

TUSCALOOSA COUNTY COMMISSION

MEETING

December 6, 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 Gary Youngblood moved, seconded by Commissioner Bobby Miller, the County Commission voted unanimously to adopt resolutions accepting the streets and drainage structures located in dedicated street rights-of-way for maintenance by the Tuscaloosa County Commission in the following subdivisions:

Carmel Bay	Exhibit 12-1, Page 681
Remington Business Park Phase I	Exhibit 12-2, Page 682
Winchester Ridge	Exhibit 12-3, Page 683

Commissioner Bobby Miller moved, seconded by Commissioner Don Wallace, the County Commission voted unanimously to approve a payment of \$35,582.80 (five pay requests) to Burk-Kleinpeter, Inc. for engineering services performed on the County Road 2 Connector.

Commissioner Bobby Miller moved, seconded by Commissioner Don Wallace, the County Commission voted unanimously to shut down the Road and Bridge Department at the end of the work day on December 22, 2006, and to resume operations at 7:00 a.m. on January 8, 2007.

Commissioner Bobby Miller moved, seconded by Commissioner Don Wallace, the County Commission voted unanimously to post the east side of Old Greensboro Road between Inverness Lane and Waterford Lane "NO PARKING".

Commissioner Reginald Murray moved, seconded by Commissioner Don Wallace, the County Commission voted three to one to authorize the execution of Change Order Number 1 on the Fosters-Ralph Water Authority/George Hartin Road Water Extension Project. This extension, at a cost of \$30,693, serves two homes on Foxfire Road. Tuscaloosa County will provide \$23,019.75 and Fosters-Ralph Water Authority will provide \$7,673.25 for this extension of the project. The change order also increased the contract time ten (10) days. Commissioner Bobby Miller cast the NAY vote.

Commissioner Don Wallace moved, seconded by Commissioner Reginald Murray, the County Commission voted unanimously to endorse the submission of a LEGIONS Grant application and approved the provision of the local matching funds. This continuation grant of approximately \$68,000 requires a twenty-five percent match, which is provided by the agencies that receive the funds; the offices of District Attorney, Tuscaloosa County Sheriff, Northport Police, Tuscaloosa Police, and Turning Point.

Exhibit 12-4, Page 684

Commissioner Gary Youngblood moved, seconded by Commissioner Bobby Miller, the County Commission voted unanimously to provide matching funds of \$4,406.86 for the extension of the City of Tuscaloosa water system on Jay Bird Road. The two houses and the church that will benefit from this extension will provide \$4,406.85 on the \$8,813.71 project.

Commissioner Bobby Miller moved, seconded by Commissioner Don Wallace, the County Commission voted unanimously to adopt a resolution revising Section 5-4-10 of the Tuscaloosa County Subdivision Regulations to allow for the placement of private sewer utility trunk lines and associated lateral tie-ins within the platted right-of-way, without the posting of any bond related to the sewer.

Exhibit 12-5, Page 685

Commissioner Reginald Murray moved, seconded by Commissioner Bobby Miller, the County Commission voted unanimously to adopt a resolution approving a Purchase Agreement, the transfer of a cable franchise from Charter Communications/Marcus Cable of Alabama to Rapid Communications.

Exhibit 12-6, Pages 686-688

Commissioner Reginald Murray moved, seconded by Commissioner Bobby Miller, the County Commission voted unanimously to authorize the County Attorney to review and update Tuscaloosa County's franchise agreement.

Commissioner Reginald Murray moved, seconded by Commissioner Don Wallace, the County Commission voted unanimously to adopt a resolution asking the Tuscaloosa County Automotive Corridor Industrial Development Authority to appoint Regions Bank as successor trustee, registrar, paying agent, and transfer and authenticating agent with respect to Bonds issued by said development authority. This changes the trustee from U.S. Bank to Regions Bank.

Exhibit 12-7, Page 689

Commissioner Don Wallace moved, seconded by Commissioner Bobby Miller, the County Commission voted unanimously to authorize S.T. Bunn Construction Co., Inc. to pave the right-of-way beside the Haygood United Methodist Church parking lot with one inch of asphalt. This releases Tuscaloosa County from any responsibility of damage previously caused by county machinery to the church parking lot. The estimated cost for this project ranges from \$1500 to \$1800.

Exhibit 12-8, Page 690

Commissioner Reginald Murray 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 a request from the Romulus Volunteer Fire Department.

Commissioner Reginald Murray moved, seconded by Commissioner Don Wallace, the County Commission voted unanimously to authorize the County Purchasing Department to issue a purchase order for

a maximum of forty-seven cubic yards of concrete for the Romulus Volunteer Fire Department. Tuscaloosa County assists volunteer fire departments with construction by providing concrete.

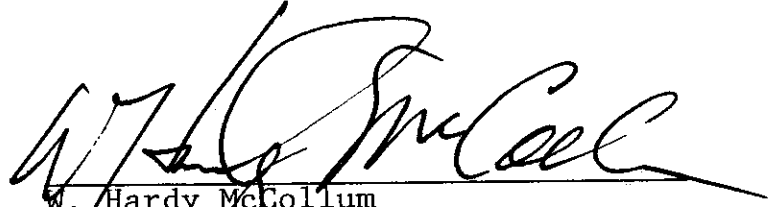
Commissioner Reginald Murray moved, seconded by Commissioner Bobby Miller, the County Commission voted unanimously to adopt Tuscaloosa County's budget for fiscal year 2006-2007.

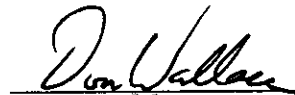
Commissioner Don Wallace made a request from John Sheffield of Tuscaloosa County High School requesting that Tuscaloosa County build six tennis courts at the high school a part of the official record.

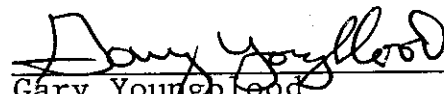
Exhibit 12-9, Page 691


Upon request by Mr. John Dill, Probate Judge W. Hardy McCollum asked the County Attorney to determine the possibility of Tuscaloosa County creating an authority to promote motorsports in Tuscaloosa County. Mr. Dill represents a group, Motorsports Appreciation and Coalition, that wishes to compliment the automobile industry and promote entertainment and competition of motor vehicles in the Greater Tuscaloosa Area.


There being no further business to come before the Tuscaloosa County Commission, the meeting adjourned to Wednesday, December 20, 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

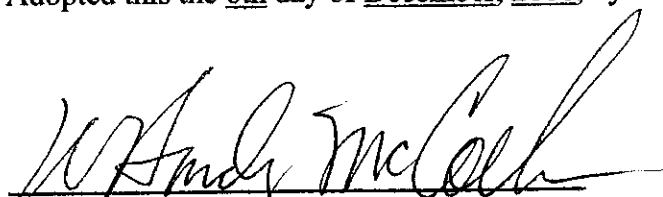
**RESOLUTION ACCEPTING STREETS IN
CARMEL BAY**

WHEREAS, the County Engineer has reported to the Tuscaloosa County Commission that the County Engineering Department has inspected and found that the streets, together with the drainage structures in the streets in Carmel Bay are completed in accordance with the Subdivision Regulations of the Tuscaloosa County Commission, and that all of said construction has been done in accordance with the County specifications.

NOW, THEREFORE, BE IT RESOLVED BY THE TUSCALOOSA COUNTY COMMISSION:

1. That the County accept the streets, together with the drainage structures in, and which are a part of, said streets which are located in dedicated street rights-of-way, for maintenance by the Tuscaloosa County Commission. The drainage structures described herein are those structures which are part of or are located in the streets (curb and gutter, catch basins, flumes and pipes) and does not include any natural waterway which drains surface water in the area.
2. This resolution shall be effective on the date of the adoption thereof.

Adopted this the 6th day of December, 2006, by the TUSCALOOSA COUNTY COMMISSION.



W. Hardy McCollum, Chairman

Seal



Robert H. Johnston, Clerk

12-1

**RESOLUTION ACCEPTING STREETS IN
REMINGTON BUSINESS PARK, PHASE 1**

WHEREAS, the County Engineer has reported to the Tuscaloosa County Commission that the County Engineering Department has inspected and found that the streets, together with the drainage structures in the streets in Remington Business Park, Phase 1 are completed in accordance with the Subdivision Regulations of the Tuscaloosa County Commission, and that all of said construction has been done in accordance with the County specifications.

NOW, THEREFORE, BE IT RESOLVED BY THE TUSCALOOSA COUNTY COMMISSION:


1. That the County accept the streets, together with the drainage structures in, and which are a part of, said streets which are located in dedicated street rights-of-way, for maintenance by the Tuscaloosa County Commission. The drainage structures described herein are those structures which are part of or are located in the streets (curb and gutter, catch basins, flumes and pipes) and does not include any natural waterway which drains surface water in the area.
2. This resolution shall be effective on the date of the adoption thereof.

Adopted this the 6th day of December, 2006, by the TUSCALOOSA COUNTY COMMISSION.



W. Hardy McCollum, Chairman

Seal



Robert H. Johnston, Clerk

12-2

EX 12-2


**RESOLUTION ACCEPTING STREETS IN
WINCHESTER RIDGE**

WHEREAS, the County Engineer has reported to the Tuscaloosa County Commission that the County Engineering Department has inspected and found that the streets, together with the drainage structures in the streets in Winchester Ridge are completed in accordance with the Subdivision Regulations of the Tuscaloosa County Commission, and that all of said construction has been done in accordance with the County specifications.


NOW, THEREFORE, BE IT RESOLVED BY THE TUSCALOOSA COUNTY COMMISSION:

1. That the County accept the streets, together with the drainage structures in, and which are a part of, said streets which are located in dedicated street rights-of-way, for maintenance by the Tuscaloosa County Commission. The drainage structures described herein are those structures which are part of or are located in the streets (curb and gutter, catch basins, flumes and pipes) and does not include any natural waterway which drains surface water in the area.
2. This resolution shall be effective on the date of the adoption thereof.

Adopted this the 6th day of December, 2006, by the TUSCALOOSA COUNTY COMMISSION.


W. Hardy McColkin, Chairman

Seal


Robert H. Johnston, Clerk

12-3

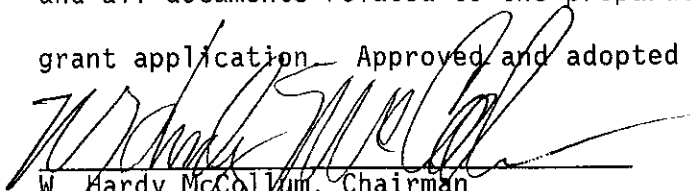
R E S O L U T I O N

WHEREAS, the State of Alabama, through the Alabama Department of Economic and Community Affairs, Law Enforcement Planning Division, under the omnibus Crime Control and Safe Streets Act of 1968 P.L. 90-351, as amended, and other appropriate Federal authorizations, is offering financial aid to combat rising crime, improve the criminal justice system, assist victims of crime and assist in the resolution of problems associated with juvenile justice; and

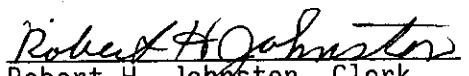
WHEREAS, the Tuscaloosa County Commission, hereinafter referred to as the Applicant, supports the **LEGIONS Program** and endorses the submission of the proposed application for funding assistance; and

WHEREAS, the Tuscaloosa County Commission is aware that, in conjunction with the grant application, there is a match requirement of twenty five percent;

NOW, THEREFORE, BE IT RESOLVED that the Tuscaloosa County Commission hereby endorses the aforementioned grant application, approves of the provision of the local matching funds and authorizes W. Hardy McCollum, Chairman, to execute any and all documents related to the preparation and submission of the proposed grant application. Approved and adopted this the 6th day of December, 2006.


 W. Hardy McCollum, Chairman
 Tuscaloosa County Commission

S E A L

Attest: 
 Robert H. Johnston, Clerk
 Tuscaloosa County Commission

12-4

EX 12-4

RESOLUTION

**REVISING SECTION 5-4-10 OF THE
TUSCALOOSA COUNTY SUBDIVISION REGULATIONS**

WHEREAS, The Tuscaloosa County Commission has determined that there is a need to revise a portion of the Tuscaloosa County Subdivision Regulations; and

WHEREAS, The Tuscaloosa County Commission seeks to clarify the regulations with respect to private sewer utilities within rights of way in a subdivision to insure that the roadways within subdivisions are constructed to standards acceptable to the County and to provide for the safety of the residents who may live there.

NOW, THEREFORE, BE IT RESOLVED BY THE TUSCALOOSA COUNTY COMMISSION that the Commission hereby revises Section 5-4-10 of the Tuscaloosa County Subdivision Regulations to allow for the placement of private sewer utility trunk lines and associated lateral tie-ins within the platted right of way, without the posting of any bond related to the sewer. A permit shall still be required before any existing or accepted roadway is cut by any utility, along with a bond sufficient to cover the cost of repairs to the roadway.

Approved this the 6th day of December, 2006.

ATTEST:

W. Hardy McCollum, Chairman
Tuscaloosa County Commission

Robert H. Johnston, Clerk

RESOLUTION NO. _____

**RESOLUTION OF THE COUNTY OF TUSCALOOSA AL APPROVING THE
TRANSFER OF THE CABLE FRANCHISE AND GRANTING A FRANCHISE TO
RAPID COMMUNICATIONS LLC**

WHEREAS, Marcus Cable of Alabama, L.L.C. ("Franchisee") owns, operates and maintains a cable television system (the "System") in the County of Tuscaloosa AL pursuant to a valid franchise agreement (the "Franchise");

WHEREAS, Rapid Communications LLC ("Rapid") entered into an Asset Purchase Agreement dated September 29, 2006 (the "Agreement") with Franchisee and certain of its affiliates, pursuant to which a certain portion of the System will be transferred to Rapid (the "Transfer") and Franchisee shall retain the Franchise and a certain portion of the System;

WHEREAS, Franchisee and Rapid have requested consent of the County of Tuscaloosa AL (the "Franchise Authority") to the Transfer in accordance with the requirements of the Franchise, have requested that the Franchise Authority grant a new franchise to Rapid covering the portion of the System acquired by Rapid, have filed an FCC Form 394 with the Franchise Authority, and have provided all information required by applicable law (collectively, the "Transfer Application");

WHEREAS, the Franchise Authority has investigated the qualifications of Rapid and finds it to be a suitable franchisee; and

NOW THEREFORE, BE ITS RESOLVED BY THE FRANCHISE AUTHORITY AS FOLLOWS:

SECTION 1. The Franchise Authority hereby consents to the Transfer, to the extent required by the terms of the Franchise.

SECTION 2. The Franchise Authority confirms that (a) the Franchise is currently in full force and effect and the Franchisee is the duly authorized holder of the Franchise; (b) Franchisee has properly invoked its franchise renewal rights under Section 626 of the Cable Communications Policy Act of 1984, as amended (c) the Franchise represents the entire understanding of the parties and Franchisee has no obligations to the Franchise Authority other than those specifically stated in the Franchise, and (d) Franchisee is materially in compliance with the provisions of the Franchise and there exists no fact or circumstance known to the Franchise Authority which constitutes or which, with the passage of time or the giving of notice or both, would constitute a

default or material breach under the Franchise or would allow the Franchise Authority to cancel or terminate the rights thereunder.

SECTION 3. The Franchise Authority hereby grants to Rapid a non-exclusive right and privilege, to construct, maintain and operate in, over and under the present and future public streets, alleys, rights of way and public places within that portion of the County of Tuscaloosa AL specified in the Cable Television Franchise Agreement (the "New Franchise"), for the purpose of transmitting, receiving, amplifying and distributing television, radio, and other audiovisual, radio frequency or data signals, and other communication services, a distribution system upon the terms and conditions set forth in the New Franchise attached hereto and made a part of this Resolution, and the Franchise Authority hereby authorizes and directs the appropriate person to execute the New Franchise on behalf of the Franchise Authority, and to deliver the same to Rapid for its execution.

SECTION 4. The Franchise Authority consents to and approves Rapid's granting a security interest in all of Rapid's rights, powers and privileges under the New Franchise and all of its other properties to such lender or lenders (as may be designated by Rapid) for financing purposes, under which such lender or lenders shall have the rights and remedies of a secured party under the applicable Uniform Commercial Code.

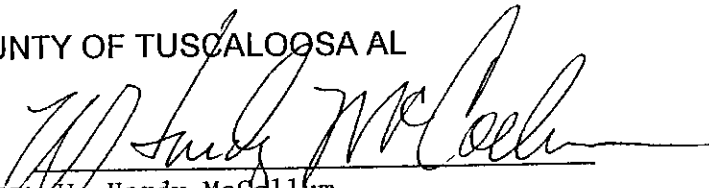
SECTION 5. This Resolution shall take effect immediately.

SECTION 6. The Franchise Authority releases Franchisee, effective upon the closing of the Transfer (the "Closing Date"), from all obligations and liabilities under the Franchise arising from that portion of the System acquired by Rapid that accrue on and after the Closing Date; provided that Rapid shall be responsible for any obligations and liabilities arising from that portion of the System acquired by Rapid that accrue on and after the Closing Date.

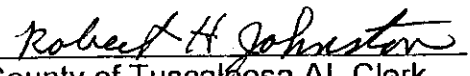
SECTION 7. This Resolution shall have the force of a continuing agreement with Franchisee and Rapid, and Franchise Authority shall not amend or otherwise alter this Resolution without the consent of Franchisee and Rapid.

PASSED, ADOPTED, AND APPROVED this 6th day of December, 2006.

COUNTY OF TUSCALOOSA AL

By: 
Name: W. Hardy McCollum
Title: Chairman, Tuscaloosa County Commission

ATTEST:


County of Tuscaloosa AL Clerk

RESOLUTION

WHEREAS, the Bonds described below have been issued by the Tuscaloosa County Automotive Corridor Industrial Development Authority and are currently outstanding:

Series 2002 Bonds

WHEREAS, Wachovia Bank successor to SouthTrust Bank is the trustee, registrar, paying agent, and transfer and authentication agent with respect to the Bonds and has sold its corporate trust business to U. S. Bank;

WHEREAS, Tuscaloosa County, as a funding participant, in the financing has determined that it is desirable and in its best interest to appoint a successor trustee, registrar, paying agent, and transfer and authenticating agent for the Bonds and along with the City of Northport, the other funding participant, will ask the Authority to do so

NOW THEREFORE, BE IT RESOLVED, BY TUSCALOOSA COUNTY COMMISSION as follows:

1. The County hereby asks that the Tuscaloosa County Automotive Corridor Industrial Development Authority appoint Regions Bank as successor trustee, registrar, paying agent, and transfer and authenticating agent with respect to the Bonds. The appointment shall be effective on a date mutually agreed upon by the Authority, County, City of Northport, Prior Trustee and Regions Bank.
2. The County hereby authorizes and designates the County's William M. Lamb (currently Finance Director) to take any and all actions that may be required in order to give effect to the intent of this resolution, and in connection therewith, to perform in the name of the County such actions and to execute, deliver, seal, attest and accept such documents and certificates to carry out fully the appointment authorized pursuant to this resolution.

I, the undersigned Clerk of the County hereby certify as follows:

1. that this page constitutes a true, correct and complete copy of a resolution duly adopted by said County on Dec. 6th, 2006, pertaining to the matters therein set out, as the same appears in the records of the County; and

WITNESS my signature, as said Secretary, under the seal of said County, this 6th day of December, 2006.

Linda K. Sellers
ATTEST

Robert H. Johnston
CLERK (title)
Tuscaloosa County

HAYGOOD UNITED METHODIST CHURCH
December 4, 2006

We the undersigned trustees of Haygood United Methodist Church, Samantha, Alabama agree to release the county commission of Tuscaloosa County, Alabama from any responsibility of damage previously caused by county machinery to the church parking lot with the condition that the Tuscaloosa County Commission pave the right of way beside the church parking lot with one inch of asphalt during this calendar year (2006). The church congregation will assume responsibility for paying for materials for paving the church parking area, with labor to be done by the S T Dunn Company.

Trustees:

Bruce Green, Bruce Green

Billy Hannah Billy Hannah

Wesley Logan Wesley Logan

Gary Honeycutt Gary Honeycutt

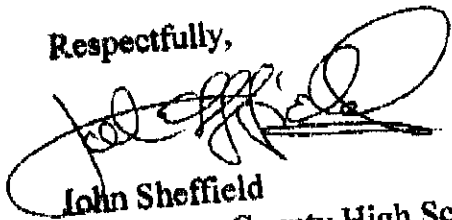
Dear Commissioner Wallace,

I want to thank you for taking time to listen to me about tennis courts at Tuscaloosa County High School. Presently, I have forty five students that stay after school to practice tennis, since there are no courts on campus we are unable to have a class. If built, these courts will not only be available for the TCHS students, but the community as well. And, since an elementary school will soon be built nearby, they too will be able to use the courts.

I have taken the liberty of getting an estimate on the courts. The cost, with lights, would be \$38,000 per court. I think the lights are important, especially to the community, since many would be able to enjoy the courts after work and when it is cooler. The school would like eight courts, but six courts would be workable. The courts without lights would be \$28,000 per court. This would include fencing, netting, and other needs to start a tennis program.

I hope you can help in this matter, and once again I appreciate your concern.

Respectfully,



John Sheffield
Tuscaloosa County High School

