

TUSCALOOSA COUNTY COMMISSION
MEETING
August 16, 2006

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 Don Wallace, the County Commission voted unanimously to award the bid for an Undercarriage for a Caterpillar D6R Dozer, serial number 2YN550, to Thompson Tractor Co., Inc. The bids were opened August 2, 2006.

Commissioner Bobby Miller moved, seconded by Commissioner Gary Youngblood, the County Commission voted unanimously to waive the county's sixty foot right-of-way requirement and to construct 68th Street along the center line of the old roadbed, utilizing a forty foot right-of-way. The right-of-way presently occupied by 68th Street will be deeded back to the original owners of the property once the new road is constructed.

Commissioner Gary Youngblood moved, seconded by Commissioner Don Wallace, the County Commission voted unanimously to approve the warrants issued to cover Tuscaloosa County's expenditures for the month of June, 2006.

Exhibit 8-1, Page 450

Commissioner Gary Youngblood moved, seconded by Commissioner Bobby Miller, the County Commission voted unanimously to depart from the order of business set forth in the official agenda to consider changing the boundary lines for voting precincts 43, 49, and 50 in the Coaling area of Tuscaloosa County.

Commissioner Gary Youngblood moved, seconded by Commissioner Bobby Miller, the County Commission voted unanimously to adopt a resolution changing the boundary lines for voting precincts 43, 49, and 50 to make it easier for a number of citizens in the Coaling area to reach their polling place.

Exhibit 8-2, Pages 451-457

Upon motion by Commissioner Reginald Murray, the County Commission voted unanimously to adopt a resolution calling for a local referendum on "The Limited Self-Governance Act" (Act No. 2005-200). Copies of this resolution will be immediately forwarded to the Judge of Probate and Sheriff's Office with instructions to include this local referendum on the ballot for the general election to be held on November 7, 2006.

Exhibit 8-3, Page 458

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 asking the Alabama Department of Mental Health and Retardation to extend the thirty day public comment period on a proposed merger of Indian Rivers Community Mental Health and Mental Retardation Center and Mobile Mental Health Center.

Commissioner Don Wallace moved, seconded by Commissioner Gary Youngblood, the County Commission voted unanimously to request the Alabama Department of Mental Health and Retardation to extend the public comment period on the proposed merger between Indian Rivers Community Mental Health and Mental Retardation Center, located at 3701 Loop Road in East Tuscaloosa, and Mobile Mental Health Center for thirty days. The original comment period expires August 17, 2006.

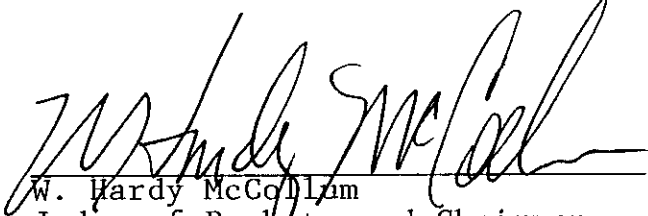
Commissioner Reginald Murray moved, seconded by Commissioner Don Wallace, the County Commission voted unanimously to award the

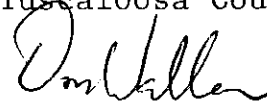
bid for Telecommunications Systems and Equipment for a Mobile Emergency Command Post for the Sheriff's Office to Tuscaloosa Communications as the low bidder meeting specifications. The bids were opened August 2, 2006.

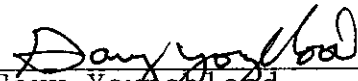
Commissioner Gary Youngblood made a proposal from eight residents requesting Tuscaloosa County to pave 43rd Avenue N.E. in Holt a part of the official record.

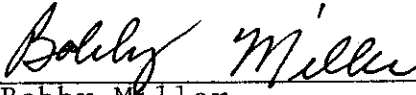
Exhibit 8-4, Page 459

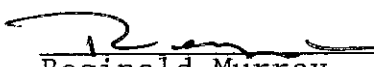
There being no further business to come before the Tuscaloosa County Commission, the meeting adjourned to Wednesday, September 6, 2006.


