

TUSCALOOSA COUNTY COMMISSION  
MEETING  
JANUARY 9, 2019

TUSCALOOSA COUNTY                   §  
STATE OF ALABAMA                   §

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

Stan Acker  
Jerry Tingle  
Mark C. Nelson  
Reginald Murray

Commissioner Stan Acker moved, seconded by Commissioner Jerry Tingle, the County Commission voted unanimously to appoint Chief Byron Waid to the Tuscaloosa County Solid Waste Authority. The term will expire May 1, 2020.

Commissioner Mark C. Nelson moved, seconded by Commissioner Stan Acker, the County Commission voted unanimously to appoint Probate Judge Rob Robertson to the Tuscaloosa County E911 Board.

Commissioner Mark C. Nelson moved, seconded by Commissioner Stan Acker, the County Commission voted unanimously to appoint Probate Judge Rob Robertson to the Special Tax Board. The term will expire January 9, 2023.

Commissioner Mark C. Nelson moved, seconded by Commissioner Jerry Tingle, the County Commission voted unanimously to reappoint Mr. Richard Swatloski. The term will expire November 1, 2022.

Commissioner Reginald Murray moved, seconded by Commissioner Jerry Tingle, the County Commission voted unanimously to renew the lease agreement for office space at the Tuscaloosa County Courthouse Annex to Congresswoman Terri Sewell through January 2, 2021.

Chairman W. Hardy McCollum was presented a proclamation and memorabilia in honor of his 42 years in office as Probate Judge and Commission Chairman for Tuscaloosa County.

Commissioner Reginald Murray moved, seconded by Commissioner Stan Acker, the County Commission voted unanimously to adopt a resolution approving and accepting the preliminary plat submission for August Estates, plat no. one and Bella Estates, both in District IV.

Exhibit 1-1, Pages

Commissioner Stan Acker moved, seconded by Commissioner Jerry Tingle, the County Commission voted unanimously to approve a subdivision regulation waiver request to Boyd Subdivision in District I.

Exhibit 1-2, Page

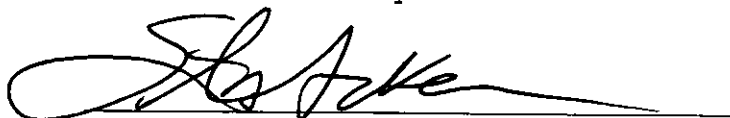
Commissioner Stan Acker moved, seconded by Commissioner Reginald Murray, the County Commission voted unanimously to approve the request by Carroll's Creek Water Authority to increase the compensation of the Board Members to \$400 per member.

Exhibit 1-3, Pages

There being no further business to come before the Tuscaloosa County Commission, the meeting adjourned to Wednesday, January 23, 2019.

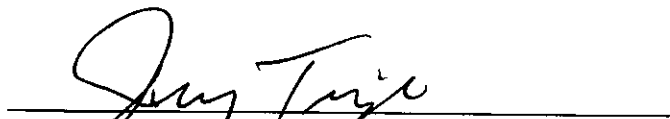
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W. Hardy McCollum  
Judge of Probate and Chairman  
Tuscaloosa County Commission



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Stan Acker  
Commissioner - District I



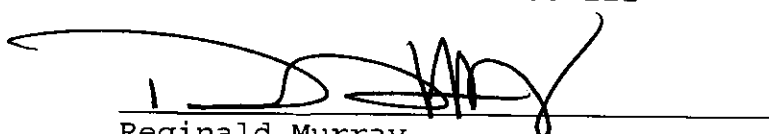
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Jerry Tingle  
Commissioner - District II



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Mark C. Nelson  
Commissioner - District III



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Reginald Murray  
Commissioner - District IV

STATE OF ALABAMA §

TUSCALOOSA COUNTY §

**RESOLUTION ACCEPTING PRELIMINARY PLAT**

**August Estates  
Plat No. 1**

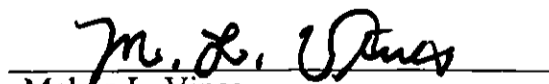
**WHEREAS**, the County Engineer has reported to the Tuscaloosa County Commission that the developer has complied with all Tuscaloosa County Subdivision related to the preparation and presentation of a preliminary plat for a new development or the extension of an existing development; and

**WHEREAS**, the Tuscaloosa County Commission has been presented with the preliminary plat and accompanying information, and determines that there is no just reason to withhold approval of the preliminary plat.

**NOW, THEREFORE, IT BE RESOLVED BY THE TUSCALOOSA COUNTY COMMISSION** that the preliminary plat recommended for approval by the Tuscaloosa County Engineer is approved and accepted

Approved and accepted at our regularly scheduled meeting on this the 9th day of January, 2019.

  
W. Hardy McCollum, Chairman  
Tuscaloosa County Commission

  
Melvin L. Vines  
County Administrator

EX 1-1

STATE OF ALABAMA §

TUSCALOOSA COUNTY §

**RESOLUTION ACCEPTING PRELIMINARY PLAT**


**Bella Estates**

**WHEREAS**, the County Engineer has reported to the Tuscaloosa County Commission that the developer has complied with all Tuscaloosa County Subdivision related to the preparation and presentation of a preliminary plat for a new development or the extension of an existing development; and

**WHEREAS**, the Tuscaloosa County Commission has been presented with the preliminary plat and accompanying information, and determines that there is no just reason to withhold approval of the preliminary plat.

**NOW, THEREFORE, IT BE RESOLVED BY THE TUSCALOOSA COUNTY COMMISSION** that the preliminary plat recommended for approval by the Tuscaloosa County Engineer is approved and accepted

Approved and accepted at our regularly scheduled meeting on this the 9th day of January, 2019.

  
W. Hardy McCollum, Chairman  
Tuscaloosa County Commission

  
Melvin L. Vines  
County Administrator

EX 1-1



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



**Scott F. Anders, P.E.**  
County Engineer

**Tracy M. Criss, P.E.**  
Assistant County Engineer

**Subdivision Waiver Request  
Boyd Subdivision  
Tuscaloosa County Commission  
January 9, 2019**

Commission District: 1

Owner: Barbara Boyd

Engineer / Surveyor: Steven Faulkner, PLS

Waiver Requested: Mr. Faulkner is requesting a waiver from the Tuscaloosa County Subdivision Regulations on behalf of Barbara Boyd for the size of a lot on an easement.

**Comments:**

**Ms. Boyd is wishing to divide a 2.68 acre parcel into three lots. Two lots will be 1.17 acres in size and the remaining parcel will be 0.34 acres. The minimum lot size in the Lake Tuscaloosa drainage basin is one acre. The lots will be accessed by an easement. Tuscaloosa County requires a minimum lot size of three acres for parcels that are accessed by an easement.**

The 2013 Subdivision Regulations state the following:

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

- i. Lots or parcels must be three acres or greater in size
  - **Two parcels are 1.17 acres in size. The third parcel is 0.34 acres in size.**
- ii. No more than three lots or parcels will be allowed using a common access easement as the source of ingress-egress, regardless if said easement existed prior to the new subdivision being created. Such easement shall not exceed twelve hundred feet in length.
  - **Three lots will use this easement, which complies with the Tuscaloosa County Subdivision Regulations.**
- iii. Easements to any parcels platted shall be no less than thirty feet in width. If multiple easements are required, said easements must be a minimum thirty feet apart in distance between the adjoining margins in said easements.
  - **The easement is 30 feet in width, which complies with the Tuscaloosa County Subdivision Regulations.**
- iv. A gate must be placed at the entrance to the easement signifying that the road is not a public road. Also, a sign must be placed at the entrance depicting its "private" status prior to the plat being signed.
- v. A statement or note must be placed upon the plat with the following verbiage:

**"THE PRIVATE ACCESS EASEMENT AS SHOWN ON THIS MAP OR PLAT DOES NOT CONSTITUTE A DEDICATION OF THE SAME AS A PUBLIC RIGHT-OF-WAY AND WILL NOT BE IMPROVED OR MAINTAINED BY TUSCALOOSA COUNTY UNTIL SUCH TIME THAT THE DEPICTED EASEMENT HAS BEEN APPROVED."**

The above note must also be included within any documents of conveyance.

Written verification that all private access easements have been obtained and such documents must be submitted with the final plat.

EX 1-2

STATE OF ALABAMA §

COUNTY OF TUSCALOOSA §

**RESOLUTION OF THE TUSCALOOSA COUNTY COMMISSION**

The foregoing Application of Carroll's Creek Water Authority having been filed with the Tuscaloosa County Commission, and the same having been reviewed by this Commission,


IT IS THEREFORE RESOLVED by the Tuscaloosa County Commission as follows:

1. That the Tuscaloosa County Commission has reviewed the contents of the Application and has found and determined as a matter of fact that the statements contained in the Application are true.

2. That this Commission hereby approves, as described in the Application, the amendment to the Certificate of Incorporation of Carroll's Creek Water Authority to reflect the changes and increases in the compensation to said Directors of the Authority that occur from time to time under Alabama law, and directs that a copy of this Resolution be attached to the Application made herein and utilized by the Authority for the purposes stated in the Application.

**CERTIFICATION**

I, the undersigned, as Administrator of the Tuscaloosa County Commission, hereby certify that the foregoing is a true and correct copy of a Resolution duly adopted by the Commission at its regular meeting on the 9<sup>th</sup> day of January 2019.

  
\_\_\_\_\_  
Melvin Vines, Administrator  
Tuscaloosa County Commission

EX-3

STATE OF ALABAMA           §  
  §  
COUNTY OF TUSCALOOSA   §

OFFICE OF THE  
JUDGE OF PROBATE

**IN THE MATTER OF THE PROPOSED AMENDMENT TO  
THE CERTIFICATE OF INCORPORATION OF  
CARROLL'S CREEK WATER AUTHORITY**

On the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, there was filed for record in this office a Certificate of Amendment to the Certificate of Incorporation of Carroll's Creek Water Authority pursuant to the provisions of Code of Alabama 1975 § 11-88-1 through § 11-88-21. The said certificate recites the adoption of certain resolutions by the Board of Directors of Carroll's Creek Water Authority and the County of Commissioners of Tuscaloosa County and sets forth a proposed amendment to the Certificate of Incorporation of Carroll's Creek Water Authority.

The undersigned Judge of Probate has examined said Certificate of Amendment and does hereby find and determine that the said Certificate is complete and regular on its face and that the proposed amendment complies with the provisions of Code of Alabama, 1975 § 11-88-1 through § 11-88-21 and it is hereby so ORDERED, ADJUDGED and DECREED.

It is further ORDERED, ADJUDGED and DECREED that the said Certificate of Amendment and this order be forthwith recorded.

\_\_\_\_\_  
\_\_\_\_\_, Judge of Probate  
Tuscaloosa County, Alabama

EX 1-3

STATE OF ALABAMA §

COUNTY OF TUSCALOOSA §

**APPLICATION BY CARROLL'S CREEK WATER AUTHORITY  
TO THE TUSCALOOSA COUNTY COMMISSION REQUESTING  
PROVISIONS FOR COMPENSATION TO DIRECTORS**

KNOW ALL MEN BY THESE PRESENTS that the Carroll's Creek Water Authority has determined, by and through its Board of Directors, that it is in the best interest of the Authority that provision be made for compensation to the members of the Board of Directors as allowed by law, and that this application is being made under and by virtue of the provisions of Code of Alabama, 1975 § 11-88-5; and

That in order to accomplish and effect the changes and increases in the compensation to said Directors that occur from time to time under Alabama law, it will be required that an amendment to the Certificate of Incorporation of the Authority, as amended, be filed in the Probate Office of Tuscaloosa County, Alabama, and said Amendment will promote the public health, convenience and welfare of the citizens of Tuscaloosa County, Alabama; and

It is requested that the Tuscaloosa County Commission review the contents of this Application and find and determine as a matter of fact that the statements contained in this Application are true and issue a Resolution as to the matters contained herein as required by law.

IN WITNESS WHEREOF, the undersigned have hereunto executed this Application on this the 20 day of December 2018.

**CARROLL'S CREEK WATER AUTHORITY**

By Louis H. Lambert  
As Its President

ATTEST:

Day Dally  
As Its Secretary

Ex 1-3



STATE OF ALABAMA

COUNTY OF TUSCALOOSA

I, the undersigned, a Notary Public in and for said county and state, hereby certify that Louis N. Lambert, as President, and J. Gary Falls, as Secretary of Carroll's Creek Water Authority, a corporation, whose names are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day, being informed of the contents of said instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 20<sup>th</sup> day of December 20 18.

Annette Thrasher

NOTARY PUBLIC in and for

State of Alabama at Large

My Commission Expires: 2/19/20

Ex 1-3

STATE OF ALABAMA           §  
COUNTY OF TUSCALOOSA   §

**RESOLUTION OF THE BOARD OF DIRECTORS OF  
CARROLL'S CREEK WATER AUTHORITY**

WHEREAS, the Board of Directors of Carroll's Creek Water Authority have determined that it is in the best interest of the Authority to make provisions for the compensation of its Directors; and

WHEREAS, it is the desire of the Directors to amend the Certificate of Incorporation of the Authority to effect the changes and increases in the compensation to said Directors that occur from time to time under Alabama law; and

WHEREAS, the Directors desire to comply with the provisions of Code of Alabama, 1975 § 11-88-5 relating to the procedure for amendment of the Certificate of Incorporation.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of said Authority as follows:

1. Each Director shall be reimbursed for expenses actually incurred by him in and about the performance of his duties. Each Director, except the Chairman of the Board, shall be compensated in an additional amount not to exceed the maximum amount allowed to be paid to a member of the board of directors of a public authority under Alabama law, said amount currently being provided under Alabama Code § 11-88-6(d), as may be amended from time to time.

2. The Chairman of the Board of Directors shall be compensated in an additional amount not to exceed the maximum amount allowed to be paid to a chairman of the board of directors of a public authority under Alabama law, said amount currently being provided under Alabama Code § 11-88-6(d), as may be amended from time to time.

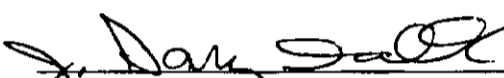
Ex 1-3

3. That prior to the filing of said amendment that an application be prepared and filed with the Tuscaloosa County Commission requesting a Resolution from said Commission as required by law.

4. That the Chairman and Secretary are hereby authorized and directed to execute any and all documents necessary for the purposes stated herein and otherwise are required by law.

#### CERTIFICATE

I, the undersigned, as Secretary of the Board of Directors of said Authority, hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Board at a special meeting held on the 20 day of December 2018.

  
J. Gary Falls, Secretary/Treasurer

EX-3

STATE OF ALABAMA §

COUNTY OF TUSCALOOSA §

**ARTICLES OF AMENDMENT  
TO  
CERTIFICATE OF INCORPORATION  
OF  
CARROLL'S CREEK WATER AUTHORITY**

KNOW ALL MEN BY THESE PRESENTS that Carroll's Creek Water Authority was organized and incorporated on or about April 20, 1979 by the filing of its Certificate of Incorporation in Incorporation Book 56 at Page 132 in the Probate Office of Tuscaloosa County, Alabama. The undersigned, comprising all of the members of the Board of Directors of said Authority having adopted a Resolution proposing an amendment to the Certificate of Incorporation, relating to the compensation of the said Board of Directors, which said Resolution is being hereto attached as Exhibit "A", and a written application having been filed with the Tuscaloosa County Commission having adopted a Resolution declaring that it has reviewed the contents of the application and found and determined as a matter of fact that the statements contained in the application are true and further approving the provisions relating to the compensation of said Directors.

NOW, THEREFORE, THE PREMISES CONSIDERED, Carroll's Creek Water Authority by and through its Board of Directors files the hereinabove described documents for the purpose of providing the following provision to the compensation of its Directors:

Each Director shall be reimbursed for expenses actually incurred by him in and about the performance of his duties. Each Director, except the Chairman of the Board, shall be compensated in an additional amount not to exceed the maximum amount allowed to be paid to a member of the board of directors of a public authority under Alabama law, as may be amended from time to time. The Chairman of the Board of Directors shall be compensated in an additional amount not to exceed the maximum amount allowed to be paid to a chairman of the board

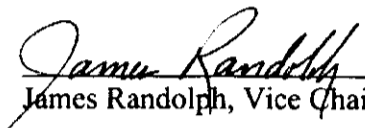
Ex 1-3

of directors of a public authority under Alabama law, as may be amended from time to time.

The remaining provisions of the Certificate of Incorporation of the Authority, as amended, shall in no way be modified or amended by this filing except as provided herein.

IN WITNESS WHEREOF, the undersigned have hereunto executed this Amendment on this the 20<sup>th</sup> day of December 2018.

  
Louis N. Lambert, Chairman

  
James Randolph, Vice Chairman

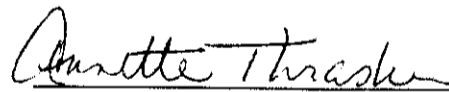
  
Gary Falls, Secretary/Treasurer

STATE OF ALABAMA

COUNTY OF TUSCALOOSA

I, the undersigned, a Notary Public in and for said county and state, hereby certify that Louis N. Lambert, James Randolph, and J. Gary Falls, whose names are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day, being informed of the contents of said instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 20<sup>th</sup> day of December 2018.

  
NOTARY PUBLIC in and for  
State of Alabama at Large  
My Commission Expires: 2/12/20

Exl-3

STATE OF ALABAMA           §  
COUNTY OF TUSCALOOSA   §

EXHIBIT "A"

**RESOLUTION OF THE BOARD OF DIRECTORS OF  
CARROLL'S CREEK WATER AUTHORITY**

WHEREAS, the Board of Directors of Carroll's Creek Water Authority have determined that it is in the best interest of the Authority to make provisions for the compensation of its Directors; and

WHEREAS, it is the desire of the Directors to amend the Certificate of Incorporation of the Authority to effect the changes and increases in the compensation to said Directors that occur from time to time under Alabama law; and

WHEREAS, the Directors desire to comply with the provisions of Code of Alabama, 1975 § 11-88-5 relating to the procedure for amendment of the Certificate of Incorporation.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of said Authority as follows:

1. Each Director shall be reimbursed for expenses actually incurred by him in and about the performance of his duties. Each Director, except the Chairman of the Board, shall be compensated in an additional amount not to exceed the maximum amount allowed to be paid to a member of the board of directors of a public authority under Alabama law, said amount currently being provided under Alabama Code § 11-88-6(d), as may be amended from time to time.

2. The Chairman of the Board of Directors shall be compensated in an additional amount not to exceed the maximum amount allowed to be paid to a chairman of the board of directors of a public authority under Alabama law, said amount currently being provided under Alabama Code § 11-88-6(d), as may be amended from time to time.


Exl-3

3. That prior to the filing of said amendment that an application be prepared and filed with the Tuscaloosa County Commission requesting a Resolution from said Commission as required by law.

4. That the Chairman and Secretary are hereby authorized and directed to execute any and all documents necessary for the purposes stated herein and otherwise are required by law.

#### CERTIFICATE

I, the undersigned, as Secretary of the Board of Directors of said Authority, hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Board at a special meeting held on the 20 day of December 2018.

  
J. Gary Falls, Secretary/Treasurer

Ex 1-3