

TUSCALOOSA COUNTY COMMISSION
MEETING
February 2, 2011

TUSCALOOSA COUNTY §
STATE OF ALABAMA §

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

Gary Youngblood
Don Wallace
Bobby Miller
Reginald Murray

Probate Judge W. Hardy McCollum presented a 30-year service pin to Sheriff's Deputy Martha Webb and thanked her for her dedicated service to Tuscaloosa County.

Commissioner Gary Youngblood moved, seconded by Commissioner Bobby Miller, the County Commission voted unanimously to authorize payment to Burk-Kleinpeter for engineering services on the Lye Branch Bridge Replacement Project in the amount of \$1,850.00.

Exhibit 2-1, Page

Commissioner Reginald Murray moved, seconded by Commissioner Bobby Miller, the County Commission voted unanimously to award the bid for span-rise pipe to Hanson Pipe and Precast at the recommendation of County Engineer Bobby Hagler. Bids were opened January 26, 2011.

Exhibit 2-2, Page

Commissioner Gary Youngblood moved, seconded by Commissioner Don Wallace, for Tuscaloosa County to participate in a water expansion project whereby Citizens Water System would extend water service to Deer Chase Road, Whippoorwill Drive, and Pheasant Drive. Following discussion, Commissioner Youngblood withdrew his motion.

Probate Judge W. Hardy McCollum read into the record and presented to Robbie Pressley a proclamation proclaiming February 2011, as "CAREER AND TECHNICAL EDUCATION MONTH." Mr. Pressley was accompanied by students from Holt High School and Brookwood High School.

Probate Judge W. Hardy McCollum read into the record a joint proclamation by the City of Tuscaloosa, the City of Northport, and the Tuscaloosa County Commission proclaiming the month of February 2011, as "HEALTHY MARRIAGE MONTH." Local couples will be honored at a "Legacy of Love" banquet honoring healthy marriages on February 10, 2011, at First Baptist Church, Downtown Tuscaloosa, 6:30 p.m. until 8:30 p.m.

Exhibit 2-3, Page

Commissioner Reginald Murray's motion to approve the revised Litter Ordinance pursuant to the provisions of The Alabama Limited Self-Governance Act, Code of Alabama § 13-3A-1, et sec., seconded by Commissioner Bobby Miller, was approved on a three-to-one vote, with Commissioner Don Wallace casting the NAY vote.

Exhibit 2-4, Page

Commissioner Don Wallace moved, seconded by Commissioner Reginald Murray, the County Commission voted unanimously to award the bid received by McGiffert & Associates, LLC, for relocation of the water line at the intersection of Martin Road and Union Chapel Road to B. W. Hobson Construction Co. in the amount of \$72,331.20.

Commissioner Reginald Murray moved, seconded by Commissioner Bobby Miller, the County Commission voted unanimously to authorize the Engineering Department to stripe the running track at Collins-Riverside Middle School contingent upon receiving a letter of request from the County Board of Education.

Commissioner Reginald Murray moved, seconded by Commissioner Don Wallace, to pave the walking track at Northport Civitan Park at a cost of \$9,000.00. Commissioner Murray's amended motion to pave the track contingent upon determination of public ownership passed unanimously.

Commissioner Reginald Murray moved, seconded by Commissioner Bobby Miller, the County Commission voted unanimously to authorize County Attorney Robert Spence to proceed with condemnation of property on Hemphill Road for construction and paving of a portion of the road.

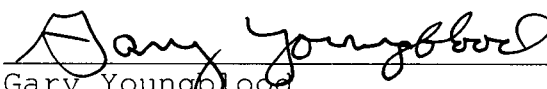
There being no further business to come before the Tuscaloosa County Commission, the meeting adjourned to Wednesday, February 16, 2011.