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

MONTH OF: JUN, 2006

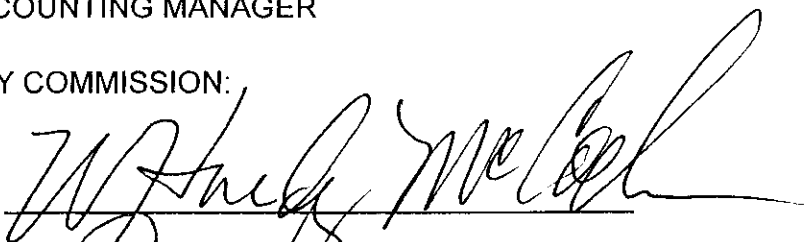
FUND	CHECK NUMBERS	AMOUNT
A02	PAYROLL 24144-25177	\$1,249,002.05
A04	ROAD & BRIDGE 2996-3135	\$2,432,146.96
A05	GENERAL FUND 12354-13046	\$4,841,127.94
D05	GEN FUND SPECIAL	
B03	EXCESS LAND 310	\$262,485.20
B08	GAS TAX BONDING	
B14	3R GAS TAX 276	\$600,000.00
B23	CAPITAL IMPROVE	
D01	FIDUCIARY	
D02	PISTOL PERMIT 2860-2871	\$3,110.58
D03	E 911 1721-1729	\$26,126.56
D04	UNCLAIMED WITNESS	
E01	REAPPRAISAL 3698-3707	\$887,280.40
E02	MFG HOMES 47-48	\$4,810.43
E03	HEALTH INSURANCE	
E04	MOTOR VEH TRAINING	
F01	GENERAL LIABILITY	
F02	TAX ASSR SPECIAL 350-351	\$154.54
F03	TAX COLL SPECIAL 864-873, 5074	\$9,894.25
F04	WORKMEN'S COMP	
F06	COMMUNITY DEVELOP 1385-1392	\$37,283.61
F07	DA WORTHLESS CHK 1758-1772	\$7,040.05

CHECKED BY: 

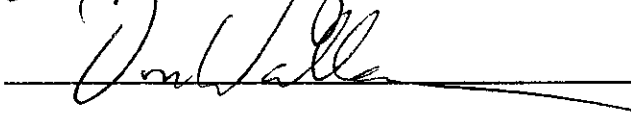
WILLIAM M. LAMB, ACCOUNTING MANAGER

APPROVED BY TUSCALOOSA COUNTY COMMISSION:

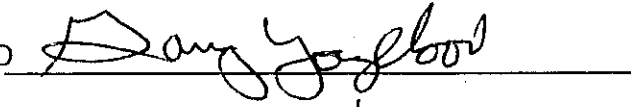
CHAIRMAN, W. HARDY MCCOLLUM



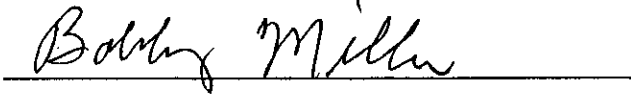
COMMISSIONER, DON WALLACE



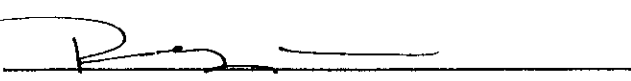
COMMISSIONER, GARY YOUNGBLOOD



COMMISSIONER, BOBBY MILLER



COMMISSIONER, REGINALD MURRAY



RESOLUTION
ALTERING THE BOUNDARIES OF
VOTING PRECINCTS 43, 49 and 50

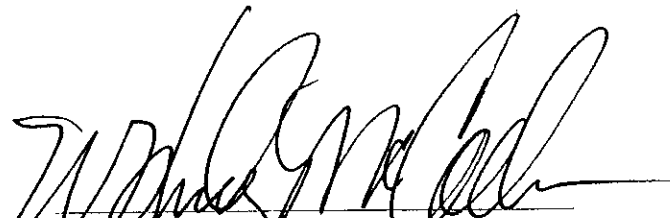
WHEREAS, a number of citizens in the Coaling area of Tuscaloosa County have requested a change in the boundary line of their voting precinct in order to make it easier for them to reach their polling place; and

WHEREAS, the Tuscaloosa County Commission has considered the request and has determined that the election process in Tuscaloosa County will be aided by making the requested change; and

WHEREAS, § 17-5A-5(d) of the *Code of Alabama (1975)*, provides the Tuscaloosa County Commission with the authority to alter the boundary lines of voting precincts.


NOW, THEREFORE, BE IT RESOLVED BY THE TUSCALOOSA COUNTY COMMISSION that the Commission hereby adopts the changes to the boundary lines for voting precincts 43, 49, and 50 as set out on the attached map.

Approved this the 16th day of August, 2006.



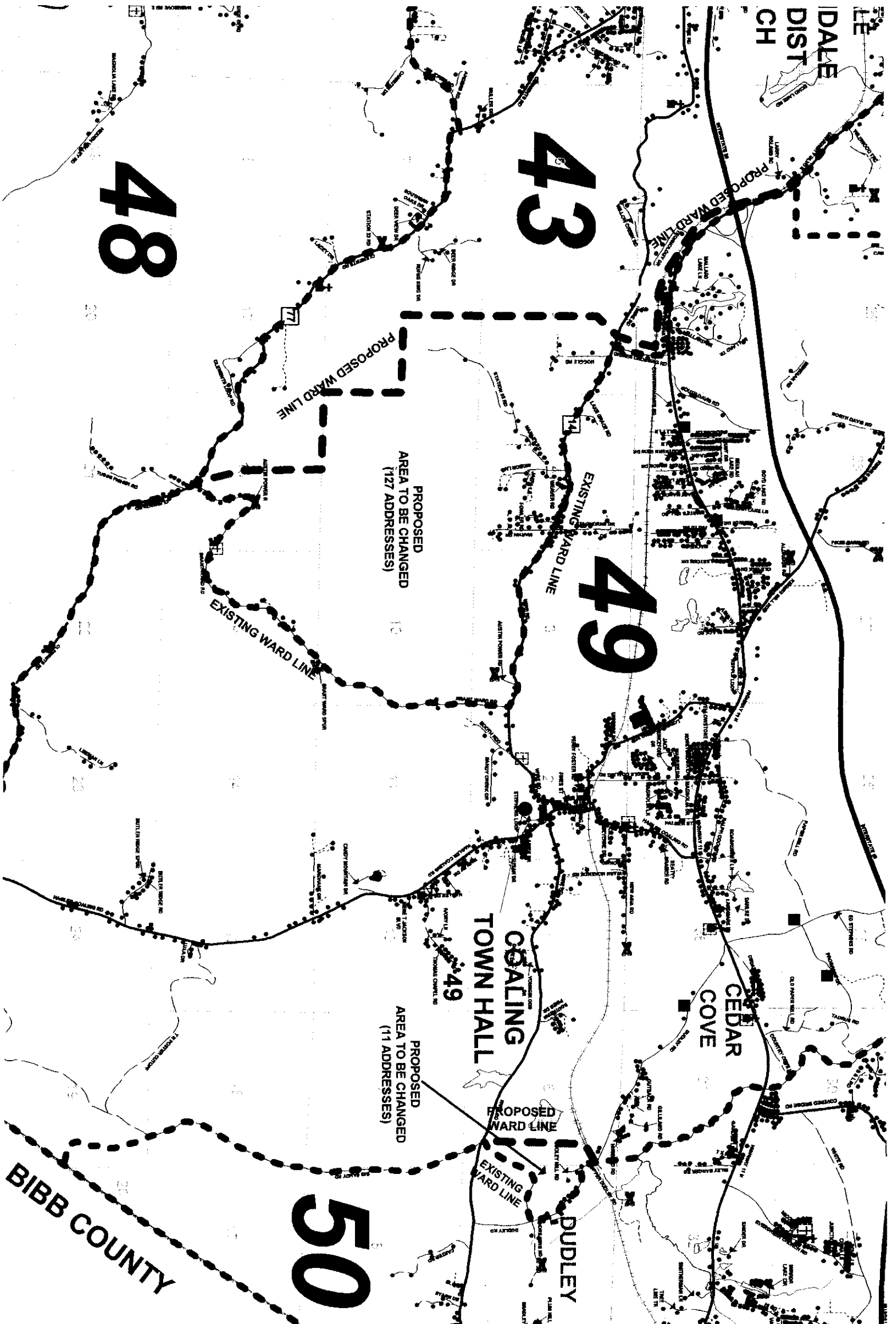
W. Hardy McCollum, Chairman
Tuscaloosa County Commission

ATTEST:



Robert H. Johnston, Clerk

8-2



HUBBARD, SMITH, MCILWAIN, BRAKEFIELD & BROWDER, P.C.

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ROBERT M. SPENCE
SHANNON CLAY STAGGS
TRAVIS R. WISDOM
KRISTOFOR D. SODERGREN
J. GRIFFIN WATERS

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PERRY HUBBARD
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(205) 345-6789

TELECOPY
(205) 759-1195

August 18, 2006

Chief, Voting Section
Civil Rights Division
Room 7254 - NWB
Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

*Re: Change in precinct boundaries
Tuscaloosa County, Alabama*

Dear Sir:

This firm represents the Tuscaloosa County Commission, the governing body of Tuscaloosa County, Alabama. At the regularly scheduled meeting of the County Commission on August 16, 2006, the Commission voted to alter the boundaries of three adjoining precincts in rural Tuscaloosa County. The purpose of the change is to make it easier for the voters in the affected area to reach their designated polling place. Specifically, the existing boundary requires people living on opposite sides of certain streets to vote at different polling places. The proposed change would allow all of those voters to vote at the same polling place.

Pursuant to Part 51 of Title 28 of the Code of Federal Regulations, the following information is provided with respect to the proposed change in the precinct boundaries:

- a. A copy of the Resolution of the Tuscaloosa County Commission is enclosed as Exhibit 1.
- b. No Act or ordinance is being repealed by the submitted plan.

- c. The proposed change seeks to accommodate certain voters who have complained that they are not allowed to vote at the polling place closest to their community. In particular, some of the affected voters have complained that they have to vote in a polling place different from their neighbors across the street. The change in the boundary will not affect the make up of the County Commission single member district, the Alabama House or Senate district, or the United States House of Representatives district.
- d. The person making the submission on behalf of Tuscaloosa County, Alabama, is the County Attorney:

Robert Spence
HUBBARD, SMITH, McILWAIN,
BRAKEFIELD & BROWDER, P.C.
808 Lurleen Wallace Boulevard, N.
Tuscaloosa, Alabama 35401

- e. The submitting authority is the Tuscaloosa County Commission, the governing body of Tuscaloosa County, Alabama, a political subdivision of the State of Alabama.
- f. The submitting authority is located in Tuscaloosa County, Alabama.
- g. The body responsible for making the change is the Tuscaloosa County Commission. The change was made by resolution passed by a unanimous vote on August 16, 2006.
- h. The change is made pursuant to the authority granted to the Tuscaloosa County Commission by § 17-5A-5(d) of the *Code of Alabama (1975)*.
- i. The plan was adopted on August 16, 2006.
- j. The effective date of the proposed change is November 7, 2006.
- k. The proposed change has not yet been enforced, but is proposed to be implemented in time for the election on November 7, 2006.
- l. The proposed change will effect approximately 138 households.
- m. The proposed change is being made to accommodate the request of a number of the voters in the area who expressed a desire to vote at their community polling place, rather than a more distant polling place.
- n. The proposed change is not anticipated to effect any minority groups.

- o. There is no pending litigation, and we are not aware of any prior litigation related to Section 5 of the Voting Rights Act.
- p. Prior submissions to the Department of Justice under Section 5 of the Voting Rights Act have been pre-cleared. The most recent submission was 2004-0181.

Attached hereto to aid in your department's review of this proposed change is a map depicting the existing boundary and the proposed new boundary. The proposed change does not change the racial make up of any of the election districts. The Justice Department may contact the following regarding the proposed change:

Hon. John H. England, Jr.
Circuit Judge
Tuscaloosa County Courthouse
714 Greensboro Avenue
Tuscaloosa, Alabama 35401
(205) 349-3870, ext. 255

Hon. Reginald Murray
County Commissioner
Tuscaloosa County Courthouse
714 Greensboro Avenue
Tuscaloosa, Alabama 35401
(205) 349-3870

If any further information is needed to secure pre-clearance for this proposed change, please let me know.

Sincerely,

Robert Spence

cc: Tuscaloosa County Commission
Tuscaloosa County Board of Registrars
State of Alabama Reapportionment Task Force

STATE OF ALABAMA	§	Addition to Ward 50
		August 24, 2006
COUNTY OF TUSCALOOSA	§	

An area of land for the purpose of becoming an addition to Voting Ward No. 50, said addition being located Sections 5 and 6, Township 22 South, Range 7 West, Tuscaloosa County, Alabama, and being more particularly described as follows:

BEGIN at the point of intersection of the centerline of Dudley Road with the centerline of the Southern Railway (said point being West of and in the proximity of the East boundary line of said Section 6), and thence proceed in a southeasterly direction and along the meandering centerline of said Dudley Road to the point of intersection with the meandering centerline of Ore Mine Road; thence proceed in a southwesterly direction and along the meandering centerline of said Ore Mine Road to the point of intersection with Wire Road; thence proceed North and parallel to the East boundary line of said Section 6 to the point of intersection with the centerline of said Southern Railway; thence run in a northeasterly direction and along the meandering centerline of said railway back to the **POINT-OF-BEGINNING**.

STATE OF ALABAMA §
COUNTY OF TUSCALOOSA §

Addition to Ward 49
August 24, 2006

An area of land for the purpose of becoming an addition to Voting Ward No. 49, said addition being located Sections 31 and 32 in Township 21 South, Range 8 West, and in Sections 3, 4, 5, 8, 9, 10, 15 and 16 of Township 22 South, Range 8 West, all in Tuscaloosa County, Alabama, being more particularly described as follows:

BEGIN at the point of intersection with the North boundary line of said Section 31, Township 21 South, Range 8 West with the meandering centerline of U.S. Highway No. 11 (University Boulevard), and thence proceed in a southeasterly direction and along the meandering centerline of said highway to the point of intersection with the meandering centerline of Grimes Crossing Road; thence run in a southerly direction and along the meandering centerline of said Grimes Crossing Road to the point of intersection with the meandering centerline of Wire Road; thence run in a southeasterly direction and along the meandering centerline of said Wire Road to the point of intersection with the meandering centerline of Brant Ward Road; thence run in a southwesterly direction and along the meandering centerline of said Brant Ward Road to the point of intersection with the meandering centerline of Clements Road; from this point, run in a northwesterly direction and along a straight line to the Southwest Corner of the Northeast Quarter of said Section 16, Township 22 South, Range 8 West, said point being located at the center of said Section 16; thence run in a northerly direction and along the West boundary line of the Northeast Quarter of said Section 16 to the Northwest Corner of said Northeast Quarter of said section (said point also being the Southeast Corner of the Southwest Quarter of Section 9 of said township and range; thence proceed in a westerly direction and along the South boundary line of said Section 9 to the Southwest Corner of said section; thence run in a northerly direction and along the West boundary line of said Section 9 to the Northwest Corner of the Southwest Quarter of said Section 9 (said point also being the Southeast Corner of the Northeast Quarter of Section 8 of said township and range); thence run in a westerly direction and along the South boundary line of said Northeast Quarter of Section 8 to the Southwest Corner of said quarter (said point being located at the center of said Section 8); thence run in a northerly direction and along the West boundary line of the Northeast Quarter of said Section 8 to the point of intersection with the South boundary line of said Section 5 (said point being the Southwest Corner of the East Half of said Section 5); thence proceed in a northerly direction and along the West boundary line of the East Half of said section 5 to the Southwest Corner of the Northwest Quarter of the Northeast Quarter of said Section 5; thence run in a northeasterly direction to the point of intersection with the meandering centerline of said Wire Road, said point being located 350 feet Northwest of the point of intersection with the centerline of Grimes Crossing Road; thence run in northeasterly direction and along a line that in 350 feet West of and parallel to the meandering centerline of said Grimes Crossing Road to the point of intersection with the meandering centerline of the Southern Railway; thence run in a northwesterly direction and along the meandering centerline of said railway to the point of intersection with the North boundary line of said Section 31, Township 21 South, Range 8 West; thence run in an easterly direction and along the North boundary line of said Section 31 back to the **POINT-OF-BEGINNING**.

**RESOLUTION CALLING FOR REFERENDUM
ON HEALTH AND SAFETY POWERS**

WHEREAS, during the 2005 Regular Session, the Alabama Legislature passed "The Limited Self-Governance Act" (Act No. 2005-200), authorizing the county commission to exercise certain health and safety powers in the unincorporated areas of the county related to the abatement of weeds, the control of animals, the control of litter, the control of junkyards, and the abatement of noise nuisances, unsanitary sewage, or pollution upon approval of the qualified voters in the unincorporated areas of the county in a local referendum on the question of allowing the exercise of these powers; and

WHEREAS, a local referendum may be called for by the county commission upon resolution adopted by a majority of its members; and

WHEREAS, if Act No. 2005-200 becomes effective in the county by approval of a majority of the qualified electors in the unincorporated areas of the county at a local referendum on the question, the county commission will be authorized to adopt ordinances on health and safety issues set out above; and

WHEREAS, the Tuscaloosa County Commission believes that it is in the best interests of the county that the county commission be authorized to address some or all of the important health and safety issues set out in the Act; and

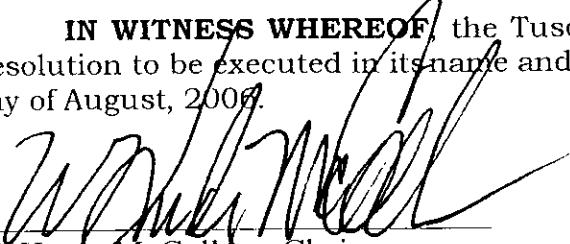
WHEREAS, the Tuscaloosa County Commission desires to grant its citizens in the unincorporated areas of the county an opportunity to vote on whether to grant the county commission the authority to address these health and safety concerns within the unincorporated areas of the county; and

WHEREAS, based upon the foregoing, the Tuscaloosa County Commission has adopted this resolution calling for a local referendum on this issue by a majority of the county commission.

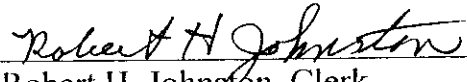
WHEREFORE BE IT RESOLVED BY THE TUSCALOOSA COUNTY COMMISSION, that it does hereby call for a local referendum to be held during the general election on November 7, 2006 on the question of whether the health and safety powers authorized in Act No. 2005-200 shall be effective in Tuscaloosa County.

BE IT FURTHER RESOLVED that copies of this resolution be immediately forwarded to the judge of probate and sheriff's office with instructions to include this local referendum on the ballot for the primary election to be held on November 7, 2006.

IN WITNESS WHEREOF, the Tuscaloosa County Commission has caused this Resolution to be executed in its name and on its behalf by its Chairman on this the 16th day of August, 2006.



W. Hardy McCollum, Chairman
Tuscaloosa County Commission

ATTEST:


Robert H. Johnston, Clerk

8-11-'06

Proposal for Road Pavement

To: County Commisioner Gary Youngblood
From: Residents of 43rd Ave N.E Holt Ala.

We the residents listed below have come together and drawn up this proposal in regards to our road, and what steps need to be taken to have it paved. The road is approximately 2 tenths of a mile long. We've notice that every other street in this area has been paved except ours, and most of us has lived on this road for several years. We would appreciate it if you looked into this matter and contact us as soon as possible.

Thank you very much,
Residents of 43rd Ave. NE

1. Michael Johnson - 633-2496
2. Janice Johnson 246-9803
3. Cleo Hunter 507-1288
4. Johnnie Hunter 507-1288
5. Paul Mack (556-5028)
6. Myrtis Richard 556-5078
7. Paul Small 633-0566
8. X Stella Hallifield 507-9079
9. _____
10. _____
11. _____
12. _____
13. _____
14. _____

MICHAEL JOHNSON
2205 43rd AVE. NE
TUSCALOOSA, AL. 3540
633-2496
CELL-242-4590

EX 8-2

