CONGRATULATIONS ON YOUR RETIREMENT

Gary Campbell – CARTS

May the blessings of good health, the joy of good friends, a loving family and the contentment of a job well done fill your life with happiness!

Best wishes form all your colleagues and friends at

CULLMAN COUNTY COMMISSION

Jeff Clemons, Chairman

Kerry Watson, Associate Commissioner – Place 1

Garry Marchman, Associate Commissioner – Place 2

Kelly Duke, Associate Commissioner – Place 3

Corey Freeman, Associate Commissioner – Place 4

January 2012 – April 2024

\State of Alabama
Cullman County

RESOLUTION NO. - 2024-16

WHEREAS, the Cullman County Commission on the basis of an engineering and traffic investigation determines that bypass truck traffic would be incompatible and is greater than reasonable and safe under the conditions found to exist upon County Road 730 from County Road 747 Westerly to County Road 703. This portion of roadway shall be restricted to no through truck traffic with local deliveries only allowed under Article 8, Title 32, Chapter 5A-92, Code of Alabama, 1975 for the County Road 730 (Paved Road)**;** it is

THEREFORE RESOLVED, that the proper posting for County Road 730 from County Road 747 Westerly to County Road 703 shall be "No Thru Trucks, Local Deliveries Only" at all times and no person shall operate a motor vehicle in violation of these restrictions on said County Road 730 from County Road 747 Westerly to County Road 703;

IT IS FURTHER RESOLVED, that any violations of this Resolution shall be unlawful and punished pursuant to Title 32, Chapter 5A, Code of Alabama, 1975.

ADOPTED this the __18th__ day of April 2024.

JEFF CLEMONS, CHAIRMAN

GARRY MARCHMAN
COMMISSIONER

ATTEST:

COUNTY CLERK

KERRY WATSON
COMMISSIONER

KELLY DUKE
COMMISSIONER

COREY FREEMAN
COMMISSIONER

RESOLUTION 2024-17

This Resolution is made this **18th** day of **April, 2024** (the Effective Date)

by **Cullman County Commission, Alabama** (the Granting Authority), to grant a tax abatement

for **AL Greenfield** (the Company).

WHEREAS, the Company has announced plans for a (check one):

new project or **XX** major addition to their existing facility (the Project),

located within the jurisdiction of the Granting Authority; and

WHEREAS, pursuant to the Tax Incentive Reform Act of 1992 (Section 40-9B-1 et seq., **Code of Alabama 1975**) (the Act), the Company has requested from the Granting Authority an Abatement of (check all that apply):

X all state and local noneducational ad valorem taxes,

X all construction related transaction taxes, except those construction related transaction taxes levied for educational purposes or for capital improvements for education, and/or

all mortgage and recording taxes; and

WHEREAS, the Company has requested that the abatement of state and local noneducational ad valorem taxes (if applicable) be extended for a period of **10** years, in accordance with the Act; and

WHEREAS, the Granting Authority has considered the amended request of the Company and the completed amended application (copy attached) filed with the Granting Authority by the Company, in connection with its request; and

WHEREAS, the Granting Authority has found the information contained in the Company's amended application to be sufficient to permit the Granting Authority to make a reasonable cost/benefit analysis of the proposed project and to determine the economic benefits to the community; and

WHEREAS, the construction of the project will involve capital investment of **$3,200,000.00** ; and

WHEREAS, the Company is duly qualified to do business in the State of Alabama, and has powers to enter into, and to perform or observe the agreements and covenants on its part contained in the Tax Abatement Agreement; and

WHEREAS, the Granting Authority represents and warrants to the Company that it has power under that constitution and laws of the State of Alabama (including particularly the provisions of the Act) to carry out provisions of the Tax Abatement Agreement;

NOW THERERFORE, be it resolved by the Granting Authority as follows:

Section 1. Approval is hereby given to the application of the Company and abatement is hereby granted of (check all that apply):

X all state and local noneducational ad valorem taxes,

X all construction related transaction taxes, except those construction related transaction taxes levied for educational purposes or for capital improvements for education, and/or

all mortgage and recording taxes

as the same may apply to the fullest extent permitted by the Act. The period of abatement for the noneducational ad valorem taxes (if applicable) shall extend for a period of **10** years measured as provided in Section 40-9B-3(h) of the Act.

Section 2. The governing body of the Granting Authority is authorized to enter into an abatement agreement with the Company to provide for the abatement granted in Section 1.

Section 3. A certified copy of this resolution, with the application and abatement agreement, shall be forwarded to the Company to deliver to the appropriate local taxing authorities (if applicable) and to the Alabama Department of Revenue in accordance with the Act.

Section 4. The governing body of the Granting Authority is authorized to take any and all actions necessary or desirable to accomplish the purpose of the foregoing of this resolution.

I hereby certify that the foregoing was duly adopted by the **Cullman County, Alabama** of Alabama at a meeting held on the **18th** day of **April, 2024**.

BY: _____ L. S.

Its: Chairman

ATTEST:

_____

Project Alabama Green Field
Abatement & Educational Tax Revenue Estimate
April 18, 2024

	Investment
Land&Building	$2,300,000
Equipment & Machinery	$900,000
Total Project	**$3,200,000**
Sales Tax on Construction Materials	
Total Plant Building Cost	$2,300,000
Estimated Ratio of Cost of Materials	0.5
Cost of Materials	$1,150,000
Education Sales Tax Rate = 2.1%	0.021
Total Construction Sales Education Tax Revenues	**$24,150**
Percentage of Sales Tax Abated = 6.9%	0.069
Total Abated Sales Tax	**$79,350**
Use Tax On Equipment	
Total Equipment	$900,000
Education Use Tax Rate = 1.3672%	0.013672
Total Sales Education Tax Revenues, Equipment	**$12,305**
Percentage of Use Tax Abated = 2.6328%	0.026328
Total Abated Use Tax	**$23,695**
Ad Valorem Education Tax Revenues	
Value of Project	$3,200,000
Current Ratio of Assessed to Market Value	0.2
Tax Rate On Proposed Site	$640,000
Education 'Millage Rate for the City of Cullman = 13 unabateable	0.013
Annual Ad Valorem Education Tax Revenues	**$8,320**
Ten Year Period	10
Total Ad Valorem Education Tax Revenues	**$83,200**
Abated Millage Rate = 13 Mills Abated	0.013
Annual Abated Ad Valorem Taxes	**$8,320**
Total Ad Valorem Abated Tax Revenues	**$83,200**
Totals	
Sales/Use Tax, Construction Materials	$24,150
Sales/Use Tax, Equipment	$12,305
Ad Valorem Taxes	$83,200
Total Education Tax Revenues Over 10 Years	**$119,655**
Total Abated Sales Tax	$79,350
Total Abated Use Tax	$23,695
Total Ad Valorem Abated Tax Revenues	$83,200
Total Taxes Abated over 10 Year Period	**$186,245**

The information provided herein in no way obligates any party to any formal commitment.
These figures are only estimates. Actual figures will vary according to actual investment.

Tax Abatement Agreement

This agreement is made this 18th day of April, 2024, (the Effective Date)

by and between the Cullman County Commission, Alabama (the Granting Authority),

and Valicor Enviromental Services, LLC (the Company), its successors and assigns.

WHEREAS, the Company's North American Industry Classification System Code 562998 , meets the qualifications of an industrial or research enterprise in accordance with Section 40-9B-3(f), **Code of Alabama 1975**, as amended.

WHEREAS, the Company has announced plans for a (check one):

new project or XX major addition to their existing facility (the Project),

located within the jurisdiction of the Granting Authority; and

WHEREAS, the Project is estimated to be completed by 25th day of October , 2024; and

WHEREAS, the Project will be located in the County of CULLMAN (check whichever is applicable)

inside the city limits of THE CITY OF CULLMAN ,

inside the police jurisdiction of THE CITY OF CULLMAN ,

X outside the city limits and police jurisdiction of the City of CULLMAN ; and

WHEREAS, pursuant to the Tax Incentive Reform Act of 1992 (Section 40-9B-1 et seq., **Code of Alabama 1975**) (the Act), the Company has requested from the Granting Authority an Abatement of (check all that apply):

X all state and local noneducational ad valorem taxes,

X all construction related transaction taxes, except those construction related transaction taxes levied for educational purposes or for capital improvements for education, and/or

all mortgage and recording taxes; and

WHEREAS, the Granting Authority has considered the request of the Company and the completed applications filed with the Granting Authority by the Company, in connection with its request; and

WHEREAS, the Granting Authority has found the information contained in the Company's application to be sufficient to permit the Granting Authority to make a reasonable cost/benefit analysis of the proposed project and to determine the economic benefits to the community; and

WHEREAS, at its meeting held on the 18th day of April, 2024 (the Meeting), the Granting Authority approved the Company's application for abatement of (check all that apply):

X all state and local noneducational ad valorem taxes,

X all construction related transaction taxes, except those construction related transaction taxes levied for educational purposes or for capital improvements for education, and/or

all mortgage and recording taxes; and

WHEREAS, the Project will consist of private use industrial development property, which is composed of all real and related personal property to be acquired, constructed, and installed thereon, as described in Attachment One hereto; and

WHEREAS, the private use industrial development property for which the abatement is applied shall be (check whichever is applicable):

X owned by the entity applying for the abatement,

leased from a public authority, municipal, or county government; and

WHEREAS, in the event that the private use industrial development property is leased from a public authority, municipal, or county government, the lessee shall be treated as the owner of such property for federal income tax purposes; and

WHEREAS, is shall be indicated whether the Granting Authority intends to issue bonds in connection with the private use industrial development property herein described, and, if so intends, shall attach a copy of the inducement agreement; and,

WHEREAS, for the purposes of abatement of all noneducational ad valorem taxes (if applicable), it has been determined that no portion of the Project has been placed in service or operation by the Company or by a related party, as defined in 26 U.S.C. §267, with respect to the Company prior to the Effective Date of this Agreement; and

WHEREAS, the Project conducts trade or business as described in any of the following 1987 Standard Industrial Classification Major Groups 20 to 39, inclusive 50 or 51, Industrial Group Number 737, or Industry Numbers 0724, 4613, 8731, 8733, or 8734, as set forth in the Standard Industrial Classification Manual published by the United States Government Office of Management and Budget; and

WHEREAS, if the Project is a major addition to an existing facility, the request for abatement of all state and local noneducational ad valorem taxes (if applicable) and/or all construction related transaction taxes (if applicable) does not include any capitalized repairs, rebuilds, maintenance, replacement equipment, or costs associated with the renovating or remodeling of existing facilities of industrial development property previously placed in service by the Company; and

WHEREAS, if the Project is a major addition to an existing facility the addition equals the lesser of (i) thirty (30) percent of the original cost of the industrial development property, or (ii) $2,000,000; and

WHEREAS, the Company is duly qualified to do business in the State of Alabama, and has powers to enter into, and to perform and observe the agreements and covenants on its part contained in this Agreement; and

WHEREAS, the Granting Authority represents and warrants to the Company (a) that it has power under the constitution and laws of the State of Alabama (including particularly the provisions of the Act) to

carry out provisions of the Agreement, (b) that the execution of this Agreement on its behalf has been duly authorized by resolution adopted by the governing body of the Granting Authority;

NOW THEREFORE, the Granting Authority and the Company, in consideration of the mutual promises and benefits specified herein, hereby agree as follows:

1. In accordance with the Act, the Granting Authority hereby grants to the Company an abatement from liability for the following taxes as permitted by the Act (check all that apply):

X (a) Noneducational Ad Valorem Taxes: all ad valorem taxes that are not required to be used for educational purposes or for capital improvements for education;

X (b) Construction Related Transaction Taxes: the transaction taxes imposed by Chapter 23 of Title 40 of the **Code of Alabama 1975** on the tangible personal property and taxable services to be incorporated into the Project, the cost of which may be added to capital account with respect to the Project, except for those local construction related transaction taxes levied for educational purposes or for capital improvements for education;

(c) Mortgage and Recording Taxes: all taxes imposed by Chapter 22 of Title 40 of the **Code of Alabama 1975** relating to mortgages, deeds, and documents relating to issuing or securing obligations and conveying title into or out of the Granting Authority with respect to the Project.

2. An estimate of the amount of tax abated pursuant to this Agreement is set forth below. The Granting Authority and the Company hereby acknowledge that this estimate reflects the amount of tax abated for the period stated, under current law, and that the actual abatement of such taxes may be for a greater or lessor amount depending upon the actual amount of such taxes levied during the abatement period as stated. (Check all that apply)

X (a) If no bonds are to be issued, noneducational ad valorem taxes are expected to be approximately $ **8,320.00** per year and the maximum period for such abatement shall be valid for a period of **10** years, beginning with the October 1 lien date next proceeding the acquisition date of abated property.

(b) If bonds are issued, noneducational ad valorem taxes are expected to be approximately $ _____ per year and the maximum period for such abatement shall be for a period of _____ years, beginning the initial date bonds are issued to finance.

X (c) Construction related transaction taxes, except those construction related transaction taxes levied for educational purposes or for capital improvements for education, are expected to be approximately $ **66,455.00** and such abatement shall not extend beyond the date the Project is placed in service.

(d) Mortgage and recording taxes are expected to be approximately $ _____ .