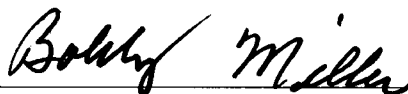
W. Hardy McCollum
Judge of Probate and Chairman
Tuscaloosa County Commission



Don Wallace
Commissioner - District I



Gary Youngblood
Commissioner - District II



Bobby Miller
Commissioner - District III



Reginald Murray
Commissioner - District IV

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

ASSOCIATE
BRUCE HIGGINBOTHAM, PE

WILLIAM R. BURK, JR., 1912-1986

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

600 LURLEEN WALLACE BOULEVARD, SUITE 180
TUSCALOOSA, AL 35401
TELEPHONE (205) 759-3221 FAX (205) 759-9166
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PRESIDENT
GEORGE C. KLEINPETER, JR., PE

VICE PRESIDENT
O. JEFFREY WOOD, PE



OVER 95 YEARS OF SERVICE

December 31, 2010

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

RE: Lye Branch Bridge Replacement
Invoice #7
BKI Job No. Tu.10.007

For professional services rendered on the referenced project through the month of December 2010.

PAYMENT REQUEST NO. 7

	<u>TOTAL AMOUNT</u>	<u>% COMPLETE</u>	<u>AMOUNT COMPLETE</u>	<u>CURRENT AMOUNT DUE</u>
DESIGN SERVICES	\$46,500.00	67%	\$ 31,350.00	\$ 1,850.00
SURVEY SERVICES	\$8,500.00	100%	\$ 8,500.00	\$ -
GEOTECHNICAL SERVICES	\$ 22,300.00	0%	\$ -	\$ -
	<u>\$77,300.00</u>		<u>\$ 39,850.00</u>	<u>\$ 1,850.00</u>

PREVIOUSLY INVOICED: \$ (38,000.00)
AMOUNT DUE: \$ 1,850.00

BKI INVOICE: 49011
JC

Span Rise Pipe Bid Evaluation
25-Jan-11

Pipe Size	Eq. Dia.	Base Bid Amounts for Discount				Hanson Pipe and Precast			
		Plain	Class 2	Class 3	Class 4	Plain	Class 2	Class 3	Class 4
18 x 11	15	Not Available		\$ 12.44	\$ 13.16	Not Available			
22 x 13 1/2	18	Not Available		\$ 14.97	\$ 17.62	Not Available			
28 1/2 x 18	24	Not Available		\$ 23.97	\$ 27.66	Not Available			
36 1/4 x 22 1/2	30		\$ 34.96	\$ 35.55	\$ 40.59				
43 3/4 x 26 5/8	36		\$ 46.41	\$ 48.40	\$ 52.94				
51 1/8 x 31 5/16	42		\$ 59.07	\$ 61.69	\$ 84.20				
58 1/2 x 36	48		\$ 75.47	\$ 78.98	\$ 94.74				
65 x 40	54		\$ 95.05	\$ 99.06	\$ 118.14				
73 x 45	60		\$ 110.59	\$ 116.71	\$ 137.71				
88 x 54	72		\$ 161.36	\$ 174.13	\$ 195.37				
102 x 62	84		\$ 216.66	\$ 232.88	\$ 273.31				

Low Bid

Pipe Size	Eq. Dia.	Harvey Culvert Company Inc.			
		Plain	Class 2	Class 3	Class 4
18 x 11	15	Not Available		\$ 17.41	\$ 21.45
22 x 13 1/2	18	Not Available		\$ 20.98	\$ 25.85
28 1/2 x 18	24	Not Available		\$ 26.88	\$ 35.20
36 1/4 x 22 1/2	30		Not Available	\$ 37.80	\$ 49.51
43 3/4 x 26 5/8	36		Not Available	\$ 49.98	\$ 65.45
51 1/8 x 31 5/16	42		Not Available	\$ 62.16	\$ 81.41
58 1/2 x 36	48		Not Available	\$ 73.92	Not Available
65 x 40	54		Not Available	\$ 91.56	Not Available
73 x 45	60		Not Available	\$ 110.88	Not Available
88 x 54	72		Not Available	\$ 154.56	Not Available
102 x 62	84		Not Available	\$ 225.60	Not Available

Community Proclamation

from the offices of:

Walter Maddox, Mayor of the City of Tuscaloosa; Bobby Herndon, Mayor of the City of Northport;
W. Hardy McCollum, Chairman of the Tuscaloosa County Commission

Whereas: It is recognized that marriage is an honored, important and valued component of strong families and strong communities across Alabama and our nation; and

Whereas: February is traditionally celebrated as Healthy Marriage Month throughout our nation as a way to acknowledge the importance of the commitment that marriage represents in forming the foundation of healthy community, healthy children and healthy families; and

Whereas: Families are first and foremost uniquely suited to teach children integrity, character, morals, responsibility, service and wisdom; and

Whereas: Research indicates that a healthy marriage creates the safest environment for our children to grow and develop physically, socially and emotionally; and

Whereas: We wish to applaud the efforts of all individuals, non-profit organizations, and the faith-based community who strive to create and nurture the loving bond that is the foundation for a healthy marriage.

Now, Therefore, We, Walter Maddox, Mayor of the City of Tuscaloosa; Bobby Herndon, Mayor of the City of Northport; W. Hardy McCollum, Probate Judge and Chairman of the Tuscaloosa County Commission, do hereby proclaim the month of February 2011, as

“HEALTHY MARRIAGE MONTH”

in the cities of Tuscaloosa and Northport, and throughout Tuscaloosa County, and encourage citizens to become involved in healthy marriage education services and programs and recognize the importance of marriage to our children and community.

In Witness Whereof, We have hereunto set our hands, and caused the Corporate Seals to be affixed this the 12th day of January 2011.



Walter Maddox, Mayor
City of Tuscaloosa, AL



Bobby Herndon, Mayor
City of Northport, AL



Judge Hardy McCollum, Chairman
Tuscaloosa County Commission, AL



STATE OF ALABAMA

COUNTY OF TUSCALOOSA

ORDINANCE OF THE TUSCALOOSA COUNTY COMMISSION

Amendment No. 001

BE IT ORDAINED by the Tuscaloosa County Commission as follows:

1. This ordinance is adopted pursuant to the provisions of The Alabama Limited Self-Governance Act, Code of Alabama § 11-3A-1, et seq. All exceptions and limitations contained in The Alabama Limited Self-Governance Act shall apply to this ordinance.

2. This ordinance pertains to the control of litter or rubbish and the control of areas which create a public nuisance because of an accumulation of junk. This ordinance does not apply to duly licensed junkyards.

3. This ordinance applies within all of the unincorporated areas of Tuscaloosa County, that is, in all areas of Tuscaloosa County outside of the city limits of the incorporated municipalities of Tuscaloosa County.

4. For the purposes of this ordinance, the following definitions shall apply:

(a) GARBAGE. Putrescible animal and vegetable wastes resulting from the handling, preparation, cooking, and consumption of food, including wastes from markets, storage facilities, handling and sale of produce and other food products and excepting such materials that may be serviced by garbage grinders and handled as household sewage. (Code of Alabama, § 22-27-2(7)).

(b) HAZARDOUS WASTES. Those wastes defined in the Hazardous Waste Management Act of 1978, as amended (Code of Alabama, § 22-30-21, et seq.).

(c) JUNK. Old or scrap copper, brass, rope, rages, batteries, paper trash, rubber debris, waste or junked, dismantled or wrecked automobiles, or parts thereof, iron, steel and other old or scrap ferrous or nonferrous material. (Code of Alabama, § 23-1-241(1)).

(d) LITTER. Rubbish, refuse, waste material, garbage, dead animals or fowl, offal, paper, glass, cans, bottles, trash, scrap metal, debris, or any foreign substance of whatever kind and description, and whether or not it is of value. (Code of Alabama, § 13A-7-29).

(e) PERSON. A natural person or persons, partnerships, corporations, unincorporated associations, or any other legal entity of any kind whatsoever or any combination of any of the entities enumerated herein.

(f) RUBBISH. Nonputrescible solid wastes, excluding ashes, consisting of both combustible and noncombustible wastes. Combustible rubbish includes paper, rages, cartons, wood, furniture, rubber, plastics, yard trimmings, leaves, and similar materials. Noncombustible rubbish includes glass, crockery, metal cans, metal furniture, and like materials which will not burn at ordinary incinerator temperatures, not less than 1600 degrees Fahrenheit. (Code of Alabama, § 22-27-2(16)).

