

TUSCALOOSA COUNTY COMMISSION
MEETING

July 2, 2008

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:

Don Wallace
Gary Youngblood
Reginald Murray

Commissioner Gary Youngblood moved, seconded by Commissioner Don Wallace, the County Commission voted unanimously to authorize payment of \$427,881.05 to Tomlin Construction LLC for work completed on the Eastern (LakeView) Elementary School Access Road.

Exhibit 7-1, Page 725

Commissioner Don Wallace moved, seconded by Commissioner Gary Youngblood, the County Commission voted unanimously to award the bid for the sale of scrap metal to Randall Freeman Scrap Metal. The bid was opened June 18, 2008.

Commissioner Reginald Murray moved, seconded by Commissioner Gary Youngblood, the County Commission voted unanimously to award the bid for guardrail and end anchors to Alabama Guardrail, Inc. The bids were opened June 18, 2008.

Commissioner Don Wallace moved, seconded by Commissioner Reginald Murray, the County Commission voted unanimously to accept

the low bid that meets specifications for base processing on Barrett Town Road and Jones Cutoff. The bidding firms were as follows:

S.T. Bunn Construction Co., Inc.
Mallory Burkhalter Paving, inc.

Exhibit 7-2, Pages 726-727

Commissioner Gary Youngblood moved, seconded by Commissioner Don Wallace, the County Commission voted unanimously to approve the warrants issued to cover Tuscaloosa County's expenditures for the month of June, 2008.

Exhibit 7-3, Page 728

Commissioner Reginald Murray moved, seconded by Commissioner Gary Youngblood, the County Commission voted unanimously to enter into an "Agency Grant Agreement" with the Alabama Department of Youth Services whereby the County Commission accepts a \$300,000.00 grant from DYS to provide a Day Alternative Treatment Effort program at the Juvenile Detention Center. Tuscaloosa County will be the pass-through agent between the Department of Youth Services and the provider of the treatment, The Bridge.

Exhibit 7-4, Page 729

Commissioner Don Wallace moved, seconded by Commissioner Reginald Murray, the County Commission voted unanimously to approve Change Order No. 3 to Bill Lunsford Construction and Development's contract for the new office building for the Tuscaloosa County Public Works Department. The change order reflects a \$20,636.56 increase to the contract to provide and install additional electrical service for the HVAC system for the 2nd floor of the office building.

Exhibit 7-5, Pages 730-733

Commissioner Gary Youngblood moved, seconded by Commissioner Reginald Murray, the County Commission voted unanimously to depart from the order of business set forth in the official agenda to consider authorizing the County Attorney to negotiate a contract with Bill Lunsford for Phase III of the Tuscaloosa County Courthouse Renovation.

Commissioner Don Wallace moved, seconded by Commissioner Reginald Murray, the County Commission voted unanimously to authorize County Attorney Robert Spence to negotiate a contract with Bill Lunsford Construction and Development for Phase III of the Tuscaloosa County Courthouse Renovation. The Commission further authorized Chairman W. Hardy McCollum to execute said contract.

Exhibit 7-6, Pages 734-735

Bids for one or more 24 foot Gooseneck Trailers for Homeland Security were opened and referred to the Sheriff's Office for appropriate action. Bidding firms were as follows:

Trailer Store Plus
Bazzell's Truck and Camper, Inc.

Exhibit 7-7, Pages 736-737

The one bid for one or more Mobile Crime Scene Vehicles for Region 3 Homeland Security was opened and referred to the Sheriff's Office for appropriate action. The bidding firm was Sirchie Finger Print Laboratories.

Exhibit 7-8, Pages 738-752

Commissioner Don Wallace moved, seconded by Commissioner Reginald Murray, the County Commission voted two to one to authorize the installation of a speed table at each of the locations listed below. Commissioner Gary Youngblood cast the NAY vote.

1. Lonnie Shirley Road at Todd Shirley's house
2. Housebend Road at B&B Drive
3. Graceland Road at Carolwood Freewill Baptist Church

Commissioner Don Wallace moved, seconded by Commissioner Reginald Murray, the County Commission voted unanimously to adopt a revised FLOOD DAMAGE PREVENTION ORDINANCE to change the date in the definitions of "Existing Construction", "Existing Manufactured Home Park or Subdivision", "New Construction", and "New Manufactured Home Park or Subdivision" to August 7, 2001.

Exhibit 7-9, Pages 753-772

Commissioner Don Wallace moved, seconded by Commissioner Gary Youngblood, the County Commission voted unanimously to reschedule

the next County Commission meeting from July 16, 2008, to July 23, 2008.

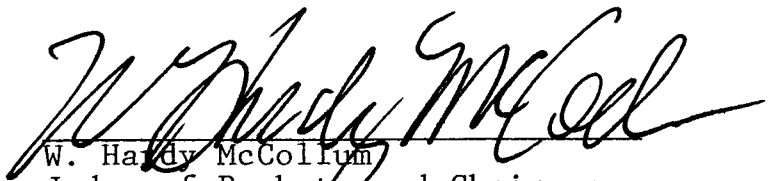
Commissioner Reginald Murray moved, seconded by Commissioner Gary Youngblood, the County Commission voted unanimously to approve the request from Sprayberry Education Center to resurface their existing parking lots and to construct a new lot. The estimated cost for this project is \$27,213.95.

Exhibit 7-10, Page 773


Commissioner Don Wallace presented a petition signed by residents of Twin Oaks Road requesting that a Humane Society Dog Kennel be removed from their neighborhood.

Exhibit 7-11, Pages 774-776

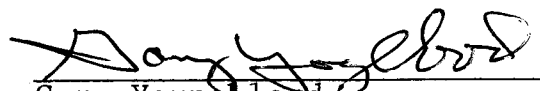
There being no further business to come before the Tuscaloosa County Commission, the meeting adjourned to Wednesday, July 23, 2008.



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




Don Wallace
Commissioner - District I



Gary Youngblood
Commissioner - District II

ABSENT

Bobby Miller
Commissioner - District III



Reginald Murray
Commissioner - District IV

**APPLICATION AND
CERTIFICATION FOR
PAYMENT**

SCHEDULE OF VALUES

ESTIMATE NO. 4
DATE 5/30/2008

COVER SHEET

TO OWNER Tuscaloosa County 714 Greensboro Avenue Tuscaloosa, AL 35401	PROJECT Eastern Elementary Access Road
FROM CONTRACTOR Tomlin Construciton LLC 641 Lum Fife Road Gordo, AL. 35466	ENGINEER Mr. Craig Williams Burk-Kleinpeter, Inc. 600 Lurleen Wallace Blvd Suite 180 Tuscaloosa, Al 35401-1734

TOTAL ORIGINAL CONTRACT.....	\$	2,276,348.77
CHANGE ORDER(S) THROUGH	\$	-
TOTAL CONTRACT TO DATE.....	\$	2,276,348.77
1. Work completed to Date per attached Schedule of Values (<u>74</u>) %	\$	1,695,696.32
2. Stored Materials:	\$	-
3. Total Completed Work and Stored Materials.....	\$	1,695,696.32
4. Total Retainage Held(5%).....	\$	62,264.77
5. Less Materials & Property Payments by the Owner.....		
6. Total Due.....	\$	1,633,431.55
7. Less Total Previous Payments.....	\$	1,183,030.45
8. Total Estimate.....	\$	450,401.10
9. Retainage Held this Estimate(5%).....	\$	22,520.06
10. Balance Due This Estimate.....	\$	427,881.05

