

TUSCALOOSA COUNTY COMMISSION
MEETING

April 4, 2007

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
Bobby Miller
Reginald Murray

Commissioner Gary Youngblood moved, seconded by Commissioner Reginald Murray, the County Commission voted unanimously to lease approximately 2.08 net mineral acres of oil and gas rights to Energen Resources Corporation for five (5) years for \$208 plus 3/16 of the Royalties.

Exhibit 4-1, Page 798

Commissioner Bobby Miller moved, seconded by Commissioner Gary Youngblood, the County Commission voted unanimously to request power from Alabama Power Company to service flashing beacons approximately 0.25 mile north and south of the intersection of Alabama Highway 69 and Bobby Miller Parkway, which leads to Taylorville Elementary School.

Exhibit 4-2, Page 799

Commissioner Bobby Miller moved, seconded by Commissioner Don Wallace, the County Commission voted unanimously to award the bid for miscellaneous scrap metal at the County Shop and Bridge Yard to the only bidder, Randall Freeman Scrap Metal, whose bid was \$4,000.76.

Exhibit 4-3, Pages 800-801

Commissioner Don Wallace moved, seconded by Commissioner Gary Youngblood, 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 seek a declaratory judgment to determine whether or not the county's requirement that companies utilizing county roadways sign a Road Usage Agreement is binding. Racon, Inc. has refused to sign said agreement.

Commissioner Gary Youngblood moved, seconded by Commissioner Reginald Murray, the County Commission voted unanimously to authorize the County Attorney to seek a declaratory judgment as to whether or not the county's requirement that companies using heavy equipment and trucks on county roadways sign a "Road Usage Agreement" is binding. These agreements require companies to return the county's roadways to the same condition as they were immediately prior to the company's beginning operations which required their use of said roads.

Commissioner Reginald Murray's motion to amend the county's "Road Usage Agreement" to include the following sentence - 'Once a company is notified, they must make immediate repairs of any unsafe conditions on county roadways resulting from their operations and/or use of said roads' - failed for lack of a second.

Commissioner Bobby Miller moved, seconded by Commissioner Gary Youngblood, the County Commission voted unanimously to pay the warrants issued to cover Tuscaloosa County's expenditures for the month of January, 2007.

Exhibit 4-4, Page 802

Commissioner Bobby Miller moved, seconded by Commissioner Reginald Murray, the County Commission voted unanimously to grant Ms. Sherina Rice the following variances from Tuscaloosa County's subdivision regulations for Wynd Cliff Subdivision at Indian Creek Road as follows:

1. Rule 5-4-5: The requirement that centerline profile grades must be less than twelve percent (fifteen percent for short distances). The waiver will allow an eighteen percent grade on one steep hill in the subdivision.
2. Rule 5-4-4: The requirement that all storm drainage pipe underneath roadways are to be reinforced concrete pipe. The waiver will permit the developer to bore and jack a thirty foot section of three-eighths inch thick, thirty inch steel under the entrance road into the subdivision. The pipe presently under the entrance is twenty-five feet deep and will be filled with concrete.

3. Rule 5-4-10: The requirement that all utilities be placed in the back five feet of the right-of-way. The developer will be permitted to leave the water lines located on county right-of-way, which are four feet off the edge of the pavement, in place.

Exhibit 4-5, Page 803

Commissioner Don Wallace moved, seconded by Commissioner Bobby Miller, the County Commission voted unanimously to authorize the Steve Deavours family to proceed with platting a fifty-four by thirty-four foot family cemetery ("Deavours Family Cemetery") on three acres of land on Bull Slough Road. The West Alabama Health Department will review the site and determine that all criteria have been met before a cemetery license can be issued.

Exhibit 4-6, Page 804

Commissioner Reginald Murray moved, seconded by Commissioner Don Wallace, the County Commission voted unanimously to adopt a resolution approving an Amendment to the Certificate of Incorporation of the Buhl, Elrod and Holman Water Authority. The resolution permits an increase in compensation for each director of said authority. The maximum compensation allowed is \$200 per meeting, with an annual maximum of \$2,400 for the Board of Directors; and \$300 per meeting, with an annual maximum of \$3,600 for the Chairman of the Board of Directors.

