

TUSCALOOSA COUNTY COMMISSION
MEETING
August 1, 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 Bobby Miller 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 Jeff Brown, License Commissioner, to enter into a lease agreement for office space rental in McFarland Mall.

Commissioner Gary Youngblood moved, seconded by Commissioner Reginald Murray, the County Commission voted unanimously to authorize Jeff Brown, License Commissioner, to enter into a lease agreement for office space rental in McFarland Mall. The county's McFarland Boulevard tag renewal annex will relocate to McFarland Mall, with the monthly lease remaining at \$1,250 for one year.

Commissioner Don Wallace moved, seconded by Commissioner Gary Youngblood, the County Commission voted unanimously to adopt a resolution authorizing the County Commission Chairman to execute an agreement with the State of Alabama, the West Alabama Regional Commission, the City of Northport, the City of Tuscaloosa, and the Tuscaloosa County Parking and Transit Authority that will enable the Metropolitan Transportation Planning Process for the Tuscaloosa Urbanized Area to continue.

Exhibit 8-1, Pages 104-115

Commissioner Gary Youngblood moved, seconded by Commissioner Bobby Miller, the County Commission voted unanimously to approve the following payments:

Burk-Kleinpeter, Inc. - \$26,411.80 for design services on Patriot Parkway Extension through March, 2007

Exhibit 8-2, Page 116

Almon Associates - \$23,190.00 for design services on Duncanville Middle School Access Road for June, 2007

Exhibit 8-3, Page 117

Brooks & Brooks, Inc. - \$5,170.00 for survey work for Mountain Gap Road Property (access road for Lakeview Elementary School)

Exhibit 8-4, Page 118

The County Commission instructed County Engineer Bobby Hagler to compile a report on how other counties have handled alternative sewage treatment facilities and to bring recommendations back to the Commission to use in developing rules and regulations concerning these operations that will protect the county rights-of-way.

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

Exhibit 8-5, Page 119

Commissioner Gary Youngblood moved, seconded by Commissioner Bobby Miller, the County Commission voted unanimously to grant Randy Gilmore a waiver from Tuscaloosa County's subdivision regulations for mailboxes in Furnace Creek Subdivision.

Commissioner Don Wallace moved, seconded by Commissioner Gary Youngblood, the County Commission voted unanimously to authorize County Engineer Bobby Hagler and County Attorney Robert Spence to work with the developer of "Black Warrior Community" to facilitate Tuscaloosa County's subdivision regulations. Mr. James Mayfield is the property owner of the proposed gated community off of Deerlick Road, which will contain privately maintained roads.

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

the Workers Memorial Commons Foundation in its efforts to construct a memorial to workers killed on the job. The proposed memorial, to be located along Tuscaloosa's Riverwalk, will incorporate a section of I-beam cut from the World Trade Center in 2001.

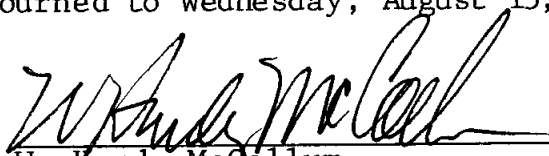
Commissioner Don Wallace moved, seconded by Commissioner Reginald Murray, the County Commission voted unanimously to authorize the installation of three sets of rumble strips on Twin Oaks Road in order to slow the traffic.

Commissioner Don Wallace moved, seconded by Commissioner Gary Youngblood, the County Commission voted unanimously to accept Erin Drive and Ben Drive (Rue Acres II) for maintenance by Tuscaloosa County, providing that C.L. Hendrix, the developer, reimburse the county for installation of a "STOP AHEAD" sign.

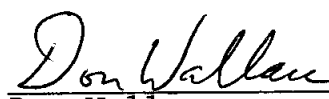
Commissioner Reginald Murray moved, seconded by Commissioner Bobby Miller, the County Commission voted unanimously to authorize the Road and Bridge Department to repave the front parking lot at Westwood Elementary School; contingent upon receiving a written request from the Tuscaloosa County Board of Education.

Commissioner Bobby Miller moved, seconded by Commissioner Gary Youngblood, the County Commission voted unanimously to appoint Charles Sealy, Jr. to the Tuscaloosa County Industrial Development Authority to fill the vacancy created by the recent death of Paul R. Sullivan.

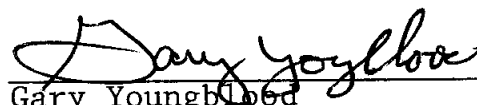
There being no further business to come before the Tuscaloosa County Commission, the meeting adjourned to Wednesday, August 15, 2007.



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

EX 8-1

Resolution

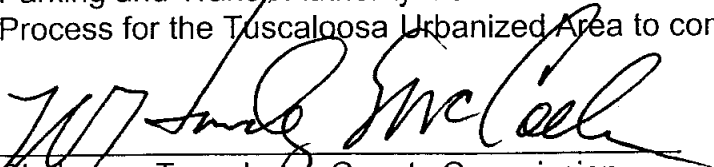
WHEREAS, an area encompassing the municipalities of Tuscaloosa and Northport, and parts of Tuscaloosa County has been designated as the Tuscaloosa Urbanized Area by the United States Department of Commerce; and

WHEREAS, 23 U.S.C. 134 and 49 U.S.C. 5303 require that each urbanized area, as a condition to receive Federal transportation capital or operating assistance, have a comprehensive, cooperative, and continuing transportation planning process (commonly referred to as the "3-C" Process); and

WHEREAS, the Tuscaloosa Area Metropolitan Planning Organization (MPO) is responsible, together with the state, for overseeing and directing the 3-C Process in the Tuscaloosa Urbanized Area; and

WHEREAS, the Chairman of the Tuscaloosa County Commission is a voting member of the Metropolitan Planning Organization Policy Committee and the County of Tuscaloosa has representatives on the Technical Coordinating Committee and the Citizens Transportation Advisory Committee, which assist the Policy Committee.

NOW THEREFORE, be it resolved by the Tuscaloosa County Commission that the County Commission Chairman be authorized to execute by his signature affixed below and attested, an agreement with the State of Alabama, the West Alabama Regional Commission, the City of Northport, the City of Tuscaloosa, and the Tuscaloosa County Parking and Transit Authority that will enable the Metropolitan Transportation Planning Process for the Tuscaloosa Urbanized Area to continue.


Chairman, Tuscaloosa County Commission

Date: 8-1-07

Attest: J. S. Jones

EX 8-1

07 1394

AN AGREEMENT CONCERNING A
TRANSPORTATION PLANNING PROCESS
FOR THE TUSCALOOSA URBANIZED AREA
BETWEEN
THE COUNTY OF TUSCALOOSA
AND THE
MUNICIPALITIES OF TUSCALOOSA AND NORTHPORT AND
AND THE
TUSCALOOSA COUNTY PARKING AND TRANSIT AUTHORITY
AND THE
THE WEST ALABAMA REGIONAL COMMISSION
AND THE
STATE OF ALABAMA

Sec. 1-1.

An agreement concerning a Metropolitan Transportation Planning Process for the Tuscaloosa Urbanized Area between the County of Tuscaloosa,

hereinafter referred to as COUNTY;

the municipalities of Tuscaloosa and Northport;

hereinafter referred to as CITIES;

the Tuscaloosa County Parking and Transit Authority

hereinafter referred to as AUTHORITY;

the West Alabama Regional Commission,

hereinafter referred to as COMMISSION,

and the State of Alabama (acting by and through the Alabama Department of Transportation),

hereinafter referred to as STATE.

Sec. 1- 2.

- (a) WHEREAS, section 134 of Title 23 of the United States Code and Sections 1604 (1), 1607 (a) and 1607 (c) Title 49 of the United States Code requires that each urbanized area, as a condition of the receipt of federal capital or operating assistance, have a continuing, cooperative and comprehensive transportation planning process (3-C PROCESS) that results in plans and programs that consider all transportation modes and supports metropolitan community development and social goals that lead to the development and operation of an integrated, intermodal transportation system that facilitates the efficient, economic movement of people and goods; and
- (b) WHEREAS, the Federal Transit Administration and Federal Highway

Administration have issued on August 10, 2005, new regulations concerning metropolitan transportation planning process.