<p align="center">CONTRACTOR'S CERTIFICATION</p> <p>The undersigned Contractor certifies that to the best of his knowledge, information, and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by him for Work for which previous Certificates for Payments were issued and payments received from the owner and that current payment shown herein has not yet been received.</p> <p>By <u>Larry Tomlin</u> Date <u>6/12/08</u> <u>Larry Tomlin</u> Managing member (Title)</p> <p>Sworn and subscribed before me this <u>12th</u> day of <u>June 2008</u> <u>Kimberly Miller</u> L.S. Notary Public</p>	<p align="center">ENGINEER CERTIFICATION</p> <p>In accordance with the Contract Documents, The Eginer certifies to the Owner that, to the best of the Eginer knowledge and belief, the Work has progressed to the point indicated herein, the Quantity of the Work is in Accordance with the Contract Documents, and the Contractor is entitled to payment of the amount approved</p> <p align="center"><u>BURK-KLEINPETER, INC.</u> (Engineer) <u>Craig Williams</u> By Date <u>6-16-08</u></p>
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

REVIEW AND APPROVALS

Approved by <u>[Signature]</u> (Contractor)	Signature _____	Date _____
Approved by _____ (Owner)	Signature _____	Date _____
Approved by _____ (Owner)	Signature _____	Date _____

**BARRETTOWN ROAD AND JONES CUT OFF
PROJECT BID SHEET**


DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	BID AMOUNT
BITUMINOUS TREATMENT TYPE "A" (Contingency Item)	28,355	SYCIP	<u>\$0.90</u>	<u>\$25,519.50</u>
BASE PROCESSING	116	Roadbed Station	<u>\$360.00</u>	<u>\$41,760.00</u>
TOTAL BID				<u>\$67,279.50</u>

The Bidder understands that the county reserves the right to reject any and all bids and to waive any informalities involved in the bidding process. The quantities listed above are approximate only. There will be no contract adjustments in the unit prices for any increase or decrease in the unit quantities.

Company Name: S.T. Bunn Construction Co., Inc.

Mailing Address: 1904 University Blvd

Telephone: 205-752-8195

Name: ST Bunn Sr


Title: President

Date: 07/02/08

**BARRETTOWN ROAD AND JONES CUT OFF
PROJECT BID SHEET**

DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	BID AMOUNT
BITUMINOUS TREATMENT TYPE "A" (Contingency Item)	28,355	SYCIP	\$1.20	\$34,026.00
BASE PROCESSING	116	Roadbed Station	\$370.00	\$42,920.00
TOTAL BID				\$76,946.00

The Bidder understands that the county reserves the right to reject any and all bids and to waive any informalities involved in the bidding process. The quantities listed above are approximate only. There will be no contract adjustments in the unit prices for any increase or decrease in the unit quantities.

Company Name: MALLORY BURKHALTER PAVING, INC.

Mailing Address: P. O. BOX 350 / NORTHPORT, AL 35476

Telephone: 205/339-3033

Name: *Danny Anders*
 Danny Anders

Title: Vice President

Date: July 1, 2008

File: f:/users/Mike/Road Construction 2008/Barrettown Road and Jones Cut Off/ Base Processing

EX 7-2

MONTH OF: JUNE , 2008

FUND	CHECK NUMBERS	AMOUNT
001 GENERAL FUND	21387-22211	\$5,147,253.40
SPECIAL SALES TAX		
112 ROAD & BRIDGE	5850-5969	\$906,515.30
120 REAPPRAISAL	4088, 1016-1032	\$1,187,618.70
160 COMMUNITY DEVELOP		
710 PAYROLL-CHECKS	44704-44974	
PAYROLL-DIR DEP	6480-7279	\$2,244,402.49
720 EXCESS LAND SALES	326-327	\$7,190.20
750 PISTOL PERMIT	3167-3181	\$8,581.96
761 DA WORTHLESS CK	2280-2300	\$11,466.26
780 E911	3996-4013	\$79,277.45
781 GAS TAX BONDING		
783 WORKMEN'S COMP	1056-1061, 5098	\$16,319.95
784 TAX COLL SPECIAL	258-259	\$56.22
785 TAX ASSR SPECIAL	789-790	\$205.70
786 MFG HOMES		
787 MOTOR VEH TRAINING	78-81	\$162.63
		<hr/>
		\$9,609,050.26

CHECKED BY: WM Lamb
WILLIAM M. LAMB, ACCOUNTING MANAGER

APPROVED BY TUSCALOOSA COUNTY COMMISSION:

CHAIRMAN, W. HARDY MCCOLLUM W Hardy McCollum

COMMISSIONER, DON WALLACE Don Wallace

COMMISSIONER, GARY YOUNGBLOOD Gary Youngblood

COMMISSIONER, BOBBY MILLER _____

COMMISSIONER, REGINALD MURRAY Reginald Murray

ALABAMA DEPARTMENT OF YOUTH SERVICES
AGENCY GRANT AGREEMENT
Fiscal Year 2007 - 2008

The Alabama Department of Youth Services hereby awards to

Tuscaloosa County Commission
(Hereinafter called Recipient)

the amount of Three hundred thousand and no/100 dollars (\$300,000.00).

These funds shall be utilized for the following purpose/activities:

The Day Alternative Treatment Effort (D.A.T.E.) program, administered by Tuscaloosa County Juvenile Court, will provide individualized education and treatment services for court ordered students and students returning from DYS. Services include supervision, group counseling, progress reports, transportation of students and parents, electronic monitoring and curfew monitoring. The program will serve as an alternative to DYS commitment for youth within the Tuscaloosa County community.

The Recipient or its designee shall administer the services for which this grant is awarded, in accordance with the applicable rules, regulations and conditions as set forth by the Department. Periodic program reports, both quarterly and annually, are required and must be received by DYS within 15 days after the end of each quarter and fiscal year.

The grant award contained herein is payable in quarterly installments, subject to the availability of funds and adjustments by the Alabama Youth Services Board, as it deems necessary or advisable. Nothing contained herein shall be deemed to be a debt of the State of Alabama in the contravention of the laws and constitution of the State of Alabama.

ALABAMA DEPARTMENT OF YOUTH SERVICES

BY: _____ BY: _____

J. Walter Wood, Jr.
Executive Director

Legal Review

ACCEPTANCE OF AWARD

Recipient hereby signifies its acceptance of the grant award and the terms and conditions set forth, this the 2nd day of July, 2008.

BY: _____

[Handwritten Signature]
for: Tuscaloosa County Commission

EX 7-4

CONTRACT CHANGE ORDER NO. 3

Tuscaloosa County Legal Department

DATE: 2 July, 2008

PROJECT: A New Office Building and Welding Shop for the
Tuscaloosa County Department of Public Works

TO: Bill Lunsford Construction & Development
(Contractor)

TERMS: You are hereby authorized, subject to the provisions of your Contract for this project, to make the following changes thereto in accordance with the attached Change Order Request and supporting documents and to:

FURNISH the necessary labor, materials and equipment to:

A. Provide & install additional electrical service as required for the HVAC system for the second floor of the office building. [\$ 20,636.56]

TOTAL ADDITION OR REDUCTION TO CONTRACT PRICE:

(Note: Numbers in parentheses are deductions).

ORIGINAL CONTRACT PRICE	\$ 1,770,000.00
LESS CONTINGENCY/ALLOWANCE	\$ 0.00
NET ORIGINAL CONTRACT PRICE	\$ 1,770,000.00
Net total of previous Change Orders (1,2)	\$ 144,611.33
Previous revised Contract Price	\$ 1,914,611.33
This Change Order No. <u>3</u> Add	\$ 20,636.56
Revised Contract Price this date	\$ 1,935,247.89

Extension of time resulting from this Change Order 45 (Indicate number of calendar days).

The amount of this Change Order will be the responsibility of the **Tuscaloosa County Commission**

This Contract Modification constitutes full and mutual accord and satisfaction for all time and all cost related to this change. By acceptance of this Contract Modification, the Contractor hereby agrees that the modification represents an equitable adjustment to the Contract, and further, agrees to waive all right to file any further claims or changes arising out of or as a result of this change, or the accumulation of executed Contract Modifications on this Contract.

The Contractor and Owner(s) hereby agree to the terms of this Change Order as contained herein.