5. It shall be unlawful and shall constitute a public nuisance for the owner, lessee, or person in possession or control of any parcel of land within the unincorporated area of Tuscaloosa County to fail to keep the parcel free from garbage, hazardous wastes, junk, litter, rubbish, one or more inoperable motor vehicles or one or more motor vehicles which do not have a current license tag (unless such motor vehicles are within an enclosed garage or other enclosed building), inoperable or unused appliances, household furniture, used motor vehicle tires, any materials within which water may accumulate or which may shelter or encourage the growth of insects, rodents, or snakes, or materials which generate obnoxious odors, or which offend the

aesthetics of the community and, thereby, cause a substantial diminution in the value of other property or which threaten the health or safety of any citizen.

6. Any person violating this ordinance shall be fined an amount not to exceed One Hundred Fifty and No/100 Dollars (\$150.00) for each calendar day the violation continues, however, the total fine shall not exceed Five Thousand and No/100 Dollars (\$5,000.00), and, in addition hereto, shall be taxed with administrative fees which shall not exceed the actual cost of the implementation and enforcement of this ordinance.

7. The County Administrator, or his designee, is hereby authorized and empowered by the Tuscaloosa County Commission to determine if a person is in violation of this ordinance. If the County Administrator, or his designee, shall determine a person to be in violation of this ordinance, the County Administrator shall issue a written citation to the person describing the basis for the determination that the ordinance has been violated, which notice shall be served upon the person by personal delivery to the person or by mailing the citation to the person by certified mail, return receipt requested, or by attaching a copy of the citation to the front door of the dwelling upon the parcel of land or by leaving a copy of the citation with a person who is nineteen (19) years or older at a dwelling upon the parcel of land. If the ordinance has been violated, the owner and the lessee, if any, and the person in possession or control of the parcel of land are all in violation of the ordinance and all shall be served with a citation.

8. Citizen complaints relating to alleged violation of this ordinance will be investigated by the County Administrator or his designee upon presentation of a sworn affidavit based on personal knowledge; provided, an investigation shall only be undertaken when sufficient information is provided and the citizen provides his or her name, address, and

telephone number, and agrees to sign a formal complaint or civil citation, and is willing to testify before a Board of Review upon request.

9. The person to whom any such citation is directed shall have thirty (30) calendar days from service of the citation as described above to bring the parcel of land into compliance with the provisions of this ordinance. If the person fails or refuses to bring the parcel of land into compliance with the provision of this ordinance within the said thirty (30) days, the County Administrator, or his designee, shall determine the amount of the fine for violation of this ordinance and the amount of the administrative fee, and shall notify the person of the amount of the fine and administrative fee by one of the methods of notification set out in paragraph 7 above.

10. Any person issued a citation for violation of this ordinance may appeal to the Tuscaloosa County Commission to contest such citation for an alleged violation of this ordinance. Any person desiring to so appeal to the Tuscaloosa County Commission must, within ten (10) calendar days of receipt of the citation file a written notice of appeal with the Tuscaloosa County Commission at the offices of the Tuscaloosa County Commission in the basement of the Tuscaloosa County Courthouse and pay a One Hundred and No/100 Dollar (\$100.00) administrative fee. If a notice of appeal and the administrative fee is mailed to the Tuscaloosa County Commission, the date the notice of appeal and payment of the fee are received by the Tuscaloosa County Commission is the date of its filing in regard to whether or not such notice of appeal was filed within ten (10) calendar days. No notice of appeal shall be filed without the payment of the administrative fee.

11. In addition to all other remedies available pursuant to this ordinance, in the event that a person who has been assessed a fine and administrative fees for the violation of any

provision of this ordinance fails to pay such fines and administrative fees within thirty (30) days of their assessment or fails to remove from the parcel of land those things constituting a violation of this ordinance, the Tuscaloosa County Commission may file suit against the person to collect the unpaid fines and administrative fees and to abate the public nuisance.

12. This ordinance shall take effect on February 1, 2011.

DONE this _____ day of November 2010.

TUSCALOOSA COUNTY COMMISSION

Melvin Vines, County Administrator