Sec. 1-3

NOW, THEREFORE, it is hereby agreed as follows:

- (a) The parties to this agreement resolve to support a continuing process for the Tuscaloosa urbanized area, hereinafter referred to as the "3C PROCESS";
and
- (b) FUTHERMORE, it is understood by the parties to this agreement that an unwillingness to participate in the "3C PROCESS" may result in the Secretary of Transportation refusing to approve federal-aid funds for surface transportation within the Tuscaloosa urbanized area.
- (c) IT IS agreed and further understood by the parties of this agreement that by execution of this agreement upon and on behalf of the STATE, the Governor designates the following as the Policy Committee of the Metropolitan Planning Organization (MPO) for the Tuscaloosa urbanized area:
 - (1) The Mayors of the City of Tuscaloosa and the City of Northport
 - (2) The Chairman of the Tuscaloosa County Commission
 - (3) Executive Director, West Alabama Regional Commission
 - (4) Division Engineer, State of Alabama Department of Transportation
 - (5) Transportation Planning Engineer, State of Alabama Department of Transportation (non-voting)
 - (6) Division Administrator, Federal Highway Administration (non-voting)
 - (7) Chairman of Technical Coordinating Committee (non-voting)
 - (8) Chairman of Citizens Transportation Advisory Committee (non-Voting)

- (9) Chairman of the Bicycle and Pedestrian Committee (non-voting)
- (10) Chairman of the West Alabama Rural Planning Organization Policy Committee (non-voting)
- (d) IT IS agreed that any change in the voting membership of the MPO will be at the request of the MPO and with written approval of the Director of the Alabama Department of Transportation. Written approval of the Director of the Alabama Department of Transportation constitutes designation of MPO membership by the Governor of Alabama as required under federal regulations when this agreement is signed by the Governor. The MPO may add non-voting members to the MPO, as it deems appropriate.
- (e) IT IS agreed that overall direction of the "3C PROCESS" will be a function of the Metropolitan Planning Organization as identified herein.

Sec.1- 4.

- (a) The responsibilities of the Metropolitan Planning Organization will be as follows:
 - (1) Organize and elect a Chairman, Vice-Chairman and establish its rules of procedure and by-laws.
 - (2) Appoint members to the Technical Coordinating and Citizens Transportation Advisory Committees.
 - (3) Take official action on Technical Coordinating and Citizens Transportation Advisory Committees' recommendations and other matters pertaining to furthering the planning process.
 - (4) Set the transportation study area and federal-aid urban area boundaries.
 - (5) Adopt transportation goals to guide the Tuscaloosa urbanized area

EX 8-1

metropolitan planning process.

- (6) Endorse the Unified Planning Work Program which documents the transportation related planning activities to be performed with planning assistance provided under FTA and FHWA Planning funds of the Safe Accountable, Flexible, Efficient Transportation Equity Act 2005: A Legacy for Users and other funding sources.
 - (7) Review and endorse the Transportation Plan to confirm its validity and its consistency with current transportation; and land use conditions as required by the State and Federal regulations.
 - (8) Adopt a Transportation Improvement Program (TIP) that is updated as required by the State and Federal regulations.
 - (9) Adopt and submit plans and recommendations to participating agencies and local governments
- (b) IT IS further agreed that the Technical Coordinating Committee, to be appointed by the Metropolitan Planning Organization will have the following responsibilities:
- (1) Make recommendations to the MPO regarding the documents and materials necessary for the MPO endorsements.
 - (2) Make recommendations to the MPO regarding the elements of the metropolitan planning process necessary to meet the requirement for certification.
- (c) IT IS further agreed that the Citizens' Transportation Advisory Committee, to be appointed by the Metropolitan Planning Organization, will have the following responsibilities:

- (1) Make recommendations to the MPO regarding the documents and materials necessary for the MPO endorsements.
- (2) Make recommendations to the MPO regarding the elements of the metropolitan planning process necessary to meet the requirements for certification.

Sec. 1-5.

- (a) IT IS further agreed that the COMMISSION accepts and has the responsibility for the coordination of the "3C PROCESS" and further has the responsibility to provide the local coordination for all of the member governmental units and agencies as needed to achieve a comprehensive metropolitan planning program.
- (b) IT IS further agreed that the COMMISSION accepts the designation as the recipient of metropolitan planning funds as provided in 23 U.S.C. 104F and 49 U.S.C. 1607.
- (c) IT IS further agreed that the COMMISSION will have the following duties and responsibilities:
 - (1) Administration of the study process by the execution of necessary contracts and the provision of financial support necessary for the implementation of the Unified Planning Work Program.
 - (2) Arrange meetings, set agenda and serve as Secretary for the Metropolitan Planning Organization, Citizens' Transportation Advisory Committee and Technical Coordinating Committee.
 - (3) Coordinate the development of the documents and material necessary for the MPO endorsements.
 - (4) Conduct the elements of the metropolitan planning process necessary to

EX 8-1

meet the requirements for certification.