Exhibit 4-7, Page 805

Commissioner Bobby Miller moved, seconded by Commissioner Reginald Murray, the County Commission voted unanimously to enter into a contract with Whatley Services, Inc. to provide medical services at the Tuscaloosa County Jail for the sum of seven hundred fifty-six thousand dollars (\$756,000) for the first year of services. According to Chief Deputy Ron Abernathy, this contract contains a five percent increase over last year and ties future increases to the Consumer Price Index. The original contract with Maude Whatley Services was initiated on December 3, 2003.

Exhibit 4-8, Pages 806-808

Mr. Adam Patterson asked the county to pave the unpaved portions of Sandy Drive, Martin Dell Drive, and Danny Drive in the Million Dollar Lake Subdivision.

Commissioner Don Wallace moved, seconded by Commissioner Bobby Miller, the County Commission voted unanimously to establish and post a 25 MPH speed limit on Vintage Lane.

Commissioner Don Wallace moved, seconded by Commissioner Bobby Miller, the County Commission voted unanimously to reappoint Gary Bonner to the Board of Directors of the Buhl, Elrod, and Holman Water Authority. This new term will expire March 1, 2013.

Commissioner Don Wallace moved, seconded by Commissioner Bobby Miller, the County Commission voted unanimously to authorize the Road and Bridge Department to assist the City of Northport with the trenching of a ditch from Emerald Bay Subdivision into Twin Lake. Northport does not have the necessary equipment to do this project.

Commissioner Gary Youngblood moved, seconded by Commissioner Don Wallace, the County Commission voted unanimously to depart from the order of business set forth in the official agenda to consider an appointment to the Warrior River Water Authority Board of Directors.

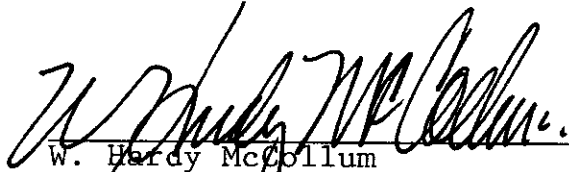
Commissioner Gary Youngblood moved, seconded by Commissioner Bobby Miller, the County Commission voted unanimously to reappoint George Wilson III to the Board of Directors of the Warrior River Water Authority. This new term will expire March 1, 2013.

Commissioner Bobby Miller moved, seconded by Commissioner Gary Youngblood, the County Commission voted unanimously to repair the intersection of Old Greensboro Road and Mrs. Mary Davis' driveway at 7731 Old Greensboro Road. This will enable FOCUS on Senior Citizens to continue providing transportation for Mrs. Davis to the Nutrition Center, medical and social services appointments, and twice-monthly grocery shopping trips.

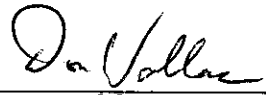
Exhibit 4-9, Page 809

Commissioner Reginald Murray moved, seconded by Commissioner Gary Youngblood, the County Commission voted three to one to appoint Neil Snipes and Diana Martin Pruitt to the Board of Directors of the Fosters-Ralph Water Authority. Prior to the vote, Commissioner Murray refused Commissioner Miller's amendment to appoint Neil Snipes and Gary Gregg to said board. The new appointees replace Bobby Beck and Paul Arnold. These terms will expire March 1, 2013.

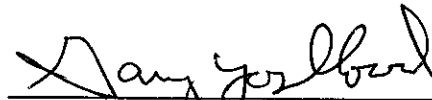
There being no further business to come before the Tuscaloosa County Commission, the meeting adjourned to Wednesday, April 18, 2007.



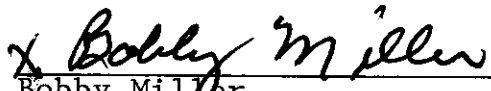
W. Hardy McCollum
Judge of Probate and Chairman
Tuscaloosa County Commission



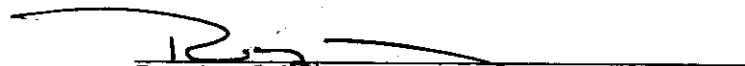
Don Wallace
Commissioner - District I



Gary Youngblood
Commissioner - District II



Bobby Miller
Commissioner - District III



Reginald Murray
Commissioner - District IV



March 20, 2007

Mr. Bobby Hagler, County Commissioner
 Tuscaloosa County, Alabama
 Public Works Department
 2810 35th Street
 Tuscaloosa, Alabama 35401

Re: Oil & Gas Lease Proposal
2.08 acres located in Sec. 4-T19S-R7W
Tuscaloosa Co., AL

Dear Mr. Hagler:

Energen Resources Corporation located at 605 Richard Arrington, Jr., Blvd. North, Birmingham, AL 35203 proposes to lease approximately 2.08 net mineral acres of oil and gas rights owned by Tuscaloosa County as detailed below. Please consider this letter as our written offer to lease the same under the following terms and conditions.