3. The Company hereby makes the following good faith projections:

(a) Amount to be invested in the Project: **$ 3,200,000.00** ;

(b) Number of individuals to be employed initially at the Project and in each of the succeeding three years:

Initially 0 Year 1 0 Year 2 0 Year 3 0

(c) Annual payroll initially at the Project and in each of the succeeding three years:

Initially $0 Year 1 $0 Year 2 $0 Year 3 $0;

4. The Company shall file with the Alabama Department of Revenue within 90 days after the date of the Meeting a copy of this agreement as required by Section 40-9B-6(c) of the Act.

GENERALLY

5. Compliance. If the Company fails to comply with any provision in this Agreement or if any of the material statements contained herein or in Attachment Two *(Note: This attachment shall include the application for abatement)*, are determined to have been misrepresented whether intentionally, negligently, or otherwise, the Granting Authority shall terminate this Agreement and take such equitable action available to it as if this Agreement had never existed. If it is determined that certain items, which are identified on the application form for abatement of taxes, are not in compliance with the Act or governing regulations, these items may be subject to taxation for all local and state taxing authorities.

6. Binding Agreement. Each party to this Agreement hereby represents and warrants that the person executing this Agreement on behalf of the party is authorized to do so and that this Agreement shall be binding and enforceable when duly executed and delivered by each party. This Agreement shall be binding upon and inure to the benefit of each of the parties and their representative successors.

7. Limitations. Notwithstanding any provision contained herein to the contrary, this Agreement is limited to the abatement of (check all that apply):

X all state and local noneducational ad valorem taxes,

X all construction related transaction taxes, except those construction related transaction taxes levied for educational purposes or for capital improvements for education, and/or

all mortgage and recording taxes fees for the periods specified herein. Nothing in this Agreement shall be construed as a waiver by the Company of any greater benefits that the Project or any portion thereof may have available under provisions of the law other than the Act.

8. Severability. This Agreement may be amended or terminated upon mutual consent of the Company and the Granting Authority. Any such amendment or termination shall not in any manner affect the rights and duties by and between the Company and the Granting Authority.

This Agreement is executed as of the dates specified below.

Valicor Environmental Services, LLC
(the Company)

By: _____

Name: Thomas J Kiphart

Title: VP of Finance

Date: April 18th, 2024

Cullman County Commission
(the Granting Authority)

By: _____

Name: Jeff Clemmons

Title: Chairman

Date: April 18th, 2024

RESOLUTION NUMBER 2024-18

BE IT RESOLVED, by the County Commission of Cullman, Alabama as follows:

1. That the County of Cullman, Alabama, enter into an agreement with the State of Alabama, acting by and through the Alabama Department of Transportation for: maintenance of the passive warning devices by the County of Cullman for the project at DOT crossing number 352187U on CR 715 in Cullman Alabama.

Which Agreement is before this Commission.

2. That the agreement be executed in the name of the County, by its Chairman of the Commission for and on its behalf;

3. That the signature of the Chairman be attested by the County Clerk and that the seal of the County be affixed to the agreement.

BE IT FURTHER RESOLVED, that upon the completion of the execution of the Agreement by all parties, that a copy of such Agreement be kept on record by the County Clerk.

Passed, adopted, and approved this 18th day of April, 2024.

WITNESS BY:

County Clerk

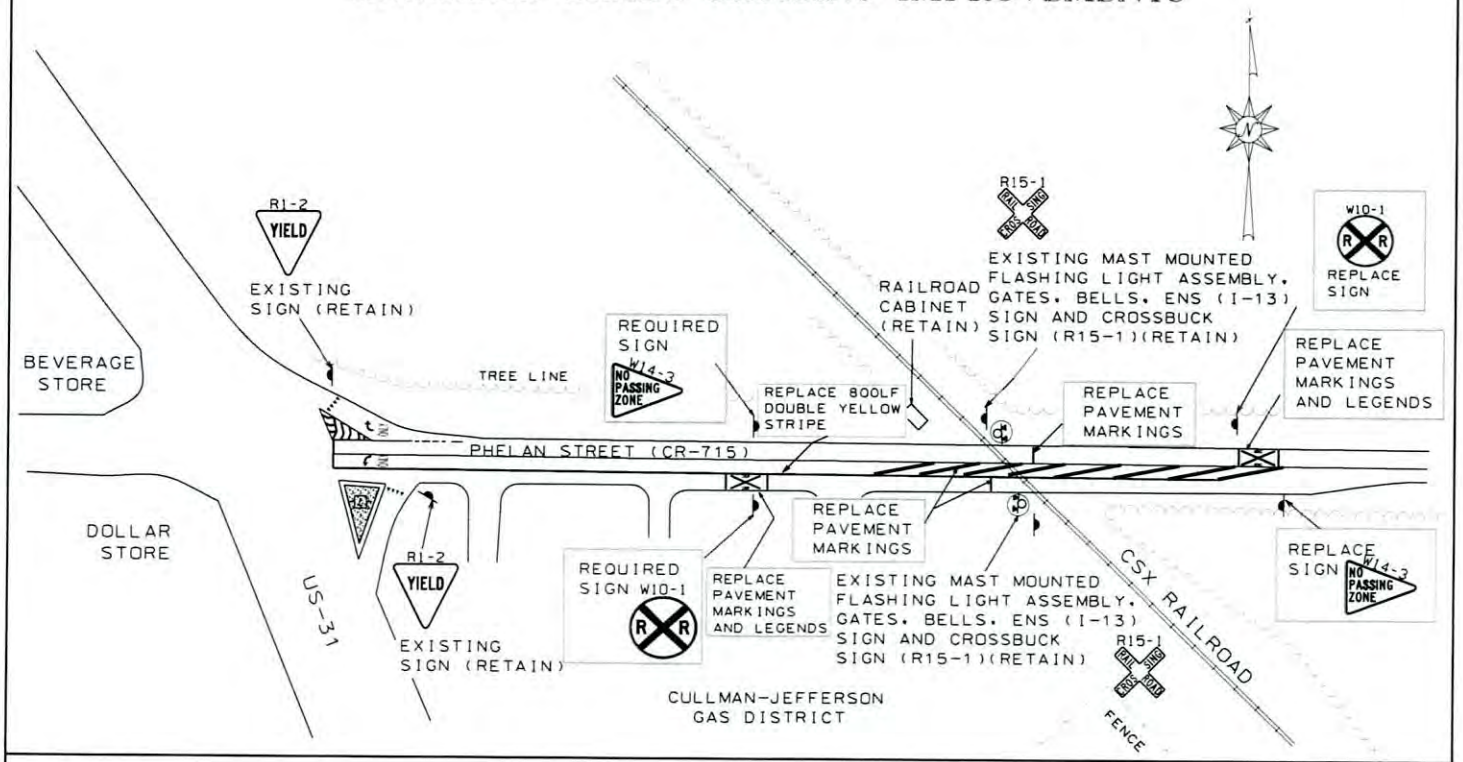
Chairman

I, the undersigned qualified and acting clerk of the County of Cullman Alabama, do hereby certify that the above and foregoing is a true copy of a resolution passed and adopted by the County Commission named therein, at a regular meeting of such Commission held on the 18th day of April, 2024, and that such resolution is of record in the office of the County.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the County on this 18th day of April, 2024.

County Clerk

STATE OF ALABAMA
DEPARTMENT OF TRANSPORTATION
RAILROAD GRADE CROSSING IMPROVEMENTS



NOTES:

1. All work to be completed in accordance with ALDOT Standard Specifications and the National Manual on Uniform Traffic Control Devices, Latest Edition.
2. The Railroad is responsible for locating all utilities prior to construction.
3. The Railroad is responsible for providing required work zone traffic control in accordance with the National Manual on Uniform Traffic Control Devices, Latest Edition.

NUMBER AND TYPE OF TRACKS: One (1) track

EXISTING DEVICES: Advanced warning signs, RxR pavement markings, pavement striping, Stop lines, Emergency notification signs, 'No Passing' pennants, Cross bucks, Mast Mounted Flashing Lights, Gates, and Bells.

PROPOSED IMPROVEMENTS: None by Railroad

SIGNING AND MARKING REQUIREMENTS: Replace warning signs, pavement striping, markings, and legends (to be completed by State Forces).

DATE:	12/19/2023
PROJECT#:	RHPD-RR24(904)
COUNTY:	CULLMAN
LOCATION:	CR-715/PHELAN RD.
RAILROAD:	CSX RAILROAD
REF. NO.:	1561
RR INV.NO.:	352187U

Alabama
Department of Transportation

North Region – Guntersville Area
Office of Operations Engineer
23445 Hwy. 431 North - PO Box 550
Guntersville, AL 35976
Telephone 256-582-2254
Fax 256-582-8922

Kay Ivey
Governor

John R. Cooper
Transportation Director

July 22, 2024

MEMORANDUM

TO: Mr. Sean Butler, P.E., Maintenance Engineer
Mr Matt Johnson., P.E., Traffic Engineer

FROM: Mr. Travis R. Kilgore, P.E.
Local Transportation Engineer

RE: **Project No. RHPD-RR24(904)**
CPMS# 100076871
Phelan Rd./CR-715, Cullman County

Please see the attached **NOTICE TO PROCEED for State forces to perform the work** on the attached plan sheet.

Please note that notification is required of a minimum of ten (10) days to the Rail Safety Program Group of the begin work date and when the work is completed (see attachments).

Contact this office with any questions or concerns.

TRK/jbdd
Attachment
cc: File

Project Ref. #	100076871	Scope	CN	Area	01	Dist		County:	22
1st Rt:	CR 715	From:						Prior PE No	100075511
2nd Rt:		To:						Orig Proj No	
3rd Rt:		Desc:	RAILROAD CROSSING IMPROVEMENTS FOR THE INSTALLATION OF SIGNS, MARKINGS, AND MEDIAN STRIPING ON CR 715 AT DOT NO					Cnty. Proj No	
Begin Marker	.							Target Start	7/15/2024
End Marker	.	Lead Bureau:	D	Work Cd	RCI			Eng. Est. Cost	$8,238.78
Work Length	.00	Plans By:	D4	Mode of Cn.	Forces			Type Measure	ENGLISH
Haz. Mat.		Design Sec. :	D9	Func. Class.	07			Delete Indicator	
On NHS	N	Urban Area:	911					Related Group	
Status	A	FA #			RHPD RR24	(904)			

General Misc. Comments Dates Political Dist. House Dist. Proj. Funds Funds Ind. Final Voucher PMS OE C

No. Lanes Before	2	No. of Safety Ref.		No. of Bridges		RSF FY	2024
No. Lanes After	2	No. of RR Crossings	1	Bridge Area	.	RSF Phase	1
No. Overhea							
Freight Rt.							

General Purpose Inquiry - Row 1 of 1 - Jul 22 2024 11:05:19 am

Expenditure Acct.	Program	Project ID	Funding End Date
4303	STRRE	100076871	

ALABAMA DEPARTMENT OF TRANSPORTATION

1409 Coliseum Boulevard, Montgomery, Alabama 36110

July 1, 2024

Kay Ivey
Governor

John R. Cooper
Transportation Director

Alabama Department of Transportation
Office of the Region Engineer
P. O. Box 550
Guntersville, AL 35976-0550

ATTEN: Mr. Derrick Wilson

RE: Project No. RHPD-RR24(904)
Cullman County
CR-715 - Phelan Road
DOT No. 352187U
CSXT OP No. AL1561

Dear Mr. Vincent:

We are enclosing three copies of the supplemental agreement with CSX Transportation and three copies of an estimate on the above referenced project.

This is your authority to proceed with the State force work on an actual cost basis. Your work should be coordinated with that of the railroad. Construction code 100076871 has been assigned for making changes.

Please notify the Design Bureau- Traffic Engineering Division/Traffic and Safety/Rail Highway Safety Group, when the installation work is started and when the project is complete.

Sincerely,

MH

Joe H. Lister, Jr., P.E.
State Office Engineer

JHL:MH:agr
Attachment
cc: Mr. Scott W. George, P. E.
Mr. Curtis Vincent, P. E.
File

ALABAMA DEPARTMENT OF TRANSPORTATION

1409 Coliseum Boulevard, Montgomery, Alabama 36110

July 1, 2024

Kay Ivey
Governor

John R. Cooper
Transportation Director

Mr. Scott Willis
CSX Transportation
500 Water Street, HQ Bldg., 13th Floor
Jacksonville, FL 32202

RE: Project No. RHPD-RR24(904)
Cullman County
CR-715 - Phelan Road
DOT No. 352187U
CSXT OP No. AL1561

Dear Mr. Willis:

We are attaching one completely executed original of a supplemental agreement between the State and CSX Transportation to install passive warning devices, in Cullman County, Alabama.

This letter is your authority to proceed with the work and to bill the State for actual cost as provided for in the agreement.

Please notify the Design Bureau/Rail-Highway Safety Programs Group (See attachment) a minimum of ten (10) days before work is started and the date when work is completed. Verification by ALDOT of the work performed is required before invoices are paid.