- (5) Coordinate the implementation of the planning tasks outlined in the Unified Planning Work Program.

Sec 1-6.

- (a) IT IS further agreed that the STATE will have the following responsibilities:
 - (1) Dissemination of information and provision of planning assistance regarding metropolitan planning guidelines.
 - (2) Modeling assistance and necessary technical assistance related to the metropolitan planning guidelines.

Sec. 1-7

- (a) IT IS recognized by the parties to this agreement that the COMMISSION performs the functions required by the Office of Management and Budget Circular A-133 (Evaluation, Review and Coordination of Federal and Federally Assisted Programs and Projects).
- (b) IT IS envisioned that the membership of the Metropolitan Planning Organization, as set by this agreement, and the Board of Directors of the COMMISSION will continually overlap to insure coordination of the "3C PROCESS" and regional plans.
- (c) IT IS further envisioned that the Executive Director of the COMMISSION, as a member of the Metropolitan Planning Organization, will review proposed programs and projects of the "3C PROCESS" and comment on their relationship to regional planning.
- (d) IT IS agreed that the base data, statistics, and projections developed by the COMMISSION for regional comprehensive planning will be available for determining socio-economic and land use data within the Tuscaloosa metropolitan

study area.

Sec. 1- 8

- (a) IT IS agreed that the agreement executed between the County of Tuscaloosa; the City of Tuscaloosa, the City of Northport, West Alabama Regional Commission, Tuscaloosa County Parking and Transit Authority and the State of Alabama Transportation Department dated the 24th day of October, 1994, is hereby made null and void.
- (b) IT IS agreed that this agreement may be terminated by any party which provides the remaining parties written notice sixty days in advance of the termination date. Such notice will be provided by registered mail and the termination date will be determined as that date sixty days from date of delivery.
- (c) IT IS further agreed that this agreement will remain in full force and effect upon succeeding State Administrations providing a succeeding State Administration does not advise the COUNTY, the CITIES and the COMMISSION by letter within thirty days after assuming office that this Agreement has been discontinued.
- (d) Nothing shall be construed under the terms of this agreement by the COUNTY, the CITIES, the COMMISSION or the STATE that will cause any conflict with Title 23, Section 15 (1) of the laws of the State of Alabama 7/24th Law.
- (e) The CITIES, COUNTY and the COMMISSION will be responsible at all times for the maintenance of all of the planning work performed under this Agreement and especially, the COMMISSION will protect, defend, indemnify and hold harmless the State of Alabama, the Alabama Department of Transportation, the officials, officers, employees and agents of each from and against any and all

EX 8-1

actions, damages, claims loss, liabilities, attorney's fees or expense whatsoever or any amount paid in compromise thereof arising out of or connected with the performed work under this Agreement and from and against those at anytime arising out of or connected with performed work.

STATE OF ALABAMA
ACTING BY AND THROUGH THE
ALABAMA DEPARTMENT OF TRANSPORTATION

Transportation Director, D. J. McInnes

The foregoing agreement is hereby executed in the name of the State of Alabama and signed by the Governor on this _____ day of _____, 20_____.

GOVERNOR OF ALABAMA, BOB RILEY

COUNTERSIGNED:

Secretary of State

BOOK 040 PAGE 116

EX 8-2

BURK-KLEINPETER, INC.

ENGINEERS, ARCHITECTS, PLANNERS, ENVIRONMENTAL SCIENTISTS

600 LURLEEN WALLACE BOULEVARD, SUITE 180
TUSCALOOSA, ALABAMA 35401 - 1734
TELEPHONE (205) 759-3221 FAX (205) 759-9166
WWW.BKIUSA.COM

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TERA WYATT, P.E.

WILLIAM R. BURK, JR., 1912-1986



OVER 95 YEARS OF SERVICE

March 31, 2007

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

Re: Patriot Parkway Extension
Invoice #3
BKI Job No. 3196

For professional services rendered on the referenced project through the month of March 2007.