Property Description: Approximately 2.08 acres located in the NW/4 of NE/4 of Section 4,
 Township 19 South, Range 7 West, Tuscaloosa Co., AL
 Lease Term: Five (5) years
 Bonus Payment: \$100 per net mineral acre (2.08 net acres x \$100 = \$208)
 Royalty Provision: 3/16ths

Tuscaloosa County acquired the referenced property through that certain Quit Claim Deed dated July 7, 1988, executed by the State of Alabama, Department of Conservation and Natural Resources and recorded in Deed Book 980, Page 597 in the Office of the Judge of Probate, Tuscaloosa County, Alabama, a copy of which is included herewith. Should you desire, I will be available to discuss the county's title with your attorney, Robert Spence, at his convenience.

A copy of Energen's oil and gas lease is enclosed for your review. Energen reserves the right to withdraw any offer prior to the execution of a formal agreement.

Please call me at (205) 339-3198 should you have any questions or comments. Your consideration of this proposal will be greatly appreciated.

Sincerely,

Dennis C. Marshall
 Encls.

received
 3.21.07

EX 4-1

EX 4-1

W. HARDY McCOLLUM
CHAIRMAN

ROBERT H. JOHNSTON
CLERK



MEMBERS
DON WALLACE
GARY YOUNGBLOOD
BOBBY MILLER
REGINALD MURRAY

COUNTY COMMISSION

TUSCALOOSA COUNTY ALABAMA
P.O. Box 20113 • 714 GREENSBORO AVENUE
TUSCALOOSA, ALABAMA 35402-0113
205-349-3870

March 23, 2007

Liberty Recycling
Randall Freeman Scrap Metal
Tuscaloosa Iron & Metals Co. Inc.
Blount Recycling LLC
Emfinger Steel Co. Inc.

ASM Recycling Inc.
Tube City
J.B. Hall
John L. Brown

Gentlemen:

Tuscaloosa County will receive bids for the purchase of miscellaneous scrap metal until 9:00 a.m., Wednesday, April 4, 2007.

The enclosed specifications and bid form were compiled by the County Engineering Department. Direct all inquiries in regard to this bid to County Engineer Bobby Hagler at telephone number (205)345-6600.

Bids can be mailed to: Tuscaloosa County Commission, P.O. Box 20113, Tuscaloosa, AL 35402, or brought to the County Clerk's Office in the Tuscaloosa County Courthouse prior to 9:00 a.m., Wednesday, April 4, 2007.

Please return your bid in the "BID" envelope provided, or use the "BID" envelope to address your bid package to assure that your bid is delivered to the correct office.

A word to the wise - MAIL EARLY - overnight mail, including Airborne Express, Federal Express, etc. does not always arrive by 9:00 a.m. the next day.

Sincerely,

Bobby (lks)
Robert H. Johnston
Clerk

RHJ:lks

encl.

copy: Bobby Hagler
file

Miscellaneous Scrap Metal Auction

The Tuscaloosa County Commission will accept sealed bids for miscellaneous scrap metal until 9:00 A.M. on April 4, 2007 at the Tuscaloosa County Commission Chamber. Bids shall submitted on a lump sum basis for each lot. You may bid on each lot separately or you may submit a bid for all the lots combined. The award will be based on the best overall benefit to the County. The successful bidder will be responsible for removing all the scrap metal from County property to include loading and transporting. Material is being sold on the basis of all or none. The successful bidder will not be allowed to pick and choose but must accept and remove all the material. The description and location of the scrap metal is described below:

<i>Description</i>	<i>Location</i>
Lot #1 Scrap Metal	County Shop
Lot #2 Used Grader Blades	County Shop
Lot #3 Used/damaged Signs and Sign Posts	Bridge Yard

Arrangements may be made to inspect the material by contacting Mr. Bobby Hayward, Shop Superintendent, at 345-6600. The County Shop and Bridge Yard is located at the Tuscaloosa County Public Works Department, 2810 35th Street, Tuscaloosa, Alabama.

BID SUBMITTAL SHEET
Miscellaneous Scrap Metal Auction

<u>Bid Item</u>	<u>Lump Sum Bid</u>
Lot #1 Lump Sum Bid, Scrap Metal	2,676.50
Lot #2 Lump Sum Bid, Used Grader Blades	676.50
Lot #3 lump Sum Bid, Used/Damaged Signs and Sign Posts	\$ 576.50
Lots #1, 2, & 3 Combined Lump Sum Bid	\$ 4,000.76

PICKUP:

The material shall be removed from County property within fourteen (14) days from the date of award.

Name of Company: Randall Freeman Scrap Metal
Mailing Address: 15728 Murk Montgomery Rd Northport AL 354
Telephone: 339-3920 Mobile Phone 799-5950 35475
Mother 339-1360
Name: Randall Freeman
Title: President
Date: 3-30-07

File f:/users/bobby/winword/miscbids/Scrap Metal Auction 2007.doc

MONTH OF: JAN , 2007

FUND	CHECK NUMBERS	AMOUNT	
A02	PAYROLL	32184-33224	\$1,393,521.69
A04	ROAD & BRIDGE	3861-3974	\$1,079,748.69
A05	GENERAL FUND	15543-15901	\$3,913,174.74
D05	GEN FUND SPECIAL		
B03	EXCESS LAND		
B08	GAS TAX BONDING		
B14	3R GAS TAX		
B23	CAPITAL IMPROVE		
C01	HEALTH INSURANCE	102	\$111,083.15
D01	FIDUCIARY		
D02	PISTOL PERMIT	2954-2974	\$54,445.41
D03	E 911	1804-1822	\$131,414.83
D04	UNCLAIMED WITNESS		
E01	REAPPRAISAL	3812-3825	\$162,792.95
E02	MFG HOMES		
E04	MOTOR VEH TRAINING	53	\$336.93
F01	GENERAL LIABILITY		
F02	TAX ASSR SPECIAL	357-361	\$628.16
F03	TAX COLL SPECIAL	246	\$26.78
F04	WORKMEN'S COMP	933-948, 5081	\$14,215.55
F06	COMMUNITY DEVELOP		
F07	DA WORTHLESS CHK	1910-1925	\$2,772.75

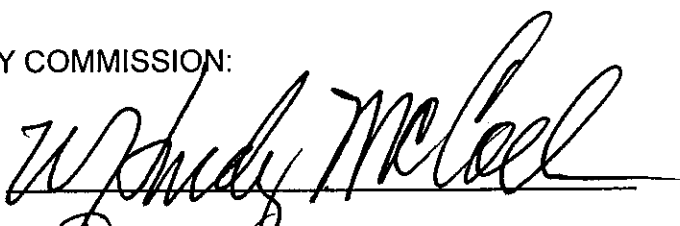
CHECKED BY:



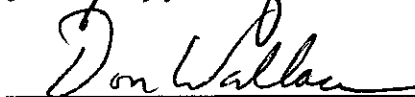
WILLIAM M. LAMB, ACCOUNTING MANAGER

APPROVED BY TUSCALOOSA COUNTY COMMISSION:

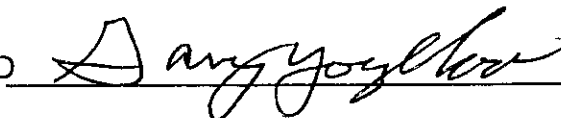
CHAIRMAN, W. HARDY MCCOLLUM



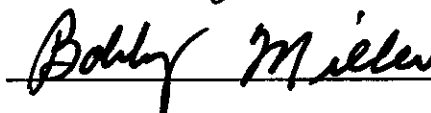
COMMISSIONER, DON WALLACE



COMMISSIONER, GARY YOUNGBLOOD



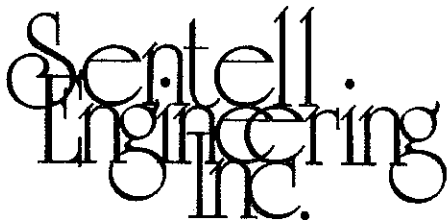
COMMISSIONER, BOBBY MILLER



COMMISSIONER, REGINALD MURRAY



4-4



"Turning Ideas Into Reality Since 1981"

Engineers
Planners
Surveyors
Environmental Specialists

March 19, 2006

Mr. Bobby Hagler
Tuscaloosa County Engineering Department
2810 35th Street
Tuscaloosa, Alabama 35401

Dear Mr. Hagler:

Re: Wynd Cliff Estates At Indian Creek

Please find attached an 11" x 17" set of the plan and profile sheets for Wynd Cliff Parkway for the above referenced project.

Wynd Cliff Parkway is an existing road, which has been in service for approximately 10 years. The main entrance road paving is 24 feet wide on 6 inches of compacted 825B Crushed Stone Base. The thickness of existing bituminous pavement from approximate Sta 9+50 to Sta 16+50 is approximately 4 inches thick. This road will have the shoulders improved and an additional 1 inch bituminous overlay applied. Due to the topography of this site we would like to request a waiver to permit an 18% maximum grade from Sta 9+50 to Sta 16+50 of Wynd Cliff Parkway.

Mitchell water system has an existing 6" PVC watermain along the east shoulder of Wynd Cliff Parkway approximately 4 feet from the existing edge of pavement. We request a waiver to permit this existing watermain to remain in-place. Please note that all watermains within the proposed subdivision shall be relocated to the back 5 feet of the row as required by the County Subdivision Regulations.

There is an existing 30" corrugated metal roadway pipe crossing Wynd Cliff Parkway at Station 15+93.32. It is in good condition and we would like to request this pipe be allowed to remain in-place due to the excessive depth of cut required to replace it.

If you have any questions or comments, please feel free to contact us at your earliest convenience

Sincerely,

SENTELL ENGINEERING, INC.

William P. Wheless III, P.E.
AL Reg. No. 27884

P.O. BOX 1246 · 639 SEVENTEENTH STREET · TUSCALOOSA, ALABAMA 35403 · 205.752.5564 · FAX 205.752.5569
www.sentell.net

#8

BOOK 039 PAGE 803

EX 4-5



H. Joe Mullins, P.L.S.
James H. Clements, Jr., P.E.
Patrick S. Thoma, P.E.

March 26, 2007

Tuscaloosa County Commission
714 Greensboro Avenue
Tuscaloosa, Alabama 35401

RE: STEVE DEAVOURS FAMILY CEMETERY

Dear Honorable Judge Hardy McCollum and Honorable Commissioners,

Attached is a copy of a survey outlining the location of the area that Mr. Deavours would like to designate a family cemetery. I have completed the required soils work for review by the health department and if you do not have any problem with this application, the Tuscaloosa County Health Department is the next agency to evaluate the site.

After the health departments' evaluation is complete, you will have to decide on approval or disapproval based on their evaluation. If by chance you to see fit to approve this application and grant the Deavours' a license, they want the cemetery to be known as the Deavours Family Cemetery.

I am thanking each one of you in advance for your consideration in this matter and I will be present at the monthly meeting when you bring this item up for discussion in case you have any questions.

Sincerely,

Joe Mullins
HJM/cfa

9

CSS Mullins, LLC.

RESOLUTION OF THE TUSCALOOSA COUNTY COMMISSION

The foregoing Application of Buhl, Elrod & Holman Water Authority having been filed with the Tuscaloosa County Commission, and same having been reviewed by this Commission,

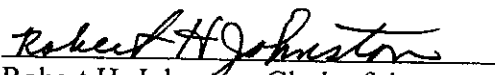
IT IS, THEREFORE, RESOLVED, by the Tuscaloosa County Commission as follows:

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 the increase in compensation to the Directors of said Authority as described in the Application 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 Clerk 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 4th day of April, 2007.


Robert H. Johnston, Clerk of the
Tuscaloosa County Commission

#10

CONTRACT REGARDING MEDICAL SERVICES FOR INMATES

This agreement is between Whatley Health Services, Inc. ("Whatley"), an Alabama non-profit corporation and community health center and Tuscaloosa County, Alabama ("County").

1. **SERVICES.** Whatley shall provide primary medical care for the inmates at the Tuscaloosa County Jail and shall also formulate any and all plans, policies or designs necessary to carry out its duties hereunder.

a. **HOURS.** Whatley will provide a physician or physicians for clinics not less than twice per week, two hours per session. A chronic care clinic will be held no less than once per week for 2 hours per clinic. A nurse will be available on an on-call basis twenty four hours per day.

b. **STAFF.** The staff provided by Whatley will include all personnel necessary to operate the clinics set forth herein. The physicians will be licensed and board certified or eligible. The Nurse Practitioner will be a Certified Registered Nurse Practitioner. All nurses will be Registered or Licensed Practical Nurses.

c. **PAYMENT FOR SERVICES.** The County shall pay Whatley the sum of Seven Hundred Fifty Six Thousand and 00/100s (\$756,000.00) Dollars for the first year for the services set forth herein, in equal monthly installments. For each successive year, Whatley's annual compensation shall be adjusted by the annual Consumer Price Index for the Southern Region as reported by the U.S. Department of Labor for the year immediately preceding the date of the anticipated renewal, and payable in 12 equal monthly installments.

d. **COLLECTION OF FUNDS FROM THIRD PARTY PAYORS.** Whatley

11

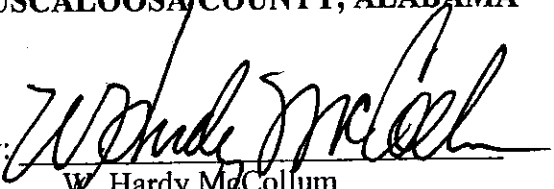
who may be obligated for the medical services provided to any inmates, and shall on a monthly basis credit the County for all such sums recovered and provide an accounting of same.

2. **FACILITIES, EQUIPMENT AND SECURITY.** The County shall reasonably accommodate all requests by Whatley for changes to the jail health clinic facility and provide all equipment, materials and supplies reasonably required by Whatley to provide the services set forth herein, and shall reasonably accommodate all requests for security measures to insure the safety and security of Whatley's employees while on site, or otherwise.
3. **TERM.** This Agreement shall continue automatically at one (1) year intervals unless cancelled or terminated by either party within ninety (90) days of an anniversary or renewal date.
4. **COOPERATION.** The County, the Sheriff, his deputies, their agents and employees shall provide Whatley full cooperation so that it may render the services made the subject hereof.
5. **DEFENSE OF CLAIMS.** The County shall defend Whatley and its employees, contractors and agents, from any and all claims made against it or its employees, contractors or agents by any inmate/patient, with the exception of any claims which are covered by the Federal Torts Claims Practices Act.
6. **SEVERABILITY.** Should a court of competent jurisdiction determine that any term, portion or part of this agreement is unenforceable, then such shall not affect the enforceability or efficacy of the remainder of this agreement.

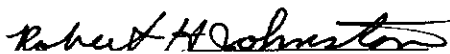
- 7. **ENTIRE AGREEMENT.** This agreement contains the entire agreement between the parties with respect to the subject matter hereof, all previous negotiations, representations and agreements are merged herein or are otherwise of no effect.
- 8. **AMENDMENT.** This Agreement shall not be modified or amended except in writing signed by both parties.
- 9. **AUTHORITY.** The undersigned have full authority to enter this agreement on behalf of their respective represented parties.
- 10. **HIPPAA REQUIREMENTS.** Both Whatley and the County recognize the confidential nature of medical services provided to the inmates at the Tuscaloosa County Jail. In order to facilitate the administration and maintenance of the safety, security and good order of the Tuscaloosa County Jail, Protected Health Information (as it is defined in 45 CFR Sec. 164.501) may be disclosed by either party to the other party to further the provision of health care to the inmates at the Tuscaloosa County Jail.

TUSCALOOSA COUNTY, ALABAMA

April 4th, 2007
Date

By: 
W. Hardy McCollum
Chairman, County Commission

ATTEST:





ON SENIOR CITIZENS

November 15, 2006

OF TUSCALOOSA COUNTY

copy

Commissioner Bobby Miller
Tuscaloosa County Commission

Dear Bobby,

This letter is sent to request that you see if the County could look into fixing the area where Old Greensboro Road and the driveway of Mrs. Mary Davis meet. Her address is 7731 Old Greensboro Rd, Tusca., 35405. We have been picking Mrs. Davis up for years to come to the Downtown Nutrition Activity Center and to go to medical and social service appointments and twice monthly grocery shopping trips.

Her driveway is very steep and there is no good place to turn the large vans we have now around at the top so they have been having to back down the driveway. As the road has been repaved and gotten higher the large rear bumper/muffler of the FOCUS van gets wedged in the road as we back down to the bottom. Other problems are that the ditch is deep on both sides where you turn in making a right turn into her driveway especially difficult and there are deep ruts on both sides of the driveway. These newer vans have double tires on the back, which makes for a very close fit.

Mrs. Davis really can't walk down the hill to meet the driver at this time due to health problems. She is in her mid 80's,

We would greatly appreciate your attention to this matter and I know Mrs. Davis will also.

Sincerely,

Amelia Heath

Amelia Heath
Executive Director

*Approved By
Commission
4-4-07*

Cc: Billy Ryan

#18

EX 4-9