CONSENT OF SURETY

(Company)

By: _____

By: [Signature]
RECOMMENDED
(Architect)

CONTRACTING PARTIES

[Signature]
(Contractor)

By: _____
(Authorized Representative)

By: [Signature]
TUSCALOOSA COUNTY
(Probate Judge)

EX7-5

TUSCALOOSA COUNTY
LEGAL DEPARTMENT

**CHANGE
ORDER
REQUEST**

OWNER: TUSCALOOSA COUNTY PUBLIC WORKS

ARCHITECT/ENGINEER: Fitts Architects

GENERAL CONTRACTOR: Bill Lunsford Construction & Development

PROJECT: 0631.1

CHANGE ORDER REQUEST NO. #3 DATE: June 5, 2008

1. DESCRIPTION OF CHANGE:

- A. Provide modifications to panels MPA and PPA to provide capacity for additional HVAC units HP-4, HP-5, AHU-4 and AHU-5. Install associated conduit and wire as required.

2. CHANGE ORDER COSTS: \$ 20,636.56

Proposal Attached Yes Cost Estimated/Proposal Required

<i>Item</i>	<i>Material Unit Price</i>	<i>Labor Unit Price</i>	<i>Sub-Total Cost</i>	<i>GC %</i>	<i>Total Cost</i>
A. Emergency Light Fixtures	9,551.09	9,209.42	18,760.51	1,875.06	20,636.56
Total	9,551.09	9,209.42	18,760.51	1,875.06	20,636.56

3. INSTITUTED BY:

Fitts Architects, Inc.
1606 Paul W. Bryant Dr.
Tuscaloosa, AL 35401

4. JUSTIFICATION OF NEED: Additional electrical service not accounted for when second floor HVAC was added.

5. JUSTIFICATION OF CHANGE ORDER VERSUS COMPETITIVE BIDDING:

6. COSTS REVIEW: yes

EX 7-5

7. THIS CHANGE ORDER IS SUBMITTED FOR REVIEW AND APPROVAL AND IS CLASSIFIED AS THE FOLLOWING TYPE:

- Minor change of a total monetary value less than required for competitive bidding.
- Changes for matters relatively minor and incidental to the original contract necessitated by unforeseeable circumstances arising during the course of work.
- Emergencies arising during the course of work.
- Change or alternates provided for in the original bidding where there is no difference in price of the Change Order from the original best bid on the Alternate.
- Change of relatively minor terms not contemplated when the plans and specifications were prepared and the project was bid and which are in the public interest and do not exceed 10% of the Contract Price.

8. EXTENSION OF TIME REQUESTED: Calendar Days: 30

RECOMMENDED:

APPROVED:

BY: _____
Tuscaloosa's Consulting Engineer/Architect

BY: 
General Contractor

BY: _____
County Representative

BY: _____
Owner's Legal Advisor

BY: _____

EX 7-5



James H. Fitts, AIA
J. Evans Fitts, AIA

PROJECT SUMMARY (Revised)

2 July, 2008

**A New Office Building & Welding Shop
for the
Tuscaloosa County Department of Public Works**

1. Original Contract Price from Lunsford Construction: \$ 1,770,000.00

A. Office Building - \$ 1,439,744.38
B. Welding Shop - \$ 330,255.62

2. Change Order #1: \$ 73,673.68

A. Raise Office Building Elevation \$ 73,673.68

3. Change Order #2: \$ 70,937.65

A. Emergency Light Fixtures \$ 7,660.64
B. Dedicated Elevator Power Circuit \$ 2,992.99
C. HVAC Second Floor \$ 43,611.70
D. Light Fixtures Second Floor \$ 16,611.70

4. Change Order #3: \$ 20,636.56

A. Electrical for HVAC Second Floor \$ 20,636.56

5. Total Change Orders (#1, 2, 3): \$ 165,247.89

6. Revised Contract Price: \$ 1,935,247.89

EX7-5

Tuscaloosa County Courthouse Phase III Scope of work

The Project: Phase III of the Tuscaloosa County Courthouse Renovation

Phase III of the Tuscaloosa County Courthouse Renovation will consist of renewing and improving the existing spaces of the 1st, 2nd, 3rd and 6th, floors. The scope of work will include mostly cosmetic items.

Demolition:

- 1.) Remove all acoustical ceiling tile and grid as needed
- 2.) Remove all light fixtures
- 3.) Remove carpet and tile
- 4.) Remove all HVAC duct and grills
- 5.) Remove all existing doors & hardware
- 6.) Remove dated or damaged workstations as needed
- 7.) Remove all plumbing fixtures
- 8.) Remove all necessary bath walls to accomplish code compliance
- 9.) Remove tile floors and walls in restrooms.
- 10.) Remove bath accessories and partitions
- 11.) Cut walls for new door openings
- 12.) Remove wire molding and surface mounted communications and electrical wiring
- 13.) Remove existing electrical panels as needed
- 14.) Cut plaster walls for wiring

Finishes: All Finishes will be similar to those in the previous 2 phases

- 1.) Install all acoustical ceiling grid and tile
- 2.) Install all lighting fixtures
- 3.) Patch or repair all walls
- 4.) Paint all walls and frames
- 5.) Install new all doors and hardware
- 6.) Install new flooring and rubber base except in terrazzo areas
- 7.) Repair terrazzo as needed
- 8.) Install or repair HVAC duct system and install forced air system in the first floor. Upgrade 2nd floor VAV's.
- 9.) Install Millwork (Cabinetry, Workstations, Shelving, Trim)
- 10.) Install new plumbing fixtures
- 11.) Install new ceramic tile floors and walls in restrooms
- 12.) Install new toilet partitions and bath hardware.
- 13.) Install new sound amplification equipment in council chambers, hearing rooms, and courtrooms.
- 14.) Install new access (hall or door) from Probate Judges office to attached hearing room.
- 15.) Install new electrical and communication wiring as needed.
- 16.) Install new electrical panels as needed.
- 17.) Caulk all expansion joints at exterior of building.
- 18.) Replacement of coils and controls for sixth floor air handler.
- 19.) Replace roof of building

EX 7-6

BID SHEET

ONE OR MORE 24 foot GOOSENECK TRAILER FOR HOMELAND SECURITY

Bid Date: 7-2-08

Bid Reference Number: Homeland Security

TOTAL BID: \$ 11,000.00

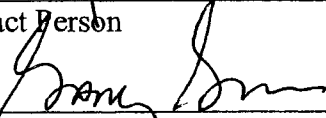
Trailer Store Plus
Firm

4705 McFarland Blvd
Address

Suite 1 35476
Address

205-333-7711 | 5770
Telephone/Fax

Gary Snow
Contact Person


Authorized Signature

6-23-08
Date

Sealed bids will be accepted and should be returned to Tuscaloosa County Commission, 714 Greensboro Avenue, Room G-78, ATTN: County Clerk, Tuscaloosa, Alabama 35401. Bids will be opened at the Tuscaloosa County Commission Chambers, 1st Floor Courthouse at 9:00 AM, JULY 2ND, 2008.

RETURN THIS FORM WITH YOUR BID.

FAILURE TO COMPLETE THE ABOVE MAY SUBJECT BID TO REJECTION.

EX 7-7

BID SHEET

ONE OR MORE 24 foot GOOSENECK TRAILER FOR HOMELAND SECURITY

Bid Date: 7-2-08

Bid Reference Number: NA

TOTAL BID: \$ 15,523⁰⁰

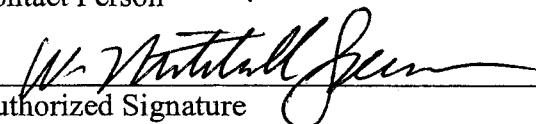
Bazzell's Truck and Camper, Inc.
Firm

507 North Eastern Blvd.
Address

Montgomery, AL 36117
Address

334-260-5554 fax 334-260-9566
Telephone/Fax

Mitch Spencer
Contact Person


Authorized Signature

6-13-08
Date

Sealed bids will be accepted and should be returned to Tuscaloosa County Commission, 714 Greensboro Avenue, Room G-78, ATTN: County Clerk, Tuscaloosa, Alabama 35401. Bids will be opened at the Tuscaloosa County Commission Chambers, 1st Floor Courthouse at 9:00 AM, JULY 2ND, 2008.

RETURN THIS FORM WITH YOUR BID.

FAILURE TO COMPLETE THE ABOVE MAY SUBJECT BID TO REJECTION.

EX 7-7

BID SHEET

MOBILE CRIME SCENE VEHICLE FOR REGION 3 HOMELAND SECURITY

Bid Date: 7/2/08

Bid Reference Number: One (1) or More Mobile Crime Scene Vehicles
in support of Homeland Security in Alabama

TOTAL BID: * \$ 102,106.00

* Please see cover letter attached here-to and made a part here-of.
Sirchie Finger Print Laboratories

Firm

612 Gravelly Hollow Road

Address

Medford, NJ 08055

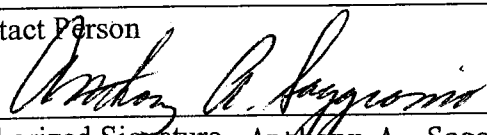
Address

800-545-7375 / 609-654-7869

Telephone/Fax

Anthony A. Saggiomo

Contact Person



Authorized Signature Anthony A. Saggiomo
Vice President & C.E.O. Vehicle Division

6/30/08

Date

Sealed bids will be accepted and should be returned to Tuscaloosa County Commission,
714 Greensboro Avenue, Room G-78, ATTN: County Clerk, Tuscaloosa, Alabama
35401. Bids will be opened at the Tuscaloosa County Commission Chambers, 1st Floor
Courthouse at **9:00 AM, JULY 2ND, 2008.**

RETURN THIS FORM WITH YOUR BID.

FAILURE TO COMPLETE THE ABOVE MAY SUBJECT BID TO REJECTION.

EX 7-8



- Evidence Collection Vehicles
- Surveillance Vehicles
- Prisoner Transport Vehicles
- Mobile Command Centers
- SWAT Vehicles
- Bomb Response Vehicles

June 30, 2008

Tuscaloosa County Commission
ATTN: County Clerk
714 Greensboro Avenue, Room G-78
Tuscaloosa, Alabama 35401

Attn: W. M. Lamb
Chief Financial Officer

Ref: One (1) or More Mobile Crime Scene Vehicles in support of Homeland Security in Alabama

Dear Mr. Lamb,

We are pleased to submit our bid for one (1) or more Mobile Crime Scene Vehicles. As required by the bid, we are providing the following information.

Specifications / Layout Drawings:

We have reviewed the bid specifications in detail and developed the required layout drawings that depict how the vehicle will be constructed to meet and exceed all requirements. The layout drawings do depict a proposed graphics layout. The proposed graphics layout can be adjusted without effecting the vehicle cost as long as the changes stay within the general scope of the layout shown. The drawings also depict the optional features that are listed in the bid. Only the optional items that are chosen and ordered will be supplied.

We have noted that "LED" Flashing Lights are requested on the sides and rear of the vehicle (Ref: Specification Page 4). LED Flashing Lights will be supplied and the correct model numbers are 90R05SCR for the red units and 90B05SCR for the blue units.

The Finger Print and Evidence 1:1 Ratio Recording Camera Kit (Ref: Specification Page 10) has also been discontinued. Polaroid has discontinued the manufacturing of the Polaroid Instant Film and the film backs. We do not offer an alternate unit for this camera at this time so this item is a No Quote.



EX 7-8



- Evidence Collection Vehicles
- Surveillance Vehicles
- Prisoner Transport Vehicles
- Mobile Command Centers
- SWAT Vehicles
- Bomb Response Vehicles

Price:

The cost of the Mobile Crime Scene Vehicle complete as required by the bid and outlined in this cover letter is:

Mobile Crime Scene Vehicle, F.O.B. Medford, NJ	\$ 100,396.00	Each
Insured Drive Away Delivery to Tuscaloosa, AL	\$ 1,710.00	
Delivered Price	\$ 102,106.00	

We have provided an itemized cost for the delivery of the vehicle to Tuscaloosa. Should the Police Department choose to take delivery of the vehicle at our facility at the conclusion of the factory training program (Ref: Bid Specification Page 21) in lieu of our drive away delivery, then the cost of the vehicle would be the F. O. B. Medford, New Jersey price shown above.

Delivery:

We estimate our delivery of the Mobile Crime Scene Vehicle to be 30-60 days from our receipt of the Ford Chassis with Commercial Body installed. Our receipt of the chassis with body and overall estimated delivery time line is:

Chassis from Ford Motor Company	45 - 60 days	from 8/11/08
Commercial Body Installation	30 - 45 days	
Sirchie Conversion.....	<u>30 - 60 days</u>	
Overall Delivery Estimate:	105 - 165 days	from 8/11/08

The above referenced 8/11/08 date is Ford's announced start to the 2009 model year production. Please see enclosed Ford Fleet Bulletin.

We must quote our delivery based on our receipt of the vehicle as we cannot control the evaluation/order process of the County or work actions, strikes or shortages at Ford Motor Company.

References / Brochures:

Our Mobile Crime Scene Vehicle brochure as well as references and a partial users list are supplied for review. Sirchie is the only manufacturer that produces a full line of Crime Scene Processing Equipment as well as the professionally constructed vehicles that support the equipment.



EX 7-8

OPTIONAL EQUIPMENT

On Spot Instant Chain Traction System:

On Spot (or equal) Instant Chain Traction System for vehicle rear wheels. System to be supplied with its own independent compressor unit.

Optional Price:\$ 3,295.00

Photographic and Observation Roof Deck

Roof Mounted Photographic and Observation Roof Deck With 16" high security rail around entire perimeter.

- All aluminum construction with 5052-H32 Safety Grate, Diamond Grip Deck material .100" thick. (Solid floor diamond plate decks not acceptable.
- Sled type sub-frame of 6063-T32, 1" X 2" X .125" Extruded Aluminum Tube
- Integrated mounting to vehicle body with minimum 5/16 – 18 stainless steel (18/8) tap bolts
- Painted with a Zinc Chromate etching primer and then finished with automotive white enamel paint matching vehicle exterior

Optional Price, Installed \$ 5,400.00
.....

Ladders For Photographic and Observation Roof Deck

A Twenty foot (6 m) Aluminum Extension Ladder and Six foot (1.8 m) Aluminum Step Ladder. Roof Deck's Side Railings shall include Ladder Brackets for Aluminum Extension Ladder and Aluminum StepLadder. Mounting hardware for ladders to be stainless steel.

Optional Price, Installed \$ 465.00

OPTIONAL EQUIPMENT

Four Wheel Drive

4 X 4 (Four Wheel Drive) Conversion with Manual Hub Lock, Four Wheel Drive Indicator Light, Part Time Transfer Case and Dana Front Drive Axle.

- FMVSS Recertification required
- Vehicle must retain the Front Coil Spring Suspension System and be M. V. E. approved
- Full Warranty to cover ALL OEM Components affected by conversion. Warranty to be equivalent in mileage and time as originally supplied by Ford Motor Company

Optional Price, Installed \$ 12,900.00

Roof Mounted 13,500 BTU Air Conditioner

A Dometic Duotherm Model 600315.321C (or equal) 13,500 BTU rated Air Conditioner. Vehicle Roof reinforced via welded tubular steel frame at mounting location.

Optional Price, Installed \$ 1,450.00

Supplemental Space Heater for Cargo Area

A 120-volt AC, 1500-watt space heater with internal fan and an automatic thermal safety switch. Circulated heat stream type with cast aluminum safety heating grid. Q Mark Model 3UG96 or equal.

Optional Price, Installed \$ 350.00

Storage Attic Over Cab –

Storage "Attic" measuring approximately 91" wide x 24" high x 36" deep will extend from front of body over vehicle cab.

Standard Attic with Two (2) Formica Doors \$ 3,200.00
 Standard Attic with Two (2) Formica Doors and
 Custom Built Interior Cabinet Work \$ 3,800.00

OPTIONAL EQUIPMENT

Exterior Storage Compartment –

Exterior mounted storage box constructed of minimum .125" 5052-H32 brushed satin #2 finish marine grade aluminum. Units mounted on street and curbside of vehicle and sized (width) to optimize available space. All units are 17" D x 11" H.

EX 7-8

- Box Pan Door construction mounted over interior integral rain gutter. Door mounted with .070 (minimum) thick stainless steel hinge with 1/4" pin and 3/8" (maximum) knuckle.
- Stainless Steel 2 point securing T-handle with lock.
- All mounting hardware to be stainless steel.

Optional Price, Installed: 24" – 36" wide units \$ 969.00 Each
 38" – 60" wide units \$ 1,069.00 Each

Large Exterior Storage Compartments: 22" Deep x 16" High

Exterior mounted storage box constructed of minimum .125" 5052-H32 brushed satin #2 finish marine grade aluminum. Units mounted on street and curb side of vehicle and sized (width) to optimize available space. All units are 22" D x 16" H.

- Box Pan Door construction mounted over interior integral rain gutter. Door mounted with .070 (minimum) thick stainless steel hinge with 1/4" pin and 3/8" (maximum) knuckle.
- Stainless Steel 2 point securing T-handle with lock.
- All mounting hardware to be stainless steel.

Optional Price, Installed: 24" – 36" wide units \$ 1,169.00 Each
 38" – 72" wide units \$ 1,269.00 Each

Note: Pneumatic Mast option requires at least one (1) 30" L x 16" H x 22" D Exterior Compartment.

OPTIONAL EQUIPMENT

Vehicle Awning

Awning – Curb Side Mounted, Automatic Roll-up type with anodized aluminum wrap around weather shield with "Safe-T Lock". All mounting hardware aluminum or stainless steel with blind mounted reinforcement plates.

Optional Prices: Length Manual Power

EX 7-8

Please Note: The largest awning available for a 14' body is a 12' awning.

10'	\$ 1,095.00	\$ N/A
12'	\$ 1,195.00	\$ 1,695.00
14'	\$ N/A	\$ N/A
15'	\$	\$
16'	\$	\$
18'	\$	\$
20'	\$	\$

On Spot Instant Chain Traction System:

On Spot (or equal) Instant Chain Traction System for vehicle rear wheels. System to be supplied with its own independent compressor unit.

Optional Price:\$ 3,295.00

500 Watt Telescoping Flood Lights

Two (2) 120V AC Powered, 500 Watt each Telescoping Floodlights mounted to front of Lab with 304 stainless steel brackets a minimum of .090 thick.

- All mounting hardware to be stainless steel.
- Electrical connection via liquid tight cord connector in compliance with U.L. listed standard 514B and weatherproof mounted junction box.

Optional Price, Installed \$ 1,695.00

Roof Mounted Telescoping Light Tower:

Night Scan Chief Wil-burt Model NS6-3000 (or equal) Electric Roof Mounted Telescoping Light Tower. Dual bulb 3000 watt unit with 6' extended height and panel mount controls.

Optional Price, Installed\$ 9,969.00

OPTIONAL EQUIPMENT

Portable Telescoping Floodlights

Exterior rated 1000 watt Telescoping Floodlight system. Die cast aluminum fixtures, tempered glass lenses, wire safety guards, dual 500 watt quart halogen light heads. Retractable to 24" length for storage.

Optional Price, Installed \$ 179.00

EX 7-8

Litebox Rechargeable Flashlight System

A Lite Box - Rechargeable Flashlight System is wall mounted in the Lab Area of the vehicle.

- Unit produces 25,000-candle power on a full charge & 8HR run time .
- System is stored on a wall-mounted charger/holder with quick release locking system.
- Unit is supplied with 120V AC power cord for charging when vehicle is garaged and shoreline/dockside power is connected.

Optional Price, Installed \$ 195.00EACH

Battery Conditioner/Charger

One (1) Xantrex Model "TrueCharge 40+" (or equal), Automatic Multiple Battery Charging System. Unit to charge vehicle-starting battery, installed auxiliary battery and generator starting battery.

Optional Price, Installed \$ 969.00

7,000 Watt Generator –

An optional Onan Model 7.0 HGJAE-1912 Commercial/Industrial Generator or equal with all the same features as the standard 5.5 Generator supplied is available. Optional Generator has a rated output of 7,000 watts, 120/240 volts, 54.2/21.7 amps, 60 Hz, single phase, which provides an additional 2,000 watts of usable power.

* Optional Price, Installed..... \$ 2,638.00

OPTIONAL EQUIPMENT

Wall Mounted Storage Cabinet

Wall mounted aluminum storage cabinet, 36" wide X 12" high X 12" deep.

- Tapered front face design equipped with two (2) piece sliding smoked plexiglass doors mounted in clear anodized aluminum tracks.
- Doors equipped with high strength magnetic latch and recessed chrome plated finger cup.

Optional Price, Installed – Each Module \$ 328.00

Hand Gun Storage Locker

EX 7-8

Eight (8) Compartment HandGun Locker, Sirchie Model SS8 (or equal). Heavy-duty steel construction with each door keyed differently with Medeco Brand Cylinder Locks.

- Two (2) keys supplied for each compartment.
- Two (2) master keys to open all compartments.
- Dims: 15-1/8" W X 20-1/8" H X 17-1/4" D

Optional Price, Installed..... \$ 655.00

Map and Message Board

Dry Erase Marker Type Message Board equipped with two (2) spring loaded stainless steel map clips along upper edge. Aluminum trim and eraser/marker tray.

Optional Price, Installed..... \$ 295.00

Police Radio / MDT Installation

A Department supplied radio or mobile data terminal will be installed in the vehicle. Installation will include vendor supplied roof mounted antenna. Department radio frequency will be provided at time of order.

Optional Price, Installed..... \$ 350.00 Each Unit

OPTIONAL EQUIPMENT

Floor Up-Grade:

Lonseal one piece commercial, rubberized flooring in lieu of vinyl tile. Pattern and color to be determined.

Optional Price:..... \$ 1,134.00

Windows

(Note: Windows can be located over Work Areas or at Sink Area. Location and quantity must be specified when ordering.)

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A Horizontal Slide Window will be installed. Window includes integral screen and retractable curtain.

Optional Price\$ 425.00 Each

Back-Up Alarm

Federal Signal Model 256 (or equal)

- Sealed Solid State Electronics
- Durable Glass Reinforced Nylon Design that can be steam cleaned.
- 97dB, 6-36V DC Range

Optional Price\$ 195.00

Rear Observation System with Sound

Audiovox Voyager Model ANSO78 (or equal) with sound.

- Monochrome Monitor 7-1/2" W x 5-7/8" H x 8-5/8" D
- Nite-Vue Camera 4" W x 2-1/4" H x 2-1/4" D
- Backlit, Soft Touch Controls for speaker volume, brightness contrast, and day-night control.
- Full time or automatic reverse gear viewing.

Optional Price\$ 999.00

OPTIONAL EQUIPMENT

Crime Scene Monitor and VCR

Integrated 15" Flat Panel LCD Color Monitor, Sharp Model LC15E1U (or equal) and Sanyo VHS Recorder Model SRT8040 (or equal) or other source to view DVD and/or CD's from security cameras. Note: VCR does not Play/Record DVD's or CD's.

- Mounted at worktop and powered from vehicle battery.