PAYMENT REQUEST NO. 3

MAX FEE \$ 206,500.00

	<u>TOTAL AMOUNT</u>	<u>% COMPLETE</u>	<u>AMOUNT COMPLETE</u>	<u>CURRENT AMOUNT DUE</u>
DESIGN SERVICES	\$ 142,480.00	25%	\$ 35,620.00	\$ 14,248.00
SURVEY	\$ 64,020.00	60%	38,412.00	12,163.80
TOTALS:			\$ 74,032.00	\$ 26,411.80
LESS PREVIOUSLY INVOICED:	<u>(47,620.20)</u>			
AMOUNT DUE THIS INVOICE:				\$ 26,411.80

BKI Invoice: 43520
mm

3196-01 \$ 15,353.80
3196-9500 \$ 11,058.00 CFM Group

SRCE _____ Run # _____

Vendor # 5868 PO# _____

Acct # 112-53150-213K

Rec'd By _____ BK# _____

Approved For Payment

EX 8-2



P.O. Drawer 2729
Tuscaloosa, AL 35403

Invoice

July 1, 2007
Project No: 2006168.00
Invoice No: 0000011

Mr. Bobby Hagler
2810 35th Street
Tuscaloosa AL 35401

US 82 to Duncanville Middle School
Professional services from June 1, 2007 to June 30, 2007

Professional Personnel

Phase I

NTE (\$73,200)(Billed to Date \$73,157.50)		Hours	Rate	Amount
Principle in Charge		.00	175.00	.00
Professional Engineer		.00	100.00	.00
Staff Engineer		.00	80.00	.00
Totals		.00		.00

Phase II

NTE (\$189,000) (Billed to Date \$104,337.50)		Hours	Rate	Amount
Principle in Charge		.00	175.00	.00
Professional Engineer		.00	100.00	.00
Project Manager	20.00		110.00	2,200.00
Staff Engineer	232.00		80.00	18,560.00
Sr. Professional Surveyor	3.00		110.00	330.00
Survey Tech III	10.00		60.00	600.00
Survey Tech II	10.00		50.00	500.00
Survey Tech I	20.00		35.00	700.00
Engineering Tech III	4.00		75.00	300.00
Clerical	.00		45.00	.00
Totals	299.00			23,190.00

Total Professional Personnel 23,190.00

Total this invoice \$23,190.00

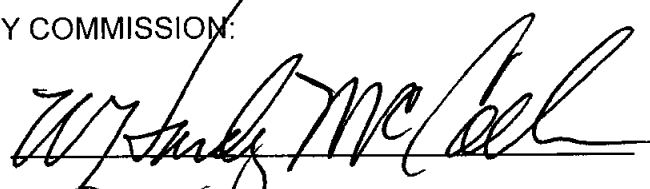
Received
7-9-07

FUND	CHECK NUMBERS	AMOUNT
A02	PAYROLL 37385-38934	\$1,436,577.95
A04	ROAD & BRIDGE 4452-4581	\$3,220,870.00
A05	GENERAL FUND 17183-17876	\$4,766,071.30
B03	EXCESS LAND	
B08	GAS TAX BONDING	
B14	3R GAS TAX 282-284	\$1,100,000.00
B23	CAPITAL IMPROVE	
C01	HEALTH INSURANCE	
D01	FIDUCIARY	
D02	PISTOL PERMIT 3021-3034	\$9,389.72
D03	E 911 1858-1871	\$10,381.92
D04	UNCLAIMED WITNESS	
D05	GEN FUND SPECIAL 1	\$2,000,000.00
E01	REAPPRAISAL 3909-3919	\$130,522.35
E02	MFG HOMES	
E04	MOTOR VEH TRAINING 61-62	\$331.22
F01	GENERAL LIABILITY	
F02	TAX ASSR SPECIAL 370-371	\$255.70
F03	TAX COLL SPECIAL 250	\$26.78
F04	WORKMEN'S COMP 1004-1017, 5086 , 149	\$49,111.31
F06	COMMUNITY DEVELOP 1401	\$1,100.00
F07	DA WORTHLESS CHK 2031-2052	\$58,569.67

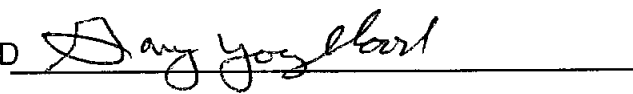
CHECKED BY: 

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 