Sincerely,

MH

Joe H. Lister, Jr., P.E.
State Office Engineer

JHL:MH:agr
Attachment
cc: Mr. Scott W. George, P. E.
Mr. Curtis Vincent, P. E.
Mr. Derrick Wilson, P. E.
Mr. Joseph O'Hare
Mr. Jeff Hornsby
Ms. Tiffany Patton
File

FORWARD TO:

Cv. Copy

STATE OF ALABAMA

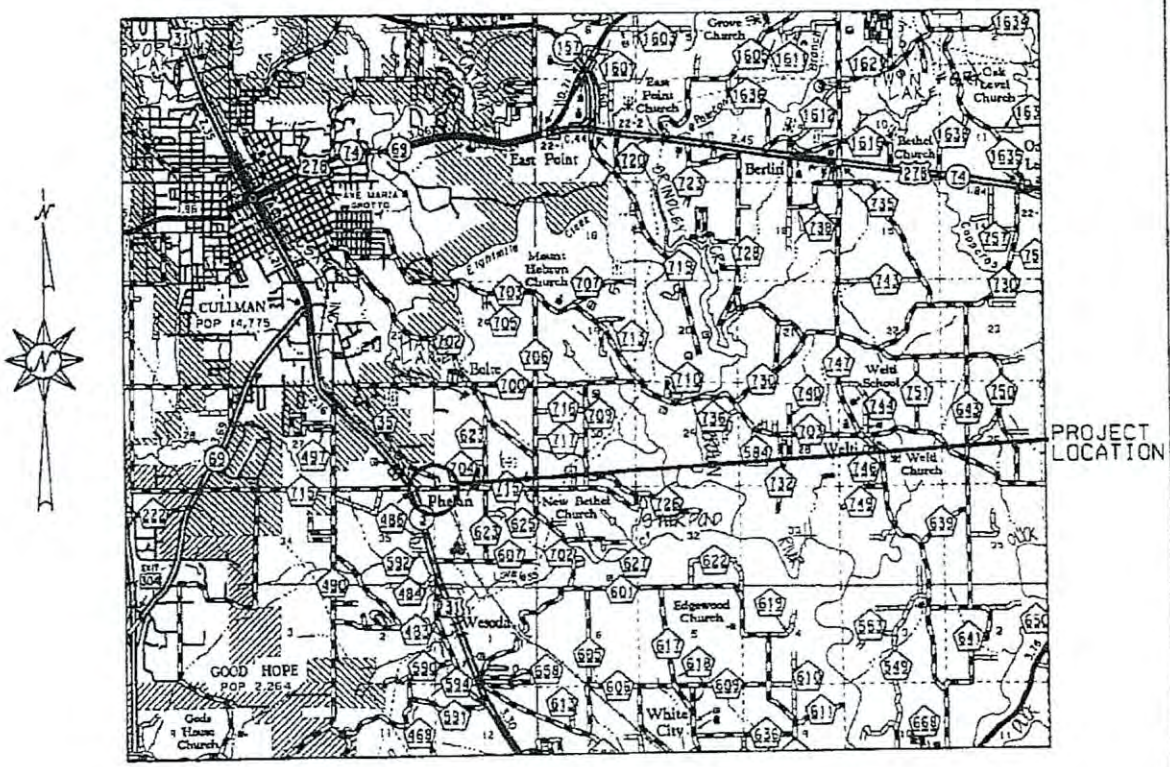
DEPARTMENT OF TRANSPORTATION

RAILROAD GRADE CROSSING IMPROVEMENT

COUNTY : CULLMAN **PROJECT NO.:** RHPD-RR24(904)

REF. NO.: CSX 1561 **DOT NO.:** 352187U

LOCATION : RAILROAD CROSSING IMPROVEMENTS ON CR-715 (PHELAN RD.) AT CSX RAILROAD



Curtis W. Vincent
REGION ENGINEER

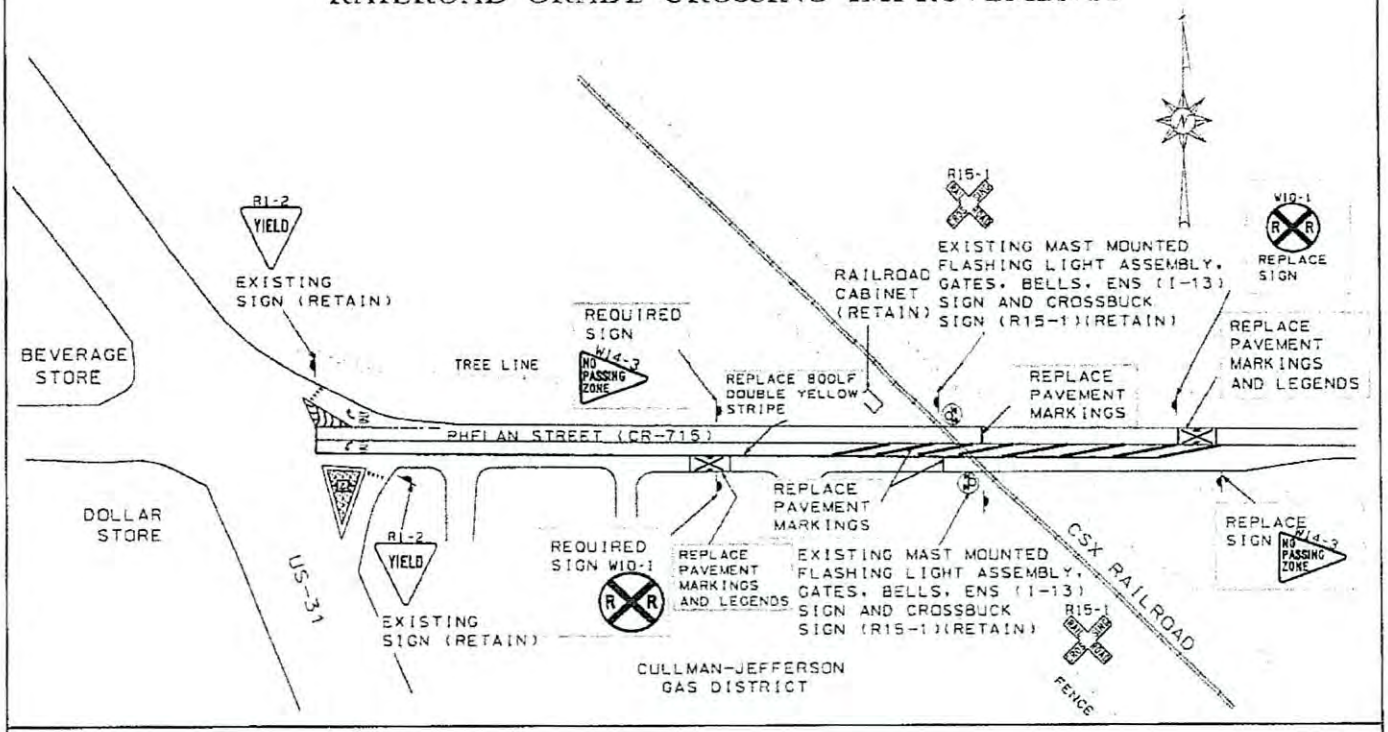
CHIEF ENGINEER

TRANSPORTATION DIRECTOR

PREL. PROJECT NO.:

CODE NO.:

STATE OF ALABAMA
DEPARTMENT OF TRANSPORTATION
RAILROAD GRADE CROSSING IMPROVEMENTS



NOTES:

1. All work to be completed in accordance with ALDOT Standard Specifications and the National Manual on Uniform Traffic Control Devices, Latest Edition.
2. The Railroad is responsible for locating all utilities prior to construction.
3. The Railroad is responsible for providing required work zone traffic control in accordance with the National Manual on Uniform Traffic Control Devices, Latest Edition.

NUMBER AND TYPE OF TRACKS: One (1) track

EXISTING DEVICES: Advanced warning signs, RxR pavement markings, pavement striping, Stop lines, Emergency notification signs, 'No Passing' pennants, Cross bucks, Mast Mounted Flashing Lights, Gates, and Bells.

PROPOSED IMPROVEMENTS: None by Railroad

SIGNING AND MARKING REQUIREMENTS: Replace warning signs, pavement striping, markings, and legends (to be completed by State Forces).

DATE: 12/19/2023

PROJECT#: RHPD-RR24(904)

COUNTY: CULLMAN

LOCATION: CR-715/PHELAN RD.

RAILROAD: CSX RAILROAD

REF. NO.: 1561

RR INV.NO.: 352187U

24-00816

Alabama Department of Transportation
Federal Aid Rail/Highway Crossing Improvement
Project No. RHPD-RR24(904)
Agreement for Maintenance of Passive Warning Devices

This Agreement is made and entered into by and between the State of Alabama acting by and through the Alabama Department of Transportation, hereinafter referred to as the "STATE" and the COUNTY of Cullman, Alabama, hereinafter referred to as the "COUNTY"

WITNESSETH:

WHEREAS, Federal Section 130 funds will assist the STATE in one hundred percent (100%) of the expenses incurred in order to install passive warning devices for this project at DOT crossing number 352187U on CR-715-Phelan Road in Cullman County, Alabama.

NOW THEREFORE, the parties hereto agree as follows:

1. One hundred percent (100%) of the total cost for the installation of passive warning devices on this project shall be paid with Federal Section 130 funds. The STATE will not be liable for any funds under this Agreement.

2. The estimated cost of this project payable by the parties is the amount set forth below:

Federal Section 130 Funds	(100%)	$ 8,238.78

3. A final inspection shall be made by the STATE after all work items have been completed.

4. The STATE will keep all records and documents pertaining to the project in suitable manner for audit for three years from the date of final payment in accordance with Federal Highway Administration Policies and Procedures. (Federal-Aid Policy Guide 23 CFR Section 140.922).

5. Upon completion and acceptance of this project by the STATE, the COUNTY will assume full ownership and responsibility for the portion of the project work under the COUNTY authority and maintain the devices in satisfactory condition in accordance with the requirements of the STATE as outlined in the latest edition of the Manual on Uniform Traffic Control Devices (MUTCD), and subject to the limitations on damages applicable to counties under Ala. Code § 11-93-2 (1975) the COUNTY will protect, defend, indemnify and hold harmless the State of Alabama, the Alabama Department of Transportation, the officials, officers, and employees, in both their official and individual capacities and their agents and/or assigns, from and against any and all action, damages, claims, loss liabilities, attorney's fees or expense whatsoever or any amount paid in compromise thereof arising out of or connected with the maintenance work performed by the COUNTY under this Agreement.

6. The STATE shall not be responsible for the maintenance of the passive warning devices once the COUNTY has been notified of the project completion and acceptance.

7. By entering into this agreement, the COUNTY is not an agent of the STATE, its officers, employees, agents or assigns.The COUNTY is an independent entity from the STATE and nothing in this agreement creates an agency relationship between the parties.

8. By signing this contract, the contracting parties affirm, for the duration of the agreement, that they will not violate federal immigration law or knowingly employ, hire for employment, or continue to employ an unauthorized alien within the State of Alabama. Futhermore, a contracting party found to be in violation of this provision shall be deemed in breach of the agreement and shall be responsible for all damages resulting therefrom.

9. In compliance with Act 2016-312, the COUNTY hereby certifies that it is not currently engaged in, and will not engage in, the boycott of a person or an entity based in or doing business with a jurisdiction with which this state can enjoy open trade.

10. Exhibit "M" and "N" is attached hereto as a part of this agreement.

(END OF PAGE)

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed by those officers, officials and persons thereunto duly authorized, and the agreement is deemed to be dated and to be effective on the date stated hereinafter as the date of the approval by the Governor of Alabama.

WITNESS BY:

BY: Tiffany Merriman
County Clerk (Signature)

Tiffany Merriman
Type Name of Clerk

County of Cullman.

BY: _____
Chairman (Signature)

Jeff "Clem" Clemons
Type Name of Chairman

THIS AGREEMENT HAS BEEN LEGALLY REVIEWED AND APPROVED AS TO FORM AND CONTENT:

BY: _____
Legal Counsel for
Alabama Department of Transportation

RECOMMENDED APPROVED:

BY: _____
Stanley C. Biddick, P.E.
State Design Engineer

By: _____
Edward N. Austin, P. E.
Chief Engineer

STATE OF ALABAMA, Acting by and through the Alabama Department of Transportation

BY: _____
Transportation Director

The within and foregoing AGREEMENT is hereby approved on the 21st day of May, 2024.

BY: Kay Ivey
Governor of Alabama

RESOLUTION NUMBER 2024-18

BE IT RESOLVED, by the County Commission of Cullman, Alabama as follows:

1. That the County of Cullman, Alabama, enter into an agreement with the State of Alabama, acting by and through the Alabama Department of Transportation for: maintenance of the passive warning devices by the County of Cullman for the project at DOT crossing number _____ on _____ in _____ Alabama.

Which Agreement is before this Commission.

2. That the agreement be executed in the name of the County, by its Chairman of the Commission for and on its behalf;

3. That the signature of the Chairman be attested by the County Clerk and that the seal of the County be affixed to the agreement.

BE IT FURTHER RESOLVED, that upon the completion of the execution of the Agreement by all parties, that a copy of such Agreement be kept on record by the County Clerk.

Passed, adopted, and approved this 18th day of April, 2024.

WITNESS BY:

County Clerk

Chairman

I, the undersigned qualified and acting clerk of the County of Cullman Alabama, do hereby certify that the above and foregoing is a true copy of a resolution passed and adopted by the County Commission named therein, at a regular meeting of such Commission held on the 18th day of April, 2024, and that such resolution is of record in the office of the County.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the County on this 18th day of April, 2024.

County Clerk

EXHIBIT M

CERTIFICATION FOR FEDERAL-AID CONTRACTS: LOBBYING

This certification is applicable to the instrument to which it is attached whether attached directly or indirectly with other attachments to such instrument.