Optional Price, Installed \$ 1,200.00

Alternate 15" Flat Panel LCD Monitor with DVD/Hard Disk Recorder with
Dedicated Time/Date Generator\$1,680.00

Air Clean Forensic Workstation –

A Model AC632SVD, Forensic Workstation is supplied and installed. Unit features a Dual Filter Bed for processing of evidence with powder and chemical processes. Unit meets OSHA and ANSI 29.5 standard and guidelines.

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Forensic Workstation – Installed..... \$ 3,175.00

Gold Panther™ Forensic Light Source Kit or equal

One (1) Compact, Self-Contained Forensic Fluorescence Light Source Kit, Model No. FAL2000 or Equal, consisting of the following:

FAL 2000 KIT CONTENTS:

- One (1) FAL200 or equal Lamp Assembly with High Intensity Xenon Lamp
- Two (2) PA6GF30 NiCad 14.4 DC Rechargeable Batteries

OPTIONAL EQUIPMENT

Gold Panther™ Forensic Light Source Kit or equal (cont'd)

- One (1) FAL201F Sliding Filter Array
- One (1) FAL202F Sliding Filter Array
- Four (4) Barrier Filter Goggles:
 Yellow, Orange, Red, UV (clear)
- One (1) 49mm Orange Camera Lens Barrier Filter
- One (1) 49mm Red Camera Lens Barrier Filter
- One (1) 49mm Yellow Camera Lens Barrier Filter
- One (1) CGA6GF30 Battery Charger
- One (1) Professional Duty Tripod
- One (1) Durable Molded Carrying Case w/precut foam insert:
 Dimensions: 28" W x 17" H X 10.5" D;
 Total Kit Weight: 22.2 lbs.

FAL2000 SPECIFICATIONS:

SLIDING FILTER ARRAYS

- FAL201F: 365nm, 415nm, 450nm, white light
- FAL202F: 470nm, 505nm, 530nm, white light

CAT. NO. FAL200 LAMP ASSEMBLY

Light Source:

- 35-watt, high intensity Xenon lamp.lighter
- Approx. 3000 hours of operation
- Color temp.: 4200° K. lamp

- Output: 3200 lumens
- Dimensions: 18.75" X 4.5" X 7.25"
- Weight: 5.9 lbs. (w/battery and filter)
- Cooling: 2 silent running, high volume fans

CAT. NO. CGA6GF30 BATTERY CHARGER

- One hour charging time
- Input: FAL2000=110V AC, 60 Hz
FAL2000220=220V AC, 50 Hz
- Output: 12.0-14.4V DC, 1.8A
- Automatic voltage regulation, monitors battery condition
- Weight: 3.5 lbs. (without battery)

OPTIONAL EQUIPMENT

Gold Panther™ Forensic Light Source Kit or equal (cont'd)

- Dimensions: 9" X 4.5" X 3 3/8"

CAT. NO. PA6GF30 BATTERY

- NiCad, Rechargeable 14.4V DC, 2-AH
- Approx. 30 minutes of continuous operation from fully charged battery
- Weight: 1.8 lbs.

**OPTIONAL PRICE,
GOLD PANTHER™ FORENSIC LIGHT
SOURCE KIT, 100V \$ 3,995.00**

**KRIMESITE™ IMAGER DIRECT VIEW KIT
With Black Talon Stabilizer, MODEL KSS60TALON or equal**

One (1) KRIMESITE™ IMAGER Direct View Kit w.Black Talon Stabilizer, Model KSS60TALON, consisting of the following:

KSS60TALON Contents:

- One (1) KRIMESITE™ IMAGER w/KSS100B 60mm UV lens; Adjustable Focus Eyepiece w/Rubber eyecup; KSS8010 Dual Filter Slide Assembly (Luminol/Visible and UV); Gen II Image Intensifier; Laser Pointer; 6" wrist Lanyard
- One (1) CR123 Lithium Battery
- One (1) KRIMESITE™ IMAGER Steady Rest w/Removable Pistol Grip

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- One (1) BTS100 Black Talon Stabilizer w/2 CUV100TS 4-watt battery operated UV Lamps (254nm)
- Two (2) Precision Laser Engraved Scales, English and metric
- One (1) KSS9200 SIRCHPOD® Copy Stand
- One (1) SW969 Companion Illuminator Dual 6/12-watt UV Lamp, 254nm, Battery or AC operated, 345° Rotating Lamp Head
- One (1) 58mm Camera Adapter
- Two (2) 797GV UV Protective Spectacles
- One (1) EPS30KS Photo Scales (white on black, 10 pk.)
- One (1) KSS684 Pkg. Arrow Designators (100 count)
- One (1) Operator's Manual
- One (1) Carrying Case: Weight: 26.75 lbs.; Dimensions: 24.5"W x 8.75"H x 19.75"D

OPTIONAL EQUIPMENT

KRIMESITE™ IMAGER DIRECT VIEW KIT

With Black Talon Stabilizer, MODEL KSS60TALON or equal(CONT'D)

KSS100b 60mm UV Lens

- Focal Length: 60mm
- Aperture: f/3.5 – f/32
- Lens Construction: 4 elements, all quartz glass
- Spectral Waveband: Min. 230nm
- Geometric Distortion: <0.1% in corners
- Vignetting: < 22% in corners

Body Construction, precision machined:

- Material: Extruded Aluminum, 6061-T6 alloy
- Finish: Black Anodized, Vinyl covered (selected areas)
- Objective Mount: C-mount
- Configurable Steady Rest for safe instrument support during periods of non-use
- Removable contoured foam covered pistol grip
- 6" wrist lanyard, removable

Body Construction, precision machined:

- Eyepiece, w/removable rubber eyecup
 - Adjustable focus
 - 25mm eye relief

Laser Pointer:

- Wavelength: 650nm
- Aperture Output Power: 2.1 – 3.0 mw
- Operating Voltage: 3.0V DC, internal
- Control: Push-button; Momentary ON/OFF

Battery:

- Lithium, 3.0V DC, type CR123

Control Panel:

- Rotary Control, Power ON/OFF
- Visual Indicator: Green LED, Image Intensifier ON
- Battery Access: Threaded Cap, Spring loaded

Image Intensifier Tube:

- Gen II, Double Proximity focused, 18mm
- Built-in Over Brightness Protection (Tube automatically limits gain from bright light sources)
- ≥ 40 Lp/mm typical, with built-in over-brightness protection circuitry
- P22 Phosphor
- S20 Photocathode
- Input Window: Quartz

CATALOG NO. KSS60TALON \$14,950.00

OPTIONAL EQUIPMENT

OPTION 1: DIGITAL PACKAGE FOR KSS60 or equal

One (1) optional Digital Package for KSS60, Krimesite™ Imager Direct View Kit consisting of the following:

- Digital Camera
- Digital Color Printer
- Printer Paper and Ink Ribbon
- Puissant UV Light w/Carrying Case
- Photo Evidence Scales (10)
- Protective Spectacles (2)
- Durable Molded Carrying Case

OPTIONAL PRICE, OPTION 2, DIGITAL PACKAGE \$ 2,425.00

OPTIONAL EQUIPMENT

ELECTROSTATIC DUST PRINT LIFTER

One (1) ESP900, Electrostatic Dust Print Lifter or equal. A new high voltage power supply/control unit successfully picks up dust prints from tile or ceramic floors, as well as, carpeted and upholstered surfaces. One of the most overlooked forms of physical evidence found at the crime scene.

FEATURES:

- Operates from a single 9-volt battery
- Compact, lightweight design
- High impact, fully insulated unit case
- No wires or complicated setup
- Safety features abound
- High voltage (10,000 volts) insures complete pickup of dust particles
- Aluminized pickup mat with high contrast black pickup area
- Lift prints from most surfaces including carpet, tile, wood and metal

KIT CONTENTS:

- 1 ea. Electrostatic Voltage Control Unit
- 1 ea. Ground Plane, Nickeloid Steel 4" x 6"
- 1 ea. Ground Plane Polycarbonate Insulating Sheet 5" x 7" x 0.01"
- 5 ea. Metallic Pickup Mats in protective tube (24" x 36" x .0014")
- 1 ea. Insulated Mat Roller
- 1 ea. 9-volt Alkaline Battery
- 1 ea. Technical Information Packet
- 1 ea. Static Discharge Cable
- 1 ea. Molded Carrying Case

OPTIONAL PRICE \$ 619.00

EX 7-8

FLOOD DAMAGE PREVENTION ORDINANCE
Non-Coastal/Riverine Communities
2008

ARTICLE 1

Statutory Authorization, Findings of Fact, Purpose And Objectives

SECTION A **STATUTORY AUTHORIZATION**

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

SECTION B **FINDINGS OF FACT**

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

SECTION C **STATEMENT OF PURPOSE**

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

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

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

SECTION D **OBJECTIVES**

The objectives of this ordinance are:

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

ARTICLE 2

GENERAL PROVISIONS

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

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

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

The Areas of Special Flood Hazard identified by the Federal Emergency Management Agency in its **Flood Insurance Study (FIS), dated September 28, 2007** with accompanying maps and other supporting data **and any revision thereto**, are adopted by reference and declared a part of this ordinance. For those land areas acquired by a municipality through annexation, the current effective FIS and data for Tuscaloosa County are hereby adopted by reference. Areas of Special Flood Hazard may also include those areas known to have flooded historically or defined through standard engineering analysis by governmental agencies or private parties but not yet incorporated in a FIS.

SECTION C: ESTABLISHMENT OF DEVELOPMENT PERMIT

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

SECTION D. COMPLIANCE

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

SECTION E. ABROGATION AND GREATER RESTRICTIONS

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

SECTION F. INTERPRETATION

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

SECTION G. WARNING AND DISCLAIMER OF LIABILITY

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

SECTION H. PENALTIES FOR VIOLATION

Violation of the provisions of this ordinance or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance or special exceptions shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than \$ **500.00** or imprisoned for not more than **90** days, or both, and in addition, shall pay all costs and expenses involved in the case: Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the Tuscaloosa County Commission from taking such other lawful actions as is necessary to prevent or remedy any violation.

SECTION I. SAVINGS CLAUSE

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

ARTICLE 3

EX7-9

ADMINISTRATION

SECTION A DESIGNATION OF ORDINANCE ADMINISTRATOR

The Tuscaloosa County Public Works Department is hereby appointed to administer and implement the provisions of this ordinance.

SECTION B PERMIT PROCEDURES

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

Specifically, the following information is required:

(1) Application Stage -

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

(2) Construction Stage -

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

Any work undertaken prior to submission of these certifications shall be at the permit holder's risk. The Tuscaloosa County Engineer (Floodplain

Administrator) shall review the above referenced certification data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further progressive work being allowed to proceed. Failure to submit certification or failure to make said corrections required hereby, shall be cause to issue a stop-work order for the project.

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

Duties of the Tuscaloosa County Engineer (Floodplain Administrator) shall include, but shall not be limited to:

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

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

ARTICLE 4

PROVISIONS FOR FLOOD HAZARD REDUCTION

SECTION A **GENERAL STANDARDS**

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

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

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

SECTION B

SPECIFIC STANDARDS

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

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

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

Section C

Floodways

- (1) **Floodway:** Located within Areas of Special Flood Hazard established in Article 2, Section B, are areas designated as floodway. A floodway may be an extremely hazardous area due to velocity floodwaters, debris or erosion potential. In addition, the area must remain free of encroachment in order to allow for the discharge of the base flood without increased flood heights. Therefore, the following provisions shall apply:
 - (a) The community shall select and adopt a regulatory floodway based on the principle that the area chosen for the regulatory floodway must be designed to carry the waters of the base flood, without increasing the water surface elevation of that flood more than one foot at any point;
 - (b) Encroachments are prohibited, including fill, new construction, substantial improvements or other development within the adopted regulatory floodway. Development may be permitted however, provided it is demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the encroachment **shall not result in any increase** in flood levels or floodway widths during a base flood discharge. A registered professional engineer must provide supporting technical data and certification thereof;

- (c) Require, until a regulatory floodway is designated, that no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.
- (d) **ONLY** if Article 4 (C)(1)(b), or (c), above are satisfied, then any new construction or substantial improvement shall comply with all other applicable flood hazard reduction provisions of Article 4.

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

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

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

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

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

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

- (1) All new construction and substantial improvements of residential and non-residential structures shall have the lowest floor, including basement, elevated to the flood depth number specified on the Flood Insurance Rate Map (FIRM) above the highest adjacent grade. **If no flood depth number is specified, the lowest floor, including basement, shall be elevated at least Two (2) feet above the highest adjacent grade.** Openings sufficient to facilitate the unimpeded movements of flood waters shall be provided in accordance with standards of Article 4, Section A (4), "Elevated Buildings".

The Tuscaloosa County Engineer (administrator) shall certify the lowest floor elevation level and the record shall become a permanent part of the permit file.

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

SECTION F

STANDARDS FOR SUBDIVISIONS

- (1) All subdivision proposals shall be consistent with the need to minimize flood damage;
- (2) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage;
- (3) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards, and;
- (4) Base flood elevation data shall be provided for subdivision proposals and all other proposed development, including manufactured home parks and subdivisions, greater than twenty (20) lots or two (2) acres, whichever is the lesser.

ARTICLE 5

VARIANCE PROCEDURES

- (A) The Flood Insurance Variance Board as established by the Tuscaloosa County Commission shall hear and decide requests for appeals or variance from the requirements of this ordinance.
- (B) The board shall hear and decide appeals when it is alleged an error in any requirement, decision, or determination is made by the Tuscaloosa County Engineer in the enforcement or administration of this ordinance.
- (C) Any person aggrieved by the decision of the Flood Insurance Variance Board may appeal such decision to the Circuit Court, as provided in state law.
- (D) Variances may be issued for the repair or rehabilitation of Historic Structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as an Historic Structure and the variance is the minimum to preserve the historic character and design of the structure.
- (E) Variances may be issued for development necessary for the conduct of a functionally dependent use, provided the criteria of this Article are met, no reasonable alternative exists, and the development is protected by methods that minimize flood damage during the base flood and create no additional threats to public safety.
- (F) Variances shall not be issued within any designated floodway if ANY increase in flood levels during the base flood discharge would result.
- (G) In reviewing such requests, the Flood Insurance Variance Board shall consider all technical evaluations, relevant factors, and all standards specified in this and other sections of this ordinance.

(H) **Conditions for Variances:**

(1) **A variance shall be issued ONLY when there is:**

- (i) a finding of good and sufficient cause,
- (ii) a determination that failure to grant the variance would result in exceptional hardship; and,
- (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

(2) The provisions of this Ordinance are minimum standards for flood loss reduction, therefore any deviation from the standards must be weighed carefully. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief; and, in the instance of an Historic Structure, a determination that the variance is the minimum necessary so as not to destroy the historic character and design of the building.

(3) **Any applicant to whom a variance is granted shall be given written notice specifying the difference between the base flood elevation and the elevation of the proposed lowest floor and stating that the cost of flood insurance will be commensurate with the increased risk to life and property resulting from the reduced lowest floor elevation.**

(4) The Tuscaloosa County Engineer (administrator) shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency and the Alabama Department of Economic and Community Affairs/Office of Water Resources upon request.

(I) Upon consideration of the factors listed above and the purposes of this ordinance, the Flood Insurance Variance Board may attach such conditions to the granting of variances as it deems necessary to further the purposes of this ordinance.

ARTICLE 6 **DEFINITIONS**

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

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

"Appeal" means a request for a review of the Tuscaloosa County Engineer's interpretation of any provision of this ordinance.

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

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

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

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

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

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

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

"Existing Construction" Any structure for which the "start of construction" commenced before August 7, 2001.

"Existing manufactured home park or subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum the installation of utilities, the

construction of streets, and final site grading or the pouring of concrete pads) is completed before August 7, 2001.

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

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

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

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

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

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

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

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

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

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

"Historic Structure" means any structure that is;

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

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

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

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

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

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

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

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

"New construction" means ANY structure (see definition) for which the "start of construction" commenced after August 7, 2001, and includes any subsequent improvements to the structure.

"New manufactured home park or subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after August 7, 2001.

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

"Recreational vehicle" means a vehicle which is:

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

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

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

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

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

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

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

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

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

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

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

ARTICLE 7: SEVERABILITY

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

Ordinance adopted on July 2, 2008

BY: Wendy McCall

Daryn Youngblood

Bobby Miller

Deepest

Don Waller

(Signature of Governing Board)

Certified by: _____

SEAL

Date: _____

Sprayberry Education Center
 Parking Lot Resurfacing Estimate
 16-Jun-08

Description of Area	Length (ft)	Width (ft)	Area (sq yrd)	Spread Rate	Mix Required	Cost per ton	Cost
Area 1	121	32	430.2	150	32.3	\$ 59.15	\$ 1,908.57
Area 2	72	36	288.0	150	21.6	\$ 59.15	\$ 1,277.64
Area 3	154	59	1009.6	150	75.7	\$ 59.15	\$ 4,478.64
Area 4	20	10	22.2	150	1.7	\$ 59.15	\$ 98.58
Area 5	133	58	857.1	150	64.3	\$ 59.15	\$ 3,802.36
Area 6	178	22	435.1	150	32.6	\$ 59.15	\$ 1,930.26
Area 7	126	58	812.0	150	60.9	\$ 59.15	\$ 3,602.24
Area 8	118	17	222.9	150	16.7	\$ 59.15	\$ 988.79
New Parking Area	135	20	300	200	30.0	\$ 59.15	\$ 1,774.50
					335.8		\$ 19,861.58

Materials for New Lot	Length	Width	Depth	Tons	Cost per Ton	Cost
Crushed Stone Base	135	20	0.5	86.25	\$ 12.50	\$ 1,078.13

Labor for New Lot	Number	Pay	Hours	Cost
Forman	1	\$ 33.19	16	\$ 531.04
EOIII	1	\$ 28.69	16	\$ 459.04
EOII	2	\$ 27.20	16	\$ 870.40
EOI	2	\$ 23.23	16	\$ 743.36
				\$ 2,603.84

Equipment for New Lot	Number	Rental	Hours	Cost
Pickup	1	\$ 19.90	16	\$ 318.40
Grader	1	\$ 60.00	16	\$ 960.00
Backhoe	1	\$ 28.50	16	\$ 456.00
Dump Truck	2	\$ 31.00	16	\$ 992.00
Roller	1	\$ 43.50	16	\$ 696.00
Water Truck	1	\$ 31.00	8	\$ 248.00
				\$ 3,670.40

Total Cost of Materials to resurface lots and construct new lot	\$ 27,213.95
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EX 7-10

We the undersigned citizens of Twin Oaks Rd. Northport Alabama
 Call for the elected officials of Northport to remove The Humane
 Society dog kennels from our neighborhood.

Last Name	First Name	MI	Daytime Phone	Email Address (Optional)	SIGNATURE (do NOT print)
VANOVER Street Address: 910 Twin Oaks Rd. East City, State, Zip: Northport, AL 35473	Paulie	A	(205) ← Area Code 758-2048	Nascarrules38@aol.com	<i>Paulie Vanover</i>
VANOVER Street Address: 910 Twin Oaks Rd. East City, State, Zip: Northport, AL 35473	Cindy	C	(205) ← Area Code 758-2048	cbmagirl@aol.com	<i>Cindy Vanover</i>
ANDERSON Street Address: 900 Twin Oaks Rd City, State, Zip: Northport AL 35476	KEN		(205) ← Area Code 366-2218	NONE	<i>Ken Anderson</i>
Swindle Street Address: 600 Twin Oaks Rd. East City, State, Zip: N'Port AL 35473	Dana	D	(205) ← Area Code 561-9181	NONE	<i>Dana Swindle</i>
Street Address: City, State, Zip:	First Name	MI	Daytime Phone () ← Area Code	Email Address (Optional)	SIGNATURE (do NOT print)
Street Address: City, State, Zip:	First Name	MI	Daytime Phone () ← Area Code	Email Address (Optional)	SIGNATURE (do NOT print)

We the undersigned citizens of Twin Oaks Rd. Northport Alabama
 Call for the elected officials of Northport to remove The Humane
 Society dog kennels from our neighborhood.

Last Name	First Name	MI	Daytime Phone	Email Address (Optional)	SIGNATURE (do NOT print)
Kent	Tina	D	(205) ← Area Code 242-8956	alantina.kent@yahoo.com	Jina Kent
Street Address: 308 Twin Oaks Road East					
City, State, Zip: Northport, AL 35473					
Kent Jr.	Carl		(205) ← Area Code 339-2474		Carl Kent Jr.
Street Address: 314 Twin Oaks Rd E.					
City, State, Zip: Northport AL 35473					
OSWALT	JOHN	C	(305) ← Area Code 339-1872		John Oswald
Street Address: 410 Twin Oaks Rd S					
City, State, Zip: Northport AL 35473					
Howell	SOC		(205) ← Area Code 759493 4548857		
Street Address: 1105 Twin Oaks Rd					
City, State, Zip: East Northport AL 35473					
Street Address:					
City, State, Zip:					
Street Address:					
City, State, Zip:					

We the undersigned citizens of Twin Oaks Rd. Northport Alabama
 Call for the elected officials of Northport to remove The Humane
 Society dog kennels from our neighborhood.

Last Name	First Name	MI	Daytime Phone	Email Address (Optional)	SIGNATURE (do NOT print)
Peters	Julian	I	(205) ← Area Code 205-349-5596		<i>Julian Peters</i>
Street Address: 1120 Camille Terrace E					
City, State, Zip: Northport, AL 35476					
Last Name	First Name	MI	Daytime Phone	Email Address (Optional)	SIGNATURE (do NOT print)
Jordan	Ken	R	(205) ← Area Code 752-8756		<i>Ken Jordan</i>
Street Address: 5320 Hth Ave East					
City, State, Zip: Northport, AL 35473					
Last Name	First Name	MI	Daytime Phone	Email Address (Optional)	SIGNATURE (do NOT print)
Howell	Crystal		(205) ← Area Code 454-2091		<i>Crystal Howell</i>
Street Address: 1105 Twin Oaks Rd E					
City, State, Zip: Northport, AL 35473					
Last Name	First Name	MI	Daytime Phone	Email Address (Optional)	SIGNATURE (do NOT print)
Howell	Nancy		(205) ← Area Code 754-4939		<i>Nancy Howell</i>
Street Address: 1105 Twin Oaks Rd East					
City, State, Zip: Northport AL 35473					
Last Name	First Name	MI	Daytime Phone	Email Address (Optional)	SIGNATURE (do NOT print)
TAYLOR	CARL		(205) ← Area Code 339-7020	CTAYLOR81@Bellsouth.net	<i>Carl Taylor</i>
Street Address: 412 TWIN OAKS R.D.E.					
City, State, Zip: NORTHPORT AL 35473					
Last Name	First Name	MI	Daytime Phone	Email Address (Optional)	SIGNATURE (do NOT print)
TAYLOR	CAROLYN	I	(205) ← Area Code 3397020		<i>Jane Taylor</i>
Street Address: 412 TWIN OAKS R.D.E.					
City, State, Zip: NORTHPORT AL 35473					
Last Name	First Name	MI	Daytime Phone	Email Address (Optional)	SIGNATURE (do NOT print)
			() ← Area Code		

EX 711