, at all pedestrian crosswalks (23 USC 402(b)(1)(D));

Cash draw-downs will be initiated only when actually needed for disbursement, cash disbursements and balances will be reported in a timely manner as required by HHTSA, and the same standards of timing and amount, including the reporting of cash disbursement and balances, will be imposed upon any secondary recipient organizations (49CFT 18.20, 18.21, 18.41). Failure to adhere to these provisions may result in termination of drawdown privileges);

The State has submitted appropriate documentation for review to the single point of contact designated by the Governor to review Federal programs, as required by Executive Order 12372 (Intergovernmental Review of Federal Programs);

Equipment acquired under this agreement for use in highway safety program areas shall be used and kept in operation for highway safety purposes by the State; or the State, by formal agreement with appropriate officials of a political subdivision or State agency, shall cause such equipment to be used and kept in operation in highway safety purposes (23 CFR 1200.21);

The State will comply with all applicable State procurement procedures and will maintain a financial management system that complies with the minimum requirements of 49 CFR 18.20;

The State highway safety agency will comply with all Federal statutes and implementing regulations relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin (and 49 CFR Part 21); (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. ss 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. s794), which prohibits discrimination on the basis of handicaps (and 49 CFR Part 27); (d) the Age Discrimination Act of 1975, as amended (41 U.S.C. ss 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) ss 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. ss 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VII of the Civil Rights Act of 1968 (42 U.S.C. ss 3601 et. seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which may apply to the application.

The Drug-free Workplace Act of 1988 (49 CFR Part 29 Sub-part F):

The State will provide a drug-free workplace by:

- a) Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- b) Establishing a drug-free awareness program to inform employees about:
 - 1) The dangers of drug abuse in the workplace.
 - 2) The grantees policy of maintaining a drug-free workplace.
 - 3) Any available drug counseling, rehabilitation, and employee assistance programs.
 - 4) The penalties that may be imposed upon employees for drug violations occurring in the workplace.
- c) Making it a requirement that each employee engaged in the performance of the grant be given a copy of the statement required by a paragraph (a).
- d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will—
 - 1) Abide by the terms of the statement.
 - 2) Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.
- e) Notifying the agency within ten days after receiving notice under subparagraph (d) (2) from an employee or otherwise receiving an actual notice of such conviction.
- f) Taking one of the following actions, within 30 days of receiving notice under subparagraph (d) (2), with respect to any employee who is so convicted -
 - 1) Taking appropriate personnel action against such an employee, up to and including termination.
 - 2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by Federal, State, or local health, law enforcement, or other appropriate agency.
- g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f) above.

BUY AMERICA ACT

The Agency will comply with the provisions of the Buy America Act (23 USC 101 Note_ which contains the following requirements:

Only steel, iron, and manufactured products produced in the United States may be purchased with Federal funds unless the Secretary of Transportation determines that such domestic purchases would be inconsistent with the public interest; such that materials are not reasonably available and of a satisfactory quality; or that inclusion of domestic materials will increase the cost of the overall project contract by more than 25 percent. Clear justification for the purchase of non-domestic items must be in the form of a waiver request submitted to and approved by the Secretary of Transportation.

POLITICAL ACTIVITY (HATCH ACT)

The Agency will comply with the provisions of 5 U.S.C. ss 1501-1508 and implementing regulations of 5 CTF Part 151, concerning "Political Activity of State or Local Offices, or Employees".

CERTIFICATION REGARDING FEDERAL LOBBING:

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee or any agency, a Member of Congress in connection with the awarding of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person influencing or attempting to influence an officer or employee of any Agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all sub-award at all tiers (including subcontracts, sub-grants, and contracts under grant, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

RESTRICTION ON STATE LOBBYING:**Instructions for Primary Certification**

1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below.
2. The inability of a person to provide the certification required below will not necessarily result in denial or participation in this covered transaction. This prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.
4. The prospective primary participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary participant learns its certification was erroneous when submitted or has become erroneous by reason or change circumstance.
5. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meaning set out in the Definitions and coverage sections of 49 CFR Part 29. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFT Part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.
7. The prospective primary participant further agrees by submitting this proposal that it will include the clause title "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction", provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions.
8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not proposed for debarment under 48 CFT Part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it is known that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the list of Parties Excluded from Federal Procurement and Non-procurement Programs.
9. Nothing contained in the foregoing shall be construed to require establishments of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

Certification Regarding Debarment, Suspension, and Other Responsibility Matters Primary Covered Transactions.

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meanings set out in the Definition and Coverage sections of 49 CFR Part 29. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion – Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions. (See below)

7. A participant in a covered transaction may rely upon a certification of a perspective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Non-procurement Programs.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transactions:

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participants shall attach an explanation this proposal.

RESOLUTION CHANGING POLLING PLACE

WHEREAS, the Tuscaloosa County Commission and the Tuscaloosa County Election Officials have conferred and determined that a change in polling places will provide a safer and more convenient polling place for the residents of the Lakeview community; and

WHEREAS, the Tuscaloosa County Commission has considered the recommendation and has determined that the election process in Tuscaloosa County will be aided by making the recommended changes; and

WHEREAS, § 17-6-4 of the *Code of Alabama (1975)*, vests the Tuscaloosa County Commission with the authority to alter the polling places of voting wards.

NOW, THEREFORE, BE IT RESOLVED BY THE TUSCALOOSA COUNTY COMMISSION that the Commission hereby authorizes the relocation of the polling place from the Lakeview Fire Department, located at 21289 Phyllis Drive, Lakeview, AL, 35111 to the Lakeview Baptist Church Activity Facility, located at 21168 Mountain View Circle, Lakeview, AL, 35111.

Approved this the 24th day of April, 2013.


W. Hardy McCollum, Chairman
Tuscaloosa County Commission

ATTEST:


Melvin Vines, County Administrator