The prospective participant/recipient, by causing the signing of and the submission of this Federal contract, grant, loan, cooperative AGREEMENT, or other instrument as might be applicable under Section 1352, Title 31, U. S. Code, and the person signing same for and on behalf of the prospective participant/recipient each respectively certify that to the best of the knowledge and belief of the prospective participant or recipient and of the person signing for and on behalf of the prospective participant/recipient, that:

a. No Federal appropriated funds have been paid or will be paid, by or on behalf of the prospective participant/recipient or the person signing on behalf of the prospective participant/recipient as mentioned above, to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

b. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, or other instrument as might be applicable under Section 1352, Title 31, U. S. Code, the prospective participant/recipient shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U. S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

The prospective participant/recipient also agrees by submitting this Federal contract, grant, loan, cooperative agreement or other instrument as might be applicable under Section 1352, Title 31, U.S. Code, that the prospective participant/recipient shall require that the language of this certification be included in all lower tier subcontracts, which exceed $100,000 and that all such subrecipients shall certify and disclose accordingly.

EXHIBIT N

FUNDS SHALL NOT BE CONSTITUTED AS A DEBT

It is agreed that the terms and commitments contained herein shall not be constituted as a debt of the State of Alabama in violation of Article 11, Section 213 of the Constitution of Alabama, 1901, as amended by Amendment Number 26. It is further agreed that if any provision of this AGREEMENT shall contravene any statute or Constitutional provision of amendment, either now in effect or which may, during the course of this AGREEMENT, be enacted, then the conflicting provision in the AGREEMENT shall be deemed null and void.

When considering settlement of controversies arising from or related to the work covered by this AGREEMENT, the parties may agree to use appropriate forms of non-binding alternative dispute resolution.

TERMINATION DUE TO INSUFFICIENT FUNDS

a. If the agreement term is to exceed more than one fiscal year, then said agreement is subject to termination in the event that funds should not be appropriated for the continued payment of the agreement in subsequent fiscal years.

b. In the event of proration of the fund from which payment under this AGREEMENT is to be made, agreement will be subject to termination.

NO GOVERNMENT OBLIGATION TO THIRD PARTY CONTRACTORS

The STATE and CONSULTANT acknowledge and agree that, notwithstanding any concurrence by the Federal Government in or approval of the solicitation or award of the underlying contract, absent the express written consent by the Federal Government, the Federal Government is not a party to this contract and shall not be subject to any obligations of or liabilities to the STATE, CONSULTANT, or any other party (whether or not a party to that contract) pertaining to any matter resulting from the underlying contract.

The CONSULTANT agrees to include the above clause in each subcontract financed in whole or in part with Federal assistance provided to FHWA. It is further agreed that the clause shall not be modified, except to identify the subcontractor who will be subject to its provisions.

Construction Cost Estimate

RHPD-RR24(904)
CR-715 (Phelan Rd)

LABOR COST					
CLASSIFICATION	$ / HOUR	HRS/DAY	$ / DAY	# DAYS	LABOR COST
Superintendant	43.71	8	349.68	3	1049.04
Crew Leader	41.61	8	332.88	3	998.64
HMT	32.52	16	520.32	3	1560.96
HMT	28.12	24	674.88	3	2024.64
			TOTAL LABOR COST		5633.28

EQUIPMENT COST					
EQUIPMENT	$ / MILE	MILES / DAY	$ / DAY	# DAYS	EQUIPMENT COST
F-150 PICK UP	0.55	100	55	3	165
F-250 SERVICE	0.65	100	65	3	195
F-350 CREW	0.91	100	91	3	273
BUCKET TRUCK	2.3	75	172.5	1	172.5
		TOTAL EQUIPMENT COST			805.5

MATERIAL COST				
ITEM	UNIT COST	UNIT	QTY	COST
White Thermoplastic	500	box	1	500
Yellow Thermoplastic	500	box	1	500
W14-3 Sign (No Passing)	200	EA	2	400
W10-1 Sign (RR Crossing)	200	EA	2	400
		TOTAL MATERIAL COST		1800

LABOR	5633.28
EQUIPMENT	805.5
MATERIALS	1800
TOTAL PROJECT COST	**8238.78**

UTILITY CERTIFICATE

FOR PHYSICAL CONSTRUCTION OF RAILROAD CROSSING PROJECTS

DATE: 3/11/2024

PROJECT NO: RHRD-RR24(904)

DESCRIPTION: Intersection Improvements on CR-715 at CSX Railroad

COUNTY: Cullman

CONSTRUCTION CPMS NO: 100076871

In accordance with the provisions of 23 CFR Part 635.309, this is to certify that:

☒ No utility conflicts were observed by the diagnostic team that preclude the installation of the crossing improvement as proposed. The Railroad will locate all utility facilities and adjust the crossing improvement to eliminate the conflict or provide for the utility relocation prior to the start of the crossing improvement installation.

Travis R. Kilgore, P.E.
Rail Coordinator, North Region
Guntersville Area

cc: File

RRUC FORM 1
(February 26, 2016)

R/W FORM – CI & CPU

DATE: March 11, 2024

Federal-Aid Project
Construction No. RHPD-RR24(904)
Construction CPMS # 100076871
Right of Way No. _____
ROW CPMS # _____
Description Intersection Improvements On CR-715 at CSX Railroad
County Cullman
Acquiring Agency _____
Total No. Tracts _____
Total No. Relocatees- Residential _____
Business _____

CERTIFICATION FOR PHYSICAL CONSTRUCTION FOR RAILROAD CROSSING PROJECTS

Original X
Update _____

In accordance with the provisions of 23 CFR Part 635 and 49 CFR Part 24, this is to certify that:

1. _____(a) All right of way necessary for the construction of the above project has been acquired and/or legal or physical possession obtained in accordance with the current FHWA directives covering the acquisition of real property. There may be some improvements remaining on the right of way but all occupants have vacated the lands and improvements and the State has physical possession and the right to remove, salvage or demolish these improvements and enter on all land.

   _X_(b) Acquisition of right of way was not required for this project.

2. _____ All necessary rights of way have not been fully acquired. The right to occupy and to use all rights of way required for the proper execution of the project has been acquired. Occupants of all land and improvements have vacated and the State has physical possession and right to remove, salvage or demolish these improvements with exceptions noted in "B" below.

3. _____ Circumstances relating to the unacquired parcels listed in "A" below and occupied improvements listed in "B" below, if any, warrant that the public interest would be served by proceeding with the advertisement for bids or with force account construction in advance of acquisition of such parcels.

4. _____ All right of way has been cleared of improvements except as noted in "B" below.

5. _____(a) All necessary actions relative to relocation advisory assistance and payments as required by current FHWA directives covering the Highway Relocation Assistance Program have been taken.

   _____(b) No persons are being displaced on this project.

   _____(c) All persons displaced prior to the date of this certificate have been relocated into decent, safe and sanitary housing, or have been offered decent, safe and sanitary housing. Also, persons remaining on the right of way as of this date, if any, have the right of immediate possession of adequate replacement housing (as noted in "C" below), or have been offered decent, safe and sanitary housing which is available for immediate occupancy.

Travis Kilgore

Travis R. Kilgore, P.E.
Rail Coordinator, North Region
Guntersville Area

ALABAMA DEPARTMENT OF TRANSPORTATION
CERTIFICATION OF RAILROAD INVOLVEMENT

RR FORM 1
Revised: 04/26/19

CPMS NUMBER 100076871	**DATE SUBMITTED** 3/11/24
PROJECT NUMBER RHPD-RR24(904)	**CROSSING INVENTORY NUMBER (i.e. 123456A)** 352187U
STREET/ROAD NAME (INCLUDE COUNTY/STATE/U.S. ROUTE) CR-715/Phelan Road	
COUNTY Cullman	
PROJECT DESCRIPTION/SCOPE OF WORK AT CROSSING: Railroad crossing improvements for the installation of signs, markings, and median striping on CR-715 (CSX RR)	

SELECT THE APPLICABLE STATEMENT:

In accordance with the provisions of 23 CFR Part 635.309(b), this is to certify that:

☐ The above referenced project has **NO** railroad involvement or railroad coordination required that would need to be undertaken and completed with the physical construction.

☒ All railroad arrangements and/or coordination have been made for the above referenced project to be undertaken and completed within the project as part of the project cost.

☐ All railroad arrangements and/or coordination have been made for the above referenced project to be undertaken and completed prior to project completion at no cost to the project.

BY: Travis Kilgore
Authorized Signature

Travis Kilgore, Gustersville Area Rail Coordinator
Print Name of Authorized Signature and Title

NOTE: Forms RR Form 1 and RR Form 1a are now combined for signature by the Local Authorized Agency, Region Engineer, or project lead engineer.

STATE OF ALABAMA
DEPARTMENT OF TRANSPORTATION
1409 Coliseum Boulevard
Montgomery, Alabama 36110

Type I Programmatic Categorical Exclusion (PCE)

This project meets the criteria of a Categorical Exclusion under 23 CFR 771.117 and complies with the most recent Programmatic Categorical Exclusion Agreement executed by ALDOT and FHWA.

I. Project Information

Project Number:	RHPD-RR24(904)
Project Limits/Termini:	Intersection Improvements on CR-715 at CSX Railroad Crossing
County:	☑ Cullman
Sponsor:	Cullman County
Bureau/Office/Region:	North Region
Reviewer:	Dutton, Jennifer
Approver:	Kilgore, Travis
Prepared By	Dutton, Jennifer

	PE #	Right-of-Way #	Construction #
Federal			
CPMS			100076871

II. Statewide Transportation Improvement Planning (STIP)

STIP: Is the project out of the current Statewide Transportation Improvement Plan (STIP)? Yes

Indicate the STIP approval year:
2024

III. Category Selection

This Programmatic Categorical selection determines this projects' eligibility as a PCE Type I

1. c8) Installation of fencing, signs, pavement markings, small passenger shelters, traffic signals, and railroad warning dev
2.
3.

IV. Project Area and Description

Striping, markings, and signage on Cullman County Road 715 at CSX Crossing

V. PCE Review Criteria

Capacity/Access Management: Does the proposed action 1) result in the capacity expansion of a roadway by the addition of through lanes or auxiliary lanes, 2) involve the construction of temporary access or the temporary closure of an existing road, bridge, or ramps that would result in major traffic disruptions, or 3) involve permanent changes in access control that would affect traffic patterns, property access, or controlled access? No

List any additional information, including a list of any material included in the attachment:

Right-of-Way: No
Does the proposed action include (temporary or permanent) construction easements or right-of-way (donated or transferred)?

Streams/Wetlands/Waterways/Coastal Zone: No
Does the proposed action 1) result in the loss of waters of the U.S. (including wetland), 2) require a U.S. Coast Guard bridge permit, 3) require construction in, across, or adjacent to the Black Warrior River (Sipsey Fork) in Winston County, or 4) is the proposed action in an area covered by the State's Coastal Zone Management Plan (applies to Baldwin & Mobile Counties only)?

List any additional information, including a list of any material included in the attachment:

Floodplain/Floodway: Does the proposed action 1) result in an increase of more than 1 foot of surface water elevation in the base floodplain (100-year flood), 2) increase the risk of damage to property and loss of human life, or 3) result in modification of a waterway? No

List any additional information, including a list of any material included in the attachment:

Endangered Species: No
Does the proposed action potentially affect federally listed or candidate species, proposed or designated critical habitat?

☐ Requires work that will disturb any Waters of the U.S. (Wetlands, Stream, river, etc).

☑ U.S. Fish and Wildlife Service (USFWS Endangered Species MOA) Memorandum of Agreement applies. Applied section(s) are designated in the text box below.

☐ The proposed project has been coordinated with the USFWS Endangered Species Office. The USFWS response dated . Include USFWS statement of response in text box below.

Requirements of Section 7 of the Endangered Species Act of 1973 are fulfilled

C4 in F&W MOA

Federally Listed Bats: Does the project impacts bats or their known hibernacula? Please check all applicable boxes below. No

☐ Does the project occur within the WNS (White Nose Syndrome) Zone as indicated on the map and is within a ¼ mile radius of known hibernacula or known maternity roosting trees? (Please visit the link WNS Zone Map)

☐ Does the project involve clearing, demolition, or involve <u>any</u> bridge worki.e., removal, repair, replacement, rehabilitation)?

☑ Neither

Cultural Resources: Is there a cultural resource impact on this project? No

☒ Alabama SHPO Section 106 Memorandum of Understanding applies. Applied section(s) are designated in the text box below.

☐ The proposed action involves a Historic or Potentially Historic District.

☐ The proposed action goes through a Historic or Potentially Historic Bridge.

☐ Project effects previously undisturbed ground.

Additional information included below

Section 106 of MOA

Hazardous Materials: Does the proposed action involve a hazardous material site? No

Environmental Commitments: Does the proposed action involve any Environmental Commitments during construction of the project? No

Bicycle and Pedestrian Accommodations:

Explain how bicycle and pedestrian transportation facilities were considered, where appropriate, with new construction and reconstruction transportation facilities, except where bicycle and pedestrian use are not permitted. (23 USC 217(g)(1))

Not Applicable

Click below to Add/View an attachment:

CR-715.jpg
MOA-USFW.pdf
MOU_CulturalResources.pdf
Plan Set 12.2023.pdf

PREPARER'S CERTIFICATION

I hereby certify that I have read and understand the *Instructions for the Preparation of NEPA Documentation* for Categorical Exclusions. I also certify that I have read and understand the Programmatic Categorical Exclusion Agreement between the FHWA – Alabama Division and ALDOT.

This document has been reviewed for compliance with applicable federal, state, and local laws and regulations. It has been prepared in compliance with the Council on Environmental Quality Regulations for Implementing the Procedural Provision of the National Environmental Policy Act, 40 CFR 1500–1508, 23 CFR 771. I hereby certify that I have read and understand 23 CFR 771.117.

This document has been prepared by experienced, technically competent, and knowledgeable professionals. I can attest to the document's quality, accuracy, and completeness. By signing this document I am further certifying that, to the best of my knowledge, it meets the criteria for a Programmatic Categorical Exclusion.

Prepared By: **Dutton, Jennifer**

Local Government Representative Name: **ALDOT**

Local Government Representative Signature (if prepared for local government): X_____ Date: _____

REVIEW AND APPROVAL

The ALDOT has reviewed the proposed project for compliance with environmental laws and regulations. It is our determination that the project will not, either individually or cumulatively, have any significant environmental impacts. This project meets the criteria of a Categorical Exclusion under 23 CFR 771.117 and complies with the most recent Programmatic Categorical Exclusion Agreement executed by ALDOT and FHWA.

Reviewed By:	☑ *I certify that I am authorized to Review this document.* **Dutton, Jennifer**
Approved By:	☑ *I certify that I am authorized to Approve this document.* **Kilgore, Travis**
Approval Date:	**3/12/2024**

Form Version 2

RHPD-RR24(904)
CR-715 (Phelan Rd)

LABOR COST					
CLASSIFICATION	$ / HOUR	HRS/DAY	$ / DAY	# DAYS	LABOR COST
Superintendant	43.71	8	349.68	3	1049.04
Crew Leader	41.61	8	332.88	3	998.64
HMT	32.52	16	520.32	3	1560.96
HMT	28.12	24	674.88	3	2024.64
			TOTAL LABOR COST		5633.28

EQUIPMENT COST					
EQUIPMENT	$ / MILE	MILES / DAY	$ / DAY	# DAYS	EQUIPMENT COST
F-150 PICK UP	0.55	100	55	3	165
F-250 SERVICE	0.65	100	65	3	195
F-350 CREW	0.91	100	91	3	273
BUCKET TRUCK	2.3	75	172.5	1	172.5
		TOTAL EQUIPMENT COST			805.5

MATERIAL COST				
ITEM	UNIT COST	UNIT	QTY	COST
White Thermoplastic	500	box	1	500
Yellow Thermoplastic	500	box	1	500
W14-3 Sign (No Passing)	200	EA	2	400
W10-1 Sign (RR Crossing)	200	EA	2	400
		TOTAL MATERIAL COST		1800

LABOR	5633.28
EQUIPMENT	805.5
MATERIALS	1800
TOTAL PROJECT COST	**8238.78**

Route CR-26	**Project Description** RESURFACING AND DRAINAGE IMPROVEMENTS ON CR-26 (ROLAND JOHNSON PARKWAY) FROM MULBERRY FORK TO CR-532							
Project Length in Miles 0.189 **Sponsor** ALDOT					*COST IN THOUSANDS*			
Database ID	**Project Number**	**Scope of Work**	**Type of Work**	**FY**	**Federal**	**State**	**Other**	**TOTAL**
100076496	RALG-22-2023-226 ()	CONSTRUCTION	UNCLASSIFIED	2024	$0	$250	$0	$250
				TOTAL COST	**$0**	**$250**	**$0**	**$250**

Route CR-715	**Project Description** RAILROAD CROSSING IMPROVEMENTS FOR THE INSTALLATION OF SIGNS, MARKINGS, AND MEDIAN STRIPING ON CR-715 AT DOT NO. 352187U IN CULLMAN, CSX RAILROAD. REF. NO. 1561							
Project Length in Miles 0.000 **Sponsor** ALDOT **LVOE** Safety					*COST IN THOUSANDS*			
Database ID	**Project Number**	**Scope of Work**	**Type of Work**	**FY**	**Federal**	**State**	**Other**	**TOTAL**
100076871	RHPD RR24 (904)	CONSTRUCTION	RR CROSSING IMPROVEMENTS	2024	$10	$0	$0	$10
				TOTAL COST	**$10**	**$0**	**$0**	**$10**

Construction Cost Estimate

RHPD-RR24(904)
CR-715 (Phelan Rd)

LABOR COST					
CLASSIFICATION	**$ / HOUR**	**HRS/DAY**	**$ / DAY**	**# DAYS**	**LABOR COST**
Superintendant	43.71	8	349.68	3	1049.04
Crew Leader	41.61	8	332.88	3	998.64
HMT	32.52	16	520.32	3	1560.96
HMT	28.12	24	674.88	3	2024.64
			TOTAL LABOR COST		**5633.28**

EQUIPMENT COST					
EQUIPMENT	**$ / MILE**	**MILES / DAY**	**$ / DAY**	**# DAYS**	**EQUIPMENT COST**
F-150 PICK UP	0.55	100	55	3	165
F-250 SERVICE	0.65	100	65	3	195
F-350 CREW	0.91	100	91	3	273
BUCKET TRUCK	2.3	75	172.5	1	172.5
		TOTAL EQUIPMENT COST			**805.5**

MATERIAL COST				
ITEM	**UNIT COST**	**UNIT**	**QTY**	**COST**
White Thermoplastic	500	box	1	500
Yellow Thermoplastic	500	box	1	500
W14-3 Sign (No Passing)	200	EA	2	400
W10-1 Sign (RR Crossing)	200	EA	2	400
		TOTAL MATERIAL COST		**1800**

LABOR	5633.28
EQUIPMENT	805.5
MATERIALS	1800
TOTAL PROJECT COST	**8238.78**

UTILITY CERTIFICATE

FOR PHYSICAL CONSTRUCTION OF RAILROAD CROSSING PROJECTS

DATE: 3/11/2024

PROJECT NO: RHRD-RR24(904)

DESCRIPTION: Intersection Improvements on CR-715 at CSX Railroad

COUNTY: Cullman

CONSTRUCTION CPMS NO: 100076871

In accordance with the provisions of 23 CFR Part 635.309, this is to certify that:

☒ No utility conflicts were observed by the diagnostic team that preclude the installation of the crossing improvement as proposed. The Railroad will locate all utility facilities and adjust the crossing improvement to eliminate the conflict or provide for the utility relocation prior to the start of the crossing improvement installation.

Travis R. Kilgore, P.E.
Rail Coordinator, North Region
Guntersville Area

cc: File

RRUC FORM 1
(February 26, 2016)

R/W FORM – CI & CPU

DATE: March 11, 2024

Federal-Aid Project
Construction No. RHPD-RR24(904)
Construction CPMS # 100076871
Right of Way No. _____
ROW CPMS # _____
Description Intersection Improvements On CR-715 at CSX Railroad
County Cullman
Acquiring Agency _____
Total No. Tracts _____
Total No. Relocatees- Residential _____
Business _____

CERTIFICATION FOR PHYSICAL CONSTRUCTION FOR RAILROAD CROSSING PROJECTS

Original X
Update _____

In accordance with the provisions of 23 CFR Part 635 and 49 CFR Part 24, this is to certify that:

1. _____(a) All right of way necessary for the construction of the above project has been acquired and/or legal or physical possession obtained in accordance with the current FHWA directives covering the acquisition of real property. There may be some improvements remaining on the right of way but all occupants have vacated the lands and improvements and the State has physical possession and the right to remove, salvage or demolish these improvements and enter on all land.

   X (b) Acquisition of right of way was not required for this project.

2. _____ All necessary rights of way have not been fully acquired. The right to occupy and to use all rights of way required for the proper execution of the project has been acquired. Occupants of all land and improvements have vacated and the State has physical possession and right to remove, salvage or demolish these improvements with exceptions noted in "B" below.

3. _____ Circumstances relating to the unacquired parcels listed in "A" below and occupied improvements listed in "B" below, if any, warrant that the public interest would be served by proceeding with the advertisement for bids or with force account construction in advance of acquisition of such parcels.

4. _____ All right of way has been cleared of improvements except as noted in "B" below.

5. _____(a) All necessary actions relative to relocation advisory assistance and payments as required by current FHWA directives covering the Highway Relocation Assistance Program have been taken.

   _____(b) No persons are being displaced on this project.

   _____(c) All persons displaced prior to the date of this certificate have been relocated into decent, safe and sanitary housing, or have been offered decent, safe and sanitary housing. Also, persons remaining on the right of way as of this date, if any, have the right of immediate possession of adequate replacement housing (as noted in "C" below), or have been offered decent, safe and sanitary housing which is available for immediate occupancy.

Travis R. Kilgore, P.E.
Rail Coordinator, North Region
Guntersville Area

ALABAMA DEPARTMENT OF TRANSPORTATION
CERTIFICATION OF RAILROAD INVOLVEMENT

RR FORM 1
Revised: 04/26/19

CPMS NUMBER 100076871	**DATE SUBMITTED** 3/11/24
PROJECT NUMBER RHPD-RR24(904)	**CROSSING INVENTORY NUMBER (i.e. 123456A)** 352187U
STREET/ROAD NAME (INCLUDE COUNTY/STATE/U.S. ROUTE) CR-715/Phelan Road	
COUNTY Cullman	
PROJECT DESCRIPTION/SCOPE OF WORK AT CROSSING: Railroad crossing improvements for the installation of signs, markings, and median striping on CR-715 (CSX RR)	

SELECT THE APPLICABLE STATEMENT:

In accordance with the provisions of 23 CFR Part 635.309(b), this is to certify that:

☐ The above referenced project has **NO** railroad involvement or railroad coordination required that would need to be undertaken and completed with the physical construction.

☒ All railroad arrangements and/or coordination have been made for the above referenced project to be undertaken and completed within the project as part of the project cost.

☐ All railroad arrangements and/or coordination have been made for the above referenced project to be undertaken and completed prior to project completion at no cost to the project.

BY: Travis Kilgore
Authorized Signature

Travis Kilgore, Guntersville Area Rail Coordinator
Print Name of Authorized Signature and Title

NOTE: Forms RR Form 1 and RR Form 1a are now combined for signature by the Local Authorized Agency, Region Engineer, or project lead engineer.

STATE OF ALABAMA
DEPARTMENT OF TRANSPORTATION
1409 Coliseum Boulevard
Montgomery, Alabama 36110

Type I Programmatic Categorical Exclusion (PCE)

This project meets the criteria of a Categorical Exclusion under 23 CFR 771.117 and complies with the most recent Programmatic Categorical Exclusion Agreement executed by ALDOT and FHWA.

I. Project Information

Project Number:	RHPD-RR24(904)
Project Limits/Termini:	Intersection Improvements on CR-715 at CSX Railroad Crossing
County:	☑ Cullman
Sponsor:	Cullman County
Bureau/Office/Region:	North Region
Reviewer:	Dutton, Jennifer
Approver:	Kilgore, Travis
Prepared By	Dutton, Jennifer

	PE #	Right-of-Way #	Construction #
Federal			
CPMS			100076871

II. Statewide Transportation Improvement Planning (STIP)

STIP: Is the project out of the current Statewide Transportation Improvement Plan (STIP)? Yes

Indicate the STIP approval year:
2024

III. Category Selection

This Programmatic Categorical selection determines this projects' eligibility as a PCE Type I

1. c8) Installation of fencing, signs, pavement markings, small passenger shelters, traffic signals, and railroad warning dev
2.
3.

IV. Project Area and Description

Striping, markings, and signage on Cullman County Road 715 at CSX Crossing

V. PCE Review Criteria

Capacity/Access Management: Does the proposed action 1) result in the capacity expansion of a roadway by the addition of through lanes or auxiliary lanes, 2) involve the construction of temporary access or the temporary closure of an existing road, bridge, or ramps that would result in major traffic disruptions, or 3) involve permanent changes in access control that would affect traffic patterns, property access, or controlled access? No

List any additional information, including a list of any material included in the attachment:

Right-of-Way: No
Does the proposed action include (temporary or permanent) construction easements or right-of-way (donated or transferred)?

Streams/Wetlands/Waterways/Coastal Zone: No
Does the proposed action 1) result in the loss of waters of the U.S. (including wetland), 2) require a U.S. Coast Guard bridge permit, 3) require construction in, across, or adjacent to the Black Warrior River (Sipsey Fork) in Winston County, or 4) is the proposed action in an area covered by the State's Coastal Zone Management Plan (applies to Baldwin & Mobile Counties only)?

List any additional information, including a list of any material included in the attachment:

Floodplain/Floodway: Does the proposed action 1) result in an increase of more than 1 foot of surface water elevation in the base floodplain (100-year flood), 2) increase the risk of damage to property and loss of human life, or 3) result in modification of a waterway? No

List any additional information, including a list of any material included in the attachment:

Endangered Species: No
Does the proposed action potentially affect federally listed or candidate species, proposed or designated critical habitat?

☐ Requires work that will disturb any Waters of the U.S. (Wetlands, Stream, river, etc).

☑ U.S. Fish and Wildlife Service (USFWS Endangered Species MOA) Memorandum of Agreement applies. Applied section(s) are designated in the text box below.

☐ The proposed project has been coordinated with the USFWS Endangered Species Office. The USFWS response dated . Include USFWS statement of response in text box below.

Requirements of Section 7 of the Endangered Species Act of 1973 are fulfilled

C4 in F&W MOA

Federally Listed Bats: Does the project impacts bats or their known hibernacula? Please check all applicable boxes below. No

☐ Does the project occur within the WNS (White Nose Syndrome) Zone as indicated on the map and is within a ¼ mile radius of known hibernacula or known maternity roosting trees? (Please visit the link WNS Zone Map)

☐ Does the project involve clearing, demolition, or involve <u>any</u> bridge worki.e., removal, repair, replacement, rehabilitation)?

☑ Neither

Cultural Resources: Is there a cultural resource impact on this project? No

☒ Alabama SHPO Section 106 Memorandum of Understanding applies. Applied section(s) are designated in the text box below.

☐ The proposed action involves a Historic or Potentially Historic District.

☐ The proposed action goes through a Historic or Potentially Historic Bridge.

☐ Project effects previously undisturbed ground.

Additional Information included below

Section 106 of MOA

Hazardous Materials: Does the proposed action involve a hazardous material site? No

Environmental Commitments: Does the proposed action involve any Environmental Commitments during construction of the project? No

Bicycle and Pedestrian Accommodations:

Explain how bicycle and pedestrian transportation facilities were considered, where appropriate, with new construction and reconstruction transportation facilities, except where bicycle and pedestrian use are not permitted. (23 USC 217(g)(1))

Not Applicable

Click below to Add/View an attachment:

CR-715.jpg
MOA-USFW.pdf
MOU_CulturalResources.pdf
Plan Set 12.2023.pdf

PREPARER'S CERTIFICATION

I hereby certify that I have read and understand the *Instructions for the Preparation of NEPA Documentation* for Categorical Exclusions. I also certify that I have read and understand the Programmatic Categorical Exclusion Agreement between the FHWA – Alabama Division and ALDOT.

This document has been reviewed for compliance with applicable federal, state, and local laws and regulations. It has been prepared in compliance with the Council on Environmental Quality Regulations for Implementing the Procedural Provision of the National Environmental Policy Act, 40 CFR 1500–1508, 23 CFR 771. I hereby certify that I have read and understand 23 CFR 771.117.

This document has been prepared by experienced, technically competent, and knowledgeable professionals. I can attest to the document's quality, accuracy, and completeness. By signing this document I am further certifying that, to the best of my knowledge, it meets the criteria for a Programmatic Categorical Exclusion.

Prepared By: Dutton, Jennifer

Local Government Representative Name: ALDOT

Local Government Representative Signature
(if prepared for local government): X_____ Date: _____

REVIEW AND APPROVAL

The ALDOT has reviewed the proposed project for compliance with environmental laws and regulations. It is our determination that the project will not, either individually or cumulatively, have any significant environmental impacts. This project meets the criteria of a Categorical Exclusion under 23 CFR 771.117 and complies with the most recent Programmatic Categorical Exclusion Agreement executed by ALDOT and FHWA.

Reviewed By:	☑ *I certify that I am authorized to Review this document.* **Dutton, Jennifer**
Approved By:	☑ *I certify that I am authorized to Approve this document.* **Kilgore, Travis**
Approval Date:	**3/12/2024**

Form Version 2

RHPD-RR24(904)
CR-715 (Phelan Rd)

LABOR COST					
CLASSIFICATION	$ / HOUR	HRS/DAY	$ / DAY	# DAYS	LABOR COST
Superintendant	43.71	8	349.68	3	1049.04
Crew Leader	41.61	8	332.88	3	998.64
HMT	32.52	16	520.32	3	1560.96
HMT	28.12	24	674.88	3	2024.64
			TOTAL LABOR COST		5633.28

EQUIPMENT COST					
EQUIPMENT	$ / MILE	MILES / DAY	$ / DAY	# DAYS	EQUIPMENT COST
F-150 PICK UP	0.55	100	55	3	165
F-250 SERVICE	0.65	100	65	3	195
F-350 CREW	0.91	100	91	3	273
BUCKET TRUCK	2.3	75	172.5	1	172.5
		TOTAL EQUIPMENT COST			805.5

MATERIAL COST				
ITEM	UNIT COST	UNIT	QTY	COST
White Thermoplastic	500	box	1	500
Yellow Thermoplastic	500	box	1	500
W14-3 Sign (No Passing)	200	EA	2	400
W10-1 Sign (RR Crossing)	200	EA	2	400
		TOTAL MATERIAL COST		1800

LABOR	5633.28
EQUIPMENT	805.5
MATERIALS	1800
TOTAL PROJECT COST	**8238.78**

Route CR-26	Project Description RESURFACING AND DRAINAGE IMPROVEMENTS ON CR-26 (ROLAND JOHNSON PARKWAY) FROM MULBERRY FORK TO CR-532							
Project Length in Miles 0.189 Sponsor ALDOT					COST IN THOUSANDS			
Database ID	Project Number	Scope of Work	Type of Work	FY	Federal	State	Other	TOTAL
100076496	RALG-22-2023-226 ()	CONSTRUCTION	UNCLASSIFIED	2024	$0	$250	$0	$250
				TOTAL COST	$0	$250	$0	$250

Route CR-715	Project Description RAILROAD CROSSING IMPROVEMENTS FOR THE INSTALLATION OF SIGNS, MARKINGS, AND MEDIAN STRIPING ON CR-715 AT DOT NO. 352187U IN CULLMAN, CSX RAILROAD. REF. NO. 1561							
Project Length in Miles 0.000 Sponsor ALDOT LVOE Safety					COST IN THOUSANDS			
Database ID	Project Number	Scope of Work	Type of Work	FY	Federal	State	Other	TOTAL
100076871	RHPD RR24 (904)	CONSTRUCTION	RR CROSSING IMPROVEMENTS	2024	$10	$0	$0	$10
				TOTAL COST	$10	$0	$0	$10

State of Alabama
Cullman County

RESOLUTION NO. - 2024- 19

WHEREAS, the Cullman County Commission on the basis of an engineering and traffic investigation determines that the maximum speed permitted under Article 8, Title 32, Chapter 5A, Code of Alabama, 1975 for the County Road 1283 a Dirt Road is greater than is reasonable and safe under the conditions found to exist upon said road; it is

THEREFORE RESOLVED, that the proper maximum speed for County Road 1283 is set at 20 miles per hour at all times and no person shall operate a motor vehicle in excess of 20 miles per hour set speed on said County Road 1283;

IT IS FURTHER RESOLVED, that any violations of this Resolution shall be unlawful and punished pursuant to Title 32, Chapter 5A, Code of Alabama, 1975.

ADOPTED this the 18th day of April 2024.

JEFF CLEMONS, CHAIRMAN

GARRY MARCHMAN
COMMISSIONER

ATTEST:

COUNTY CLERK

KERRY WATSON
COMMISSIONER

KELLY DUKE
COMMISSIONER

COREY FREEMAN
COMMISSIONER

State of Alabama
Cullman County

RESOLUTION NO. - 2024- 20

WHEREAS, the Cullman County Commission on the basis of an engineering and traffic investigation determines that the maximum speed permitted under Article 8, Title 32, Chapter 5A, Code of Alabama, 1975 for the County Road 1502 is greater than is reasonable and safe under the conditions found to exist upon said road; it is

THEREFORE RESOLVED, that the proper maximum speed for County Road 1502 is set at 30 miles per hour at all times and no person shall operate a motor vehicle in excess of 30 miles per hour set speed on said County Road 1502;

IT IS FURTHER RESOLVED that any violations of this Resolution shall be unlawful and punished pursuant to Title 32, Chapter 5A, Code of Alabama, 1975.

ADOPTED this the __18th__ day of April 2024.

JEFF CLEMONS, CHAIRMAN

GARRY MARCHMAN
COMMISSIONER

KERRY WATSON
COMMISSIONER

KELLY DUKE
COMMISSIONER

COREY FREEMAN
COMMISSIONER

ATTEST:

COUNTY CLERK

State of Alabama
Cullman County

RESOLUTION NO. - 2024- 21

WHEREAS, the Cullman County Commission on the basis of an engineering and traffic investigation determines that the maximum speed permitted under Article 8, Title 32, Chapter 5A, Code of Alabama, 1975 for a portion of County Road 222 described as from County Road 424 headed Southwesterly to a point 1025 feet Easterly of County Road 410 at a length of 2.2 mile is less than is reasonable and safe under the conditions found to exist upon said road; it is

THEREFORE RESOLVED, that the proper maximum speed for this section of County Road 222 is set at 55 miles per hour at all times and no person shall operate a motor vehicle in excess of 55 miles per hour set in the section of County Road 222 described above;

IT IS FURTHER RESOLVED that any violations of this Resolution shall be unlawful and punished pursuant to Title 32, Chapter 5A, Code of Alabama, 1975.

ADOPTED this the 18th day of April 2024.

Jeff Clemons,
Chairman

Attest: County Clerk

Kerry Watson,
Commissioner

Kelly Duke,
Commissioner

Garry Marchman,
Commissioner

Corey Freeman,
Commissioner

MEMORANDUM OF UNDERSTANDING
AMONG
THE ALABAMA DEPARTMENT OF PUBLIC HEALTH,
THE ALABAMA PUBLIC HEALTH CARE AUTHORITY,
AND
THE CULLMAN COUNTY COMMISSION
FOR IMPROVEMENTS TO THE
CULLMAN COUNTY PUBLIC HEALTH FACILITY

This Memorandum of Understanding (MOU) entered into by and among the **Alabama Department of Public Health**, hereinafter **"Department," the Alabama Public Health Care Authority**, hereinafter **"APHCA"**, and the Cullman County Commission, hereinafter the **"County"** is effective January 1, 2024, and terminates June 30, 2026.

WHEREAS, the parties have been unable to locate an agreement for a lease of the public health facility located at 601 Logan Avenue SW, Cullman, Alabama, in Cullman County (the "Premises"), which is owned by the County and occupied by the Department, with the County and the Department having historically operated as lessor and lessee, for the Department's continued use of the Premises; and

WHEREAS, it is the understanding of the County and the Department that the Premises is intended to include all improvements to the public health facility and related parking facilities, and all furnishings, fixtures, and equipment installed therein, and no alterations, additions or improvements to the Premises are to be made by the Department without first obtaining the express written consent of the County; and

WHEREAS, APHCA is a public corporation duly incorporated and authorized by resolution of the County Commission of Monroe County, Alabama, on November 21, 1995, under the provisions of The Health Care Authorities Act of 1982 codified at Alabama Code Sections 22-21-310 through 22-21-359, which authorizes APHCA to acquire, construct, install, equip, renovate and/or refurbish public health care facilities in order to promote public health throughout the State of Alabama; and

WHEREAS, the Department contributed funds to APHCA to allow APHCA to make certain repairs and maintenance in public health facilities, including, but not limited to, the Premises;

NOW, THEREFORE, in consideration of the mutual covenants herein below specified and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties herein agree to the following:

The County and the Department are mutually desirous of APHCA making the following improvements at the Premises:

1. Paint handrails.

2. Pressure wash sidewalks.
3. Replace wallpaper with paint in clinic area.
4. Remove all deteriorated carpet.
5. Repair eaves by dumpster.
6. Replace leaking windows and sills.
7. Install sensor switches for lights.
8. Replace exterior wall and canopy lights.
9. Mechanical soap and towel dispensers.
10. Additional swipe doors.
11. Make minor changes to these improvements as required

The estimated cost for such improvements is $128,250.00, to be paid by APHCA using the funds contributed to APHCA by the Department. Should the cost of materials, labor or other related costs for the proposed improvements increase above the estimated cost due to factors beyond APHCA's control, the County and the Department agree and understand that the proposed improvements may be subject to reduction or modification. Additional improvements to those listed hereinabove may be undertaken by APHCA pursuant to a written amendment to this MOU, subject to the approval.

The parties agree to the use of the services of The Robins & Morton Group as the Program Management Contractor for the facility improvements. APHCA shall provide, at its own cost and expense, any and all appurtenances, devices, or accessories required for said Program Management Services.

The Department and the County agree and understand that the above-described facility improvements remain with the Premises as fixtures and are not subject to removal by the Department upon termination of their relationship as lessor and lessee or this MOU. The Department agrees further to pay any increased costs for casualty insurance, utilities, and taxes resulting from the facility improvements for which it may be responsible, in accordance with the terms and conditions of the parties' agreement.

This MOU will be incorporated as an addendum to the parties' agreement. All other provisions thereof shall remain in full force and effect.

This MOU may be canceled at any time by either party providing a thirty (30) day written notice to the other party.

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[SIGNATURE BLOCKS APPEAR ON THE FOLLOWING PAGE]

The Cullman County Commission
Cullman, County

Signed: _____
Chairman, Cullman County Commission

Date: 4/18/24

Address:
500 2nd Avenue SW
Room 105
Cullman, AL 35055

Telephone: 256-775-4878
Fax: (Fax Number)

Type or print your email address: (Email address)

Social Security or FEIN: (SS# or FEIN#)

Alabama Department of Public Health
This MOU has been reviewed as to content

Signed: _____
Northern District Administrator

Date: 4-19-2024

APPROVED:

Alabama Department of Public Health

Signed: _____
Scott Harris, M.D., M.P.H.
State Health Officer

Date: 4/29/2024

APPROVED AS TO FORM AND
COMPLIANCE WITH APPLICABLE
RULES AND REGULATIONS
DEPT. OF PUBLIC HEALTH

APR 25 2024

_____
OFFICE OF GENERAL COUNSEL

MEMORANDUM OF UNDERSTANDING
AMONG
THE ALABAMA DEPARTMENT OF PUBLIC HEALTH,
THE ALABAMA PUBLIC HEALTH CARE AUTHORITY,
AND
CULLMAN COUNTY COMMISSION
FOR IMPROVEMENTS TO THE
CULLMAN COUNTY PUBLIC HEALTH FACILITY

This Memorandum of Understanding (MOU) entered into by and among the **Alabama Department of Public Health**, hereinafter **"Department," the Alabama Public Health Care Authority**, hereinafter **"APHCA"**, and Cullman County Commission, Cullman, Alabama, hereinafter the **"County,"** is effective January 1, 2024, and terminates June 30, 2026.

WHEREAS, the parties have been unable to locate an agreement for a lease of the public health facility located at 601 Logan Avenue SW, Cullman, Alabama, in Cullman County (the "Premises"), which is owned by the Cullman County Commission and occupied by the Department, with the Cullman County Commission and the Department having historically operated as lessor and lessee, for the Department's continued use of the Premises; and

WHEREAS, it is the understanding of the Cullman County Commission and the Department that the Premises is intended to include all improvements to the public health facility and related parking facilities, and all furnishings, fixtures, and equipment installed therein, and no alterations, additions or improvements to the Premises are to be made by the Department without first obtaining the express written consent of the Cullman County Commission; and

WHEREAS, APHCA is a public corporation duly incorporated and authorized by resolution of the County Commission of Monroe County, Alabama, on November 21, 1995, under the provisions of The Health Care Authorities Act of 1982 codified at Alabama Code Sections 22-21-310 through 22-21-359, which authorizes APHCA to acquire, construct, install, equip, renovate and/or refurbish public health care facilities in order to promote public health throughout the State of Alabama; and

WHEREAS, the Department contributed funds to APHCA to allow APHCA to make certain repairs and maintenance in public health facilities, including, but not limited to, the Premises;

NOW, THEREFORE, in consideration of the mutual covenants herein below specified and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties herein agree to the following:

The Cullman County Commission and the Department are mutually desirous of APHCA making the following improvements at the Premises:

1. Install poles to carry wiring for electrical and data services to the Community Room.
2. Make minor changes to modifications as required.

The estimated cost for such improvements is **$25,000**, to be paid by APHCA using the funds contributed to APHCA by the Department. Should the cost of materials, labor or other related costs for the proposed improvements increase above the estimated cost due to factors beyond APHCA's control, the Cullman County Commission and the Department agree and understand that the proposed improvements may be subject to reduction or modification. Additional improvements to those listed hereinabove may be undertaken by APHCA pursuant to a written amendment to this MOU, subject to the Cullman County Commission's approval.

The parties agree to the use of the services of The Robins & Morton Group as the Program Management Contractor for the facility improvements. APHCA shall provide, at its own cost and expense, any and all appurtenances, devices, or accessories required for said Program Management Services.

The Department and the Cullman County Commission agree and understand that the above-described facility improvements remain with the Premises as fixtures and are not subject to removal by the Department upon termination of their relationship as lessor and lessee or this MOU. The Department agrees further to pay any increased costs for casualty insurance, utilities, and taxes resulting from the facility improvements for which it may be responsible, in accordance with the terms and conditions of the parties' agreement.

This MOU will be incorporated as an addendum to the parties' agreement. All other provisions thereof shall remain in full force and effect.

This MOU may be canceled at any time by either party providing a thirty (30) day written notice to the other party.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]
[SIGNATURE BLOCKS APPEAR ON THE FOLLOWING PAGE]

Cullman County Commission, Cullman County, Alabama

Signed: _____

Jeff Clemons, Chairman, Cullman County Commission

Date: 4/18/24

Address:
500 2nd Avenue SW
Room 105
Cullman, Alabama 35055)
(Extra Address line if needed)

Telephone: 256-775-4878
Fax: *(Fax Number)*

Type or print your email address:
jclemons@co.cullman.al.us

Social Security or FEIN: (SS# or FEIN#)

Alabama Department of Public Health
This MOU has been reviewed as to content

Signed: _____

Judy Smith, Administrator
Northern District

Date: 4-19-2024

APPROVED:

Alabama Department of Public Health

Signed: _____

Scott Harris, M.D., M.P.H.
State Health Officer

Date: 4/29/2024

APPROVED AS TO FORM AND CONFORMANCE WITH APPLICABLE RULES AND REGULATIONS DEPT. OF PUBLIC HEALTH

APR 2 6 2024

OFFICE OF GENERAL COUNSEL

Sponsored By
ACCA
Association of County Commissions of Alabama

ACCA LIABILITY SELF-INSURANCE FUND, INC.
LIABILITY PROGRAM

P.O. Box 589, Montgomery, AL 36101-0589
(334) 394-3232 – (888) 608-2009

Invoice

Bill To: Cullman County Commission
500 2nd Ave SW, Rm 202
Cullman, AL 35055

Invoice Date: 3/25/2024
Invoice #: 2866
Member #: 0040-0075
Coverage Period: 01/01/2024-01/01/2025

Current Invoice Amount: $30,888.36
Previous Outstanding Amount: $0.00
Outstanding Credits Applied: $0.00
Amount Due: $30,888.36

Please return a copy of this invoice with your payment.

Cullman County Commission
0040-0075

2024 Auto Liability Vehicle Endorsements – First Quarter								
Transaction Date	Endorsement # / Type						Dept.	Amount
	7882	ADD	2013	Ford	Starcraft	1FDFE4FS4DDA85673	56210	$717.08
	7882	ADD	2013	Ford	Starcraft	1FDFE4FS9DDA85720	56210	$717.08
	7882	ADD	2019	Ford	Starcraft	1FDFE4FS1KDC52794	56210	$717.08
	7882	ADD	2019	Chevrolet	Tahoe	1GNLCDEC8KR206090	52100	$268.91
	7882	ADD	2019	Ford	F550 Starcraft	1FDAF5GY3KEF70636	56210	$717.08
	7882	ADD	2020	Freighliner	M2	3ALHC5FE1LDMG7322	54100	$430.25
	7882	ADD	2016	Ford	Starcraft	1FDFE4FS9GDC05441	56210	$717.08
	7882	ADD	2020	GMC	Sierra	1GTU9AEF8LZ138136	52100	$268.91
	7882	ADD	2016	Ford	Starcraft	1FDFE4FSXGDC05450	56210	$717.08
	7882	ADD	2020	Chevrolet	Tahoe	1GNLCDEC1LR231219	52100	$268.91
	7882	ADD	2019	Isuzu	Tomcat Side Load	JALE5W16XK7305205	54100	$430.25
	7882	ADD	1999	GMC	C7 Herbicide Truck	1GDP7H1C0XJ516988	53200	$268.91
	7882	ADD	1997	Stewart & Stevenson	Unk	BT5194BCCF	53200	$268.91
	7882	ADD	2019	Ford	F550 Starcraft	1FDAF5GY0KEF70626	56210	$717.08
	7882	ADD	2020	Freighliner	M2	3ALHC5FE8LDMG7320	54100	$430.25
	7882	ADD	2016	Ford	Starcraft	1FDFE4FS9GDC03818	56210	$717.08
	7882	ADD	2003	Freighliner	FL70	1FVABTBV33HH31706	53000	$268.91
	7882	ADD	2016	Ford	Starcraft	1FDFE4FS9GDC03821	56210	$717.08
	7882	ADD	2016	Ford	Starcraft	1FDFE4FSXGDC05447	56210	$717.08
	7882	ADD	2019	Ford	Fusion	3FA6POG77KR146607	52100	$268.91
	7882	ADD	2020	Chevrolet	Tahoe	1GNLCDEC0LR231213	52100	$268.91

If Paid on Time	Late Penalties	
1/1/2024-3/31/2024 $30,888.36	**2% added 2/1/2024** $617.77 After 2/1/2024, Pay $31,506.13	**+8% added 3/1/2024** $2,471.07 After 3/1/2024, Pay $33,977.20

Please make checks payable to:
ACCA LSIF

Mail to: ACCA Liability Self-Insurance Fund, Inc.
c/o CRS, Inc. – P.O. BOX 589
MONTGOMERY, AL 36101-0589

CULLMAN COUNTY SANITATION RATE CHANGES

PROPOSED CHANGES TO BE EFFECTIVE JANUARY 01, 2024

		OLD	NEW	
15 YARD ROLL OFF		$325.00	$335.00	
20, 30 & 40 YD DELIVERY		$60.00	$60.00	
LRG ROLL OFF HAUL		$175.00	$175.00	
LRG ROLL OFF DAILY RENT		$5.00	$5.00	
LANDFILL $ PER TON		$39.46	$39.46	
REGULAR RESIDENTIAL RATES		$15.00	$15.48	
SENIOR RATES		$7.82	$8.07	
2 YD DUMPSTERS- 1 x WEEK		$83.34	$86.01	
2 YD DUMPSTERS - E.O.W.		$51.86	$53.52	
2 YD DUMPSTERS - 2 X WEEK		$142.80	$147.37	
EXTRA PICK UP	IN AREA (NEW)	$31.00	OUT OF AREA	$50.00
4 YD DUMPSTER - 1 X WEEK		$111.13	$114.69	
4 YD DUMPSTER - E.O.W.		$66.67	$68.80	
4 YD DUMPSTER - 2 X WEEK		$192.61	$198.77	
4 YD DUMPSTER - 3 X WEEK		$274.12	$282.89	
2 - 4 YD DUMPSTERS - 1 X WEEK		$200.03	$206.43	
EXTRA PICK UP	IN AREA (NEW)	$43.00	OUT OF AREA	$80.00
8 YD DUMPSTER - 1 X WEEK		$162.98	$168.20	
8 YD DUMPSTER - E.O.W.		$125.94	$129.97	
8 YD - 2 X WEEK		$314.12	$324.17	
8 YD 3 X WEEK		$466.74	$481.68	
8 YD 4 X WEEK		$619.34	$639.16	
8 YD 5 X WEEK		$771.97	$796.67	
2 - 8 YDS 1 X WEEK		$293.38	$302.77	
2 - 8 YDS 2 X WEEK		$548.22	$565.76	
2 - 8 YDS 3 X WEEK		$770.48	$795.14	
2 - 8 yds 4 X Week		$1,027.88	$1,060.77	
3 - 8 YDS 1 X WEEK		$423.76	$437.32	
3 - 8 YDS 2 X WEEK		$822.34	$848.65	
3 - 8 YDS 3 X WEEK		$1,127.04	$1,163.11	
4 - 8 YDS 1 X WEEK		$554.15	$571.88	
4 - 8 YDS 2 X WEEK		$1,075.72	$1,110.14	
4 - 8 YDS 3 X WEEK		$1,540.96	$1,590.27	
5 - 8 YDS 1 X WEEK		$688.99	$711.04	
5 - 8 YDS 2 X WEEK		$1,370.57	$1,414.43	
5 - 8 YDS 3 X WEEK		$2,054.03	$2,119.76	
6 - 8 YDS 3 x WEEK		$2,311.44	$2,385.41	
8 - 8 YDS 2 X WEEK	(Wallace State Only)	$1,804.15	$1,861.88	
1 - 4 YD & 1- 8 YD 1 X WEEK		$251.88	$259.94	
8 YD - 1 X SET (30 DAYS NO DUMP)		$222.29	$229.40	
4 YD - 1 X SET (30 DAYS NO DUMP)		$132.00	$136.22	
COMMERCIAL HAND PICK UP		$55.72	$57.50	

EXTRA PICK UP	IN AREA (NEW)	$62.00	OUT OF AREA	$111.00

Cullman County Commission

Cullman, Alabama

Upon completion, submit this form to Shane Bailey in the Commission Office

Date: March 8 2024

The following equipment/vehicle is no longer in use and the following action should be taken:

Declare Surplus: XXX Transfer to other County Entity: _____

Type of Disposal: Auction XXX Scrap _____ Sealed Bid _____

Other: GOVDEALS

Asset #: _____ Property Decal #: _____

Serial # or VIN: 2FAFP73V67X121848 Tag # 6707AT7

Description: 2007 FORD CROWN VICTORIA (MAROON)

Reason for disposal: NO LONGER NEEDED FOR LAW ENFORCEMENT USE (189,893)

Department: SHERIFF

Department Head Signature: Matt Gentry, Sheriff

Transferred to: _____

Department Head Signature: _____

For Office Use: Verified: _____ Date: _____

Cullman County Commission

Cullman, Alabama

Upon completion, submit this form to Marie Livingston in the Commission Office

Date: 4/1/2024

The following equipment/vehicle is no longer in use and the following action should be taken:

Declare Surplus: x Transfer to other County Entity: _____

Type of Disposal: Auction x Scrap _____ Sealed Bid _____

Other: _____

Asset #: 700 Property Decal #: _____

Serial # or VIN: 1FTFX1EV3AFA43438 Tag # _____

Description: 2010 FORD F150 4X4

Reason for disposal: Non ecomonical to repair

Department: GARAGE

Department Head Signature: JOEY SMITH

Transferred to: _____

Department Head Signature: _____

For Office Use: Verified: _____ Date: _____

Cullman County Commission

Cullman, Alabama

Upon completion, submit this form to Shane Bailey in the Commission Office

Date: 11/27/2023

The following equipment/vehicle is no longer in use and the following action should be taken:

Declare Surplus: X Transfer to other County Entity: _____

Type of Disposal: Auction _____ Scrap _____ Sealed Bid _____

Other: GovDeals or any means necessary

Asset #: _____ Property Decal #: _____

Serial # or VIN: 1GCBS14EXK2244275 Tag # _____

Description: 1989 Chevrolet Truck

Reason for disposal: Not Operational

Ran two weeks in the Cullman Times

Department: Parks

Department Head Signature: _____

Transferred to: _____

Department Head Signature: _____

For Office Use: Verified: _____ Date: _____

Cullman County Commission

Cullman, Alabama

Upon completion, submit this form to Shane Bailey in the Commission Office

Date: 4/4/2024

The following equipment/vehicle is no longer in use and the following action should be taken:

Declare Surplus: x Transfer to other County Entity: _____

Type of Disposal: Auction x Scrap _____ Sealed Bid _____

Other: _____

Asset #: na Property Decal #: _____

Serial # or VIN: 6137529 Tag # _____

Description: Coleman Popup Camper

ran two weeks in the Cullman Times

Reason for disposal: Not operational

Department: Parks

Department Head Signature: _____

Transferred to: _____

Department Head Signature: _____

For Office Use: Verified: _____ Date: _____

Cullman County Commission

Cullman, Alabama

Upon completion, submit this form to Shane Bailey in the Commission Office

Date: 4/4/2024

The following equipment/vehicle is no longer in use and the following action should be taken:

Declare Surplus: x Transfer to other County Entity: _____

Type of Disposal: Auction x Scrap _____ Sealed Bid _____

Other: _____

Asset #: na Property Decal #: _____

Serial # or VIN: _____ Tag # _____

Description: 1978 Cavalier 24' Nomad Camper

ran two weeks in the Cullman Times

Reason for disposal: Not operational

Department: Parks

Department Head Signature: _____

Transferred to: _____

Department Head Signature: _____

For Office Use: Verified: _____ Date: _____

THE CULLMAN TIMES

cullmantimes.com

300 Fourth Avenue SE, Cullman, AL 35055
cullmantimes.com (256) 734-2131

Ad Proof

This is the proof of your ad scheduled to run on the dates indicated below. Please proofread carefully and if changes are needed, contact us prior to deadline at (256) 734-2131 or email at debbiem@cullmantimes.com.

DATE 11/22/23

Client:
Cullman County Commission on Education
500 2ND AVE. SW, ROOM 105
CULLMAN, AL 35055
(256) 734-2933

ACCOUNT NUMBER: 103441
ACCOUNT REP: OPEN
ACCOUNT REP PHONE:
ACCOUNT REP EMAIL:

Ad ID: 756598

Start: 11/25/23
Stop: 12/02/23

Total Cost: $47.80
# of Lines: 32
Columns Wide: 1
# of Inserts: 4
Ad Class: Sales/Foreclosures
Phone # (256) 734-2131
Email: debbiem@cullmantimes.com

Publications:
Cullman Times
cullmantimes.com

Legal Notice

Notice is hereby given to all owners, secured parties, and lienholders of the following described motor vehicles, which I have the right to sell on Gov Deals or any means necessary, to the highest bidder, in accordance with the State of Alabama abandoned vehicle law, statutes, Chapter 13, Section 1-8, Title 32.

1989 Chevrolet Truck,
Vin. # 1GCBS14EXK2244275

Coleman Popup Camper
Serial # 6137529

1978 Cavalier 24' Nomad Camper, Identification plate could not be located

These vehicles will be sold to pay storage at Smith Lake Park, 403 County Road 386 Cullman, AL 35057.

The Cullman Times
November 25 and
December 2, 2023

Cullman County Commission

Cullman, Alabama

Upon completion, submit this form to Marie Livingston in the Commission Office

Date: 4/3/2024

The following equipment/vehicle is no longer in use and the following action should be taken:

Declare Surplus: x Transfer to other County Entity: _____

Type of Disposal: Auction x Scrap _____ Sealed Bid _____

Other: _____

Asset #: NA Property Decal #: _____

Serial # or VIN: NA Tag # _____

Description: Miscalaneous Furniture to include 25 File Cabinets, 39 chairs, 49 cases of filters, 6 desks, and 2 storage cabinets

Reason for disposal: No longer needed

Department: Commission

Department Head Signature: Shane T. Bailey

Transferred to: _____

Department Head Signature: _____

For Office Use: Verified: _____ Date: _____

Cullman County Commission

Cullman, Alabama

Upon completion, submit this form to Marie Livingston in the Commission Office

Date: 4/1/2024

The following equipment/vehicle is no longer in use and the following action should be taken:

Declare Surplus: x Transfer to other County Entity: _____

Type of Disposal: Auction x Scrap _____ Sealed Bid _____

Other: _____

Asset #: 457 Property Decal #: _____

Serial # or VIN: 1HTSCAAN2XH682734 Tag # _____

Description: 1999 INTERNATIONAL 4700

Reason for disposal: BLOWN ENGINE

Department: ROAD

Department Head Signature: PHILLIP WIDNER

Transferred to: _____

Department Head Signature: _____

For Office Use: Verified: _____ Date: _____

CARTS

Cullman Area Rural Transportation System

March 7, 2024

Mr. Bradley B. Lindsey
State Local Transportation Engineer
Bureau of Local Transportation
1409 Coliseum Boulevard
Montgomery, AL 36110

Dear Mr. Lindsey;

The Cullman Area Rural Transportation System is requesting to dispose of the following vehicles which have been replaced by Ford Transit Vans. Upon approval, please forward titles to CARTS, P O Box 2518, Cullman, AL 35056.

2013 Star Craft - #13-2 – 1FDFE4FS9DDA75639 – 167,755 miles
2013 Star Craft - #13-4 – 1FDFE4FS2DDA75613 – 114,308 miles
2013 Star Craft - #13-8 – 1FDFE4FS8DDA85675 – 108,397 miles
2013 Star Craft – #13-9 – 1FDFE4FS6DDA85720 – 129,915 miles
2013 Star Craft - #13-11 – 1FDFE4FSSDDA85676 – 131,274 miles
2013 Star Craft - #13-12 – 1FDFE4FS4DDA85679 – 126,254 miles
2013 Star Craft - #13-15 – 1FDFE4FS4DDA85673 – 133,445 miles

We greatly appreciate your cooperation and consideration regarding this matter. Should you have any questions, or should you need any additional information, please do not hesitate to call.

Sincerely,

Joyce J. Echols
Director

P.O. Box 2518 ▪ Cullman, Alabama 35056 ▪ 256 734 1246 ▪ FAX 256 736 6450

ALABAMA DEPARTMENT OF TRANSPORTATION

Local Transportation Bureau

1409 Coliseum Blvd., Montgomery, Alabama 36110-2060
Phone: (334) 242-6207 FAX: (334) 353-6550
Internet: http://www.dot.state.al.us

Kay Ivey
Governor

John R. Cooper
Transportation Director

March 13, 2024

Ms. Joyce J. Echols, Director
Cullman Area Rural Transportation System
P.O. Box 2518
Cullman, AL 35056

Subject: Vehicle Disposal

Dear Ms. Echols:

Reference is made to earlier correspondence requesting authorization to dispose of the following listed vehicles:

Vehicle Type	Vehicle Identification No.
2013 Ford Cutaway V	1FDFE4FS9DDA75639
2013 Ford Cutaway V	1FDFE4FS2DDA75613
2013 Ford Cutaway V	1FDFE4FS8DDA85675
2013 Ford Cutaway V	1FDFE4FS9DDA85720
2013 Ford Cutaway V	1FDFE4FSXDDA85676
2013 Ford Cutaway V	1FDFE4FS5DDA85679
2013 Ford Cutaway V	1FDFE4FS4DDA85673

Your request is approved. The vehicles may be disposed after determining fair market value. This may be accomplished by any of three methods. The first is by obtaining three quotes, the highest of which will establish fair market value; a second is by advertising in a newspaper of local circulation or other medium requesting bids; a third is by public auction. A copy of the Vehicle Quote/Bid Sheet is enclosed for your use. Reference the enclosed "Transit Vehicle Disposition Replacement Policy" and the sample calculations form for guidance in handling the remaining balance of funds.

The titles for the vehicles listed above are enclosed. The liens are released for the purpose of disposition.

The enclosed "Disposition of Project Equipment Form" should be completed and submitted to this Department along with payment and copies of any/all bids or quotes within 45 days of the date of this letter. Also, please include a copy of the back portion of each title that shows the "Assignment of Title by Registered Owner." This will serve as ALDOT's assurance that this equipment has been removed from public transportation service.

Please ensure that all transit markings are removed prior to the completion of this activity.

If you have any questions, please contact Robert Echols at (334) 242-6780.

Sincerely,

Bradley B. Lindsey, P.E.
State Local Transportation Engineer

BBL:re
Enclosures

Bid No. 1462

INVITATION TO BIDDERS

The Cullman County Commission will be receiving bids until 2:00 p.m., Thursday, April 18, 2024, in Room 105 of the Cullman County Courthouse, Cullman, Alabama, for the acquisition of one New Current Model Transit Cargo Van. At this time sealed bids will be publicly opened and read aloud.

The Cullman County Commission reserves the right to reject any and/or all bids and to waive any formalities in the bidding.

Bid responses must be returned in a sealed envelope, clearly marked as a bid with the bid number and your company name on the outside.

COMPLIANCE WITH THE BEASON-HAMMON ALABAMA TAXPAYER AND CITIZEN PROTECTION ACT
(ACT 2011-535. AS AMENDED BY ACT 2012-491)

By signing this contract, grant, or other agreement, the contracting parties affirm, for the duration of the agreement, that they will not violate federal immigration law or knowingly employ, hire for employment, or continue to employ an unauthorized alien within the State of Alabama. Furthermore, a contracting party found to be in violation of this provision shall be deemed in breach of the agreement and shall be responsible for all damages resulting therefrom. The Contractor is enrolled in E-Verify unless it is not eligible to enroll because of the rules of that program or other factors beyond its control.

W-9 TAX DOCUMENTS and E-VERIFY ARE REQUIRED TO BE SUBMITTED WITH THIS BID. FAILURE TO DO SO MAY RESULT IN REJECTION OF BIDDERS SUBMITTAL

*******BIDDER MUST BE ABLE TO MAKE DELIVERY OF VEHICLE WITHIN 60-90 DAYS OF BID AWARD.*************

Bid Price: $ 56,356.00

CURRENT 2023 MODEL
* AVAILABLE 4-24-24 IF WE WIN BID

ECKENROD FORD
Company

PO BOX 820
Mailing Address

CULLMAN AL 35058

256-734-3261 / 256-734-9259
Phone/Fax

PHILLIP MANN / KAREN DAWSON
Representative

BID SPECIFICATIONS

For the acquisition of One New Current Model, Transit Cargo Van furnished with the following:

***Minimum 148" Wheel Base**

*** Engine: 5.3L V8 ECOTEC3 or Equivalent**

***10-Speed Automatic Transmission**

***3.5L PFDI V6 (GAS) or Equivalent**

***Rear Wheel Drive**

***Preferred Equipment PKG. or Equivalent**

350 – ***9950 #GVWR Package or Equivalent** ?

***70 AMP-HR Dual Batteries or Equivalent** ?

***4.10 limited Slip Axle or Equivalent**

***Aluminum Wheels** - SILVER

*** Disc Brakes with ABS**

***Automatic Locking Rear Differential** ? NO LOCKING LOCKING REAR DIFFERENTIAL

***Color: White**

***A/C and Heater**

***AM/FM RADIO**

***Blue tooth, hands free calling**

***Blind Spot Assis**

***Rear Vison Camera**

***Rear Park Assist**

***Cruise Control**

***Power Windows, locks and mirrors**

***Theft Deterrent System**

***Tilt Steering Wheel**

***Lane Keep Assist with Lane Departure Warning** ?

***Rear Compartment Lighting**

KAN-000453 GA 9-NORMAL,NB,000453,PL292 16190 120231208 BLEND 3253 | CERT | CERT | CERT | TRD | W RAMP | BUMP | CAMP | BOOK | EXFL | ROTA | 018490 55/786 1FTBF1Y89 PKC00140 NB FEPL

ford.com

VEHICLE DESCRIPTION

TRANSIT

PK C00140

2023 350 HD LR CARGO RWD
148" WHEELBASE
3.5L PFDI V6 (GAS)
10-SPEED TRANSMISSION

EXTERIOR
OXFORD WHITE
INTERIOR
EBONY CLOTH

STANDARD EQUIPMENT INCLUDED AT NO EXTRA CHARGE

EXTERIOR
- AUXILIARY FUEL PORT
- BODY SIDE MOLDINGS - BLACK
- BUMPERS - CARBON BLACK
- FULL SIZE SPARE TIRE/WHEEL
- HEADLAMP COURTESY DELAY
- WIPERS - RAIN-SENSING

INTERIOR
- AIR CONDITIONING
- ASSIST HANDLE - B-PILLAR
- ASSIST HANDLES - A-PILLAR
- CENTER CONSOLE
- INTERIOR LIGHTING - LED
- LOCKING GLOVE BOX
- POWERPOINT - 12V (FRONT)
- STEERING - TILT/TELESCOPIC
- TACