

TUSCALOOSA COUNTY COMMISSION

MEETING

OCTOBER 16, 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 Rob Robertson presiding as Chairman. The following members were present:

Stan Acker
Mark C. Nelson
Reginald Murray

Commissioner Stan Acker moved, seconded by Commissioner Reginald Murray, the County Commission voted unanimously to approve the minutes of October 2, 2019.

Commissioner Mark C. Nelson moved, seconded by Commissioner Stan Acker, the County Commission voted unanimously to go into executive session at the conclusion of the regular meeting to discuss an update on opioid and additional litigation.

Commissioner Reginald Murray moved, seconded by Commissioner Mark C. Nelson, the County Commission voted unanimously to adopt a resolution approving a preliminary plat on Michael T. Butler Survey, a resurvey of lot 1B of the resurvey of lot 1 in District IV.

Commissioner Stan Acker moved, seconded by Commissioner Reginald Murray, the County Commission voted unanimously to adopt a resolution approving a preliminary plat on Gray Haven No. 2 in District I.

Exhibit 10-2, Page

Commissioner Stan Acker moved, seconded by Commissioner Mark C. Nelson, the County Commission voted unanimously to adopt a resolution approving a preliminary plat on Naomi Tidwell Subdivision in District II.

Exhibit 10-3, Page

Commissioner Stan Acker moved, seconded by Commissioner Reginald Murray, the County Commission voted unanimously to adopt a resolution approving a preliminary plat on Hosmer Subdivision in District II.

Exhibit 10-4, Page

Commissioner Stan Acker moved, seconded by Commissioner Reginald Murray, the County Commission voted unanimously to approve a subdivision regulation waiver request to Quiktrip in District II.

Exhibit 10-5, Pages

Commissioner Reginald Murray moved, seconded by Commissioner Mark C. Nelson, the County Commission voted unanimously to accept the recommendation by the County Engineer to award the following annual bids:

Extend the current bid for the provision of guardrail to Alabama Guardrail, Inc. The contract was bid in 2018 and this will be the second year of a possible three year bid extension.

Extend the current bid for the provision of herbicide services to EDKO Inc. The contract was bid in 2018 and this will be the second year of a possible three year bid extension.

Extend the current bid for the provision of plant mix to ST Bunn Construction Company Inc. The contract was bid in 2018 and this will be the second year of a possible three year bid extension.

Extend the current bid for the provision of structural concrete to Bama Concrete Products Company Inc. The contract was bid in 2018 and this will be the second year of a possible three year bid extension.

Extend the current bid for the provision of hydroseeding services to J & R Farms LLC. The contract was bid in 2017 and this will be the third year of a possible three year bid extension.

Extend the current bid for the provision of round concrete pipe to Foley Products Company. This contract was bid in 2018 and this will be the second year of a possible three year bid extension.

Extend the current bid for the provision of traffic striping to W. B. Builders, LLC. This contract was bid in 2017 and this will be the third year of a possible three year bid extension.

Extend the current bid for the provision of liquid asphalt to Hunt Refining Company Inc. This contract was bid in 2018 and this will be the second year of a possible three year bid extension.

Commissioner Stan Acker moved, seconded by Commissioner Mark C. Nelson, the County Commission voted unanimously to authorize the Engineering Department to post a speed limit of 35 MPH on the paved section of Wallace Ferry Road, District I.

Commissioner Stan Acker moved, seconded by Commissioner Reginald Murray, the County Commission voted unanimously to authorize the Engineering Department to post a speed limit of 35 MPH on Blackburn Road, District I.

Commissioner Stan Acker moved, seconded by Commissioner Mark C. Nelson, the County Commission voted unanimously to approve the warrants issued to cover Tuscaloosa County's expenditures for September 2019.

Exhibit 10-6, Page

Commissioner Stan Acker moved, seconded by Commissioner Mark C. Nelson, the County Commission voted unanimously to begin the condemnation process on 23699 Highway 69N (Old County Line Pit Stop BBQ) to be considered a public nuisance.

Commissioner Reginald Murray moved, seconded by Commissioner Stan Acker, the County Commission voted unanimously to remove 35 Sahama Village from the public nuisance list. It has been brought to code and inspected by Patrick Branch.

Commissioner Stan Acker moved, seconded by Commissioner Mark C. Nelson, the County Commission voted unanimously to remove 1030 39th Ave NE and 4204 Elm Dr NE from the public nuisance list. They have been inspected by Patrick Branch.

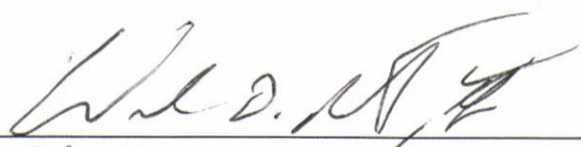
Upon request by Tax Assessor Leigh Ann Fair, Commissioner Mark C. Nelson moved, seconded by Commissioner Stan Acker, the County Commission voted unanimously to approve a contract for new software for the Tax Assessor and Tax Collector's Offices.

Exhibit 10-7, Page

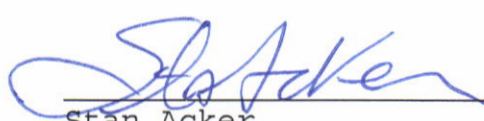
Commissioner Mark C. Nelson moved, seconded by Commissioner Reginald Murray, the County Commission voted unanimously to approve a funding request in the amount of \$3,000.00 from the District III development fund to Englewood Elementary for new tables and chairs in the art department.

Commissioner Reginald Murray moved, seconded by Commissioner Mark C. Nelson, the County Commission voted unanimously to approve a funding request in the amount of \$1,061.00 from the District IV development fund to Myrtlewood Elementary for a bullying and character education assembly.

There being no further business to come before the Tuscaloosa County Commission, the meeting adjourned to Wednesday, October 16, 2019.



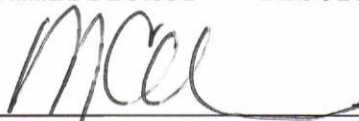
Rob Robertson
Judge of Probate
Chairman Tuscaloosa County Commission



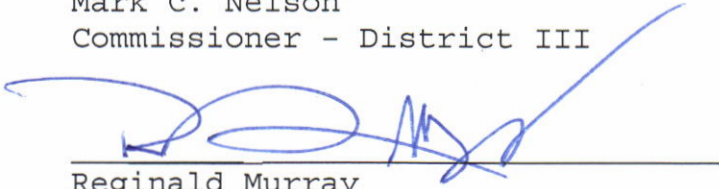
Stan Acker
Commissioner - District I

ABSENT

Jerry Tingle
Commissioner - District II



Mark C. Nelson
Commissioner - District III



Reginald Murray
Commissioner - District IV

STATE OF ALABAMA §

TUSCALOOSA COUNTY §

RESOLUTION ACCEPTING PRELIMINARY PLAT

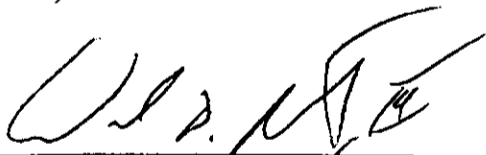
**Michael T. Butler Survey
A Resurvey of Lot 1B of the Resurvey of Lot 1**

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 16th day of October, 2019.



Ward D. "Rob" Robertson III, Chairman
Tuscaloosa County Commission



Melvin L. Vines
County Administrator

EX 10-1

STATE OF ALABAMA §

TUSCALOOSA COUNTY §

RESOLUTION ACCEPTING PRELIMINARY PLAT


Gray Haven No. 2

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

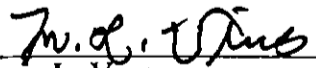
WHEREAS, the Tuscaloosa County Commission has been presented with the preliminary plat and accompanying information, and determines that there is no just reason to withhold approval of the preliminary plat.

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 16th day of October, 2019.



Ward D. "Rob" Robertson III, Chairman
Tuscaloosa County Commission



Melvin L. Vines
County Administrator

EX 10-2

STATE OF ALABAMA §

TUSCALOOSA COUNTY §

RESOLUTION ACCEPTING PRELIMINARY PLAT

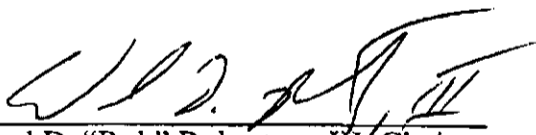
Naomi Tidwell Subdivision

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

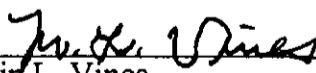
WHEREAS, the Tuscaloosa County Commission has been presented with the preliminary plat and accompanying information, and determines that there is no just reason to withhold approval of the preliminary plat.

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 16th day of October, 2019.



Ward D. "Rob" Robertson III, Chairman
Tuscaloosa County Commission



Melvin L. Vines
County Administrator

EX 10-3

STATE OF ALABAMA §

TUSCALOOSA COUNTY §

RESOLUTION ACCEPTING PRELIMINARY PLAT

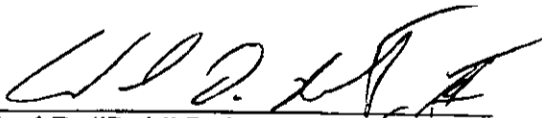
Hosmer Subdivision

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

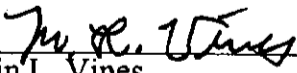
WHEREAS, the Tuscaloosa County Commission has been presented with the preliminary plat and accompanying information, and determines that there is no just reason to withhold approval of the preliminary plat.

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 16th day of October, 2019.



Ward D. "Rob" Robertson III, Chairman
Tuscaloosa County Commission



Melvin L. Vines
County Administrator

EX 10-4



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

October 16, 2019
QuikTrip

Commission District: 2
 Owner: Magnum Portfolio, LLC
 Engineer / Surveyor: QuikTrip Corporation
 Wavier Requested: QuikTrip Corporation is requesting a waiver from the Tuscaloosa County Subdivision Regulations for parts of Section 5-4-2 relating to the requirements of a private access easement.

Comments:

The QuikTrip Corporation is proposing to construct a convenience store adjacent to Interstate 20/59 and Buttermilk Road. Tract 3 on the preliminary plat is being created for the purpose of constructing a sign that will be visible from the interstate right of way. The sign will be the only structure on the property and will be used for advertisement of the convivence store. +

The 2013 Subdivision Regulations state the following:

1. 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
Tract 3 will be 0.318 acres in size. The QuikTrip Corporation is requesting a waiver for the requirement.
 - 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.
 - **The private access easement will only serve Tract 3, which will meet this requirement.**
 - 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 easements will be 30 feet in width, which will meet this requirement.**

EX 10-5

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.

- **The QuikTrip Corporation is a waiver for the requirement of the gate. The private access easement will connect at Buttermilk Road at the access to the convenience store. Placing a gate across the store access would be obtrusive to customers of the store. The QuikTrip Corporation is requesting a waiver for the requirement.**

v. A statement or note must be placed upon the plat with the following verbiage:

2. "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.

- **This statement will be placed on the final plat and within any documents of conveyance, which will meet this requirement.**

EX-10-5



October 9, 2019

Michael S Burk
Real Estate Project Manager
QuikTrip Corporation
952 Old Peachtree Rd NW
Lawrenceville, GA 30043
(770) 325-6720

Catherine Holloway
Tuscaloosa County Public Works Department
2810 35th Street
Tuscaloosa, AL 35401
(205) 345-6600

RE: QuikTrip's No. 7140 Plat Waiver Request

Dear Ms. Holloway,

QuikTrip requests a waiver from provisions of 5-4-2 relating to Private Access Easements for subdivided lots in Tuscaloosa County. Below is justification as to why this waiver is appropriate in this case.

1. A waiver from provision 5-4-2(i) which requires parcels to be accessed by private easement to be 3 acres or greater.

Tract 3 on the proposed plat consists on .318 acres of land and is being created for the right to construct a sign to be visible from the interstate right of way. This sign will be the only structure on the property and will solely be used for the advertisement of the convenience store and fuel price for the proposed gas station and convenience store on the adjacent parcel. The property will remain owned by QuikTrip concurrent with the closing of the adjacent parcel (tract 2) from the current owner Magnum Portfolio, LLC.

2. A waiver from provision 5-4-2(iv) which requires a gate to be placed over the access easement to indicate that the easement is private

EX 10-5

Tract 3 on the proposed plat is being created for the right to construct a sign to be visible from the interstate right of way. This sign will be the only structure on the property and will solely be used for the advertisement of the convenience store and fuel price for the proposed gas station and convenience store on the adjacent parcel. Tract 3 will remain owned by QuikTrip concurrent with the closing of the adjacent parcel (tract 2) from the current owner Magnum Portfolio, LLC. Tract 1 is to remain in the current ownership and may be accessed via the access easement. Tract 1 currently has an operating business and the easement for access will run parallel to Buttermilk Rd where it will connect to the access point on Buttermilk Rd to the convenience store and gas station. The convenience store and gas station is a 24hr operation and a gate would be obtrusive to customers and not appropriate to the circumstances.

Please let me know if you have any questions regarding these waiver requests related to the project on buttermilk rd at my contact listed above.

Sincerely,



Michael S Burk
Real Estate Project Manager
QuikTrip Corporation

Ex 10-5

MONTH OF: **SEPTEMBER 2019**

FUND	CHECK NUMBERS	AMOUNT
001 GENERAL FUND	43146-43407	\$5,855,943.38
SPECIAL SALES TAX	80	\$3,000,000.00
112 ROAD & BRIDGE	13687-13775	\$1,406,259.71
116 CAPITAL IMPROVEMENT		
117 RRR GAS TAX		
120 REAPPRAISAL	3664-3678	\$327,782.80
160 COMMUNITY DEVELOP		
710 PAYROLL-CHECKS	96729-96768	\$1,716,254.49
	65131-65151	\$45,491.19
	21319-22264	\$1,294,478.69
720 PAYROLL-DIR DEP	473-474	\$1,462.06
EXCESS LAND SALES		
730 FIDUCIARY		
750 PISTOL PERMIT	11323-11363	\$32,070.08
780 E911		
781 GAS TAX BONDING		
783 GENERAL LIABILITY		
783 WORKMEN'S COMP	192	\$28,512.31
783 HEALTH INSURANCE		
784 TAX COLL SPECIAL		
785 TAX ASSR SPECIAL		
786 MFG HOMES		
787 MOTOR VEH TRAINING		
		<hr/>
		\$13,708,254.71

CHECKED BY: _____

WILLIAM M. LAMB, CHIEF FINANCIAL OFFICER

APPROVED BY TUSCALOOSA COUNTY COMMISSION:

CHAIRMAN, ROB ROBERTSON



COMMISSIONER, STAN ACKER




COMMISSIONER, JERRY TINGLE

(Assent)

COMMISSIONER, MARK C. NELSON



COMMISSIONER, REGINALD MURRAY



EX 10-6

Ingenuity

Statement of Work – 05 Tuscaloosa County Property Tax Services

This Statement of Work ("SOW") dated November 1, 2019 references and is incorporated within the Master Agreement ("Agreement") dated November 1, 2019 between the Tuscaloosa County Commission ("Tuscaloosa County") and Ingenuity, Inc. ("Ingenuity").

Services: Ingenuity will customize, provide, implement, maintain and support a Property Tax Administration Application (the "Application") for the Tuscaloosa County Tax Assessor ("Tax Assessor") and the Tuscaloosa County Tax Collector ("Tax Collector"). The Application will include functionality for the mapping and appraisal of real property, as well as functionality for the assessment and collection of real and business personal property taxes in Tuscaloosa County. Integrated online services including online payments and property information searches will also be made available by Ingenuity to Tax Assessor and Tax Collector customers. The Services are further described in Attachment I - Scope Document.

Price: Tuscaloosa County will pay Ingenuity \$58,240.00/year for the Services related to the Mapping, Appraisal, and Assessment modules (the "Tax Assessor Annual Fees") for each applicable year of Services starting with the implementation of the Application. Tuscaloosa County will also pay Ingenuity \$14,560.00/year for the Services related to the Collection Module (the "Tax Collector Annual Fees") for each applicable year of Services starting with the implementation of the Application. Both the Tax Assessor Annual Fees and the Tax Collector Annual Fees will be due by July 1st of each year and will be prorated for the final year of Services if the final year of Services includes less than 12 months. Ingenuity and the Tuscaloosa County agree that Ingenuity can raise the Tax Assessor Annual Fees and Tax Collector Annual Fees after the initial End Date (as listed below), but also agree that neither will be increased by more than 6% during any year.

Tuscaloosa County will pay Ingenuity an additional fee of \$260,000.00 (the "Implementation Fee") to cover the initial services and expenses including the initial database conversions, system implementation, training, testing and related travel. One-half of the Implementation Fee (\$130,000.00) will be due by December 1, 2019 and the other half of the Implementation Fee will be due within thirty (30) days of Ingenuity implementing the Mapping, Appraisal, and Assessment modules of the Application for the Tax Assessor. The Tax Assessor and Tax Collector customers who choose to take advantage of online services provided directly by Ingenuity may be charged additional convenience fees payable to Ingenuity.

Ingenuity will refund forty percent (40%) of the Implementation Fee to Tuscaloosa County if more than 50% of Ingenuity's outstanding shares are acquired during the initial term of this SOW (before June 1, 2023) by any outside party not approved by Tuscaloosa County. An outside party would not include Ingenuity, any of its employees or any of its board members.

Start Date: 01/02/2020 - the Application will be implemented as soon as practical following all of the necessary initial services including user testing. The target date for the implementation of the Mapping, Appraisal, and Assessment modules of the Application is the first business day of June 2020. The Collection Module of the Application will be made available at the same time for use in parallel mode, but will likely not be used in production until October 1, 2020.

End Date: 05/31/2023 - the End Date will be automatically extended in two (2) year increments unless either party provides the other party written notice of termination at least six (6) months prior to the original End Date or an extended End Date as may be applicable.

Payments: Ingenuity will invoice Tuscaloosa County for all applicable services and fees. Tuscaloosa County, Tax Assessor, or Tax Collector will pay all Ingenuity invoices in accordance with the terms of the Agreement.

Tax County

Representatives: Tuscaloosa County's Tax Assessor and Tax Collector

Tuscaloosa County Commission

Ingenuity, Inc.

Signature: _____

Signature: _____

By: Ward D. Robertson III

By: Rick A. Hayes

Title: Commission Chairman & Judge of Probate

Title: President

EX 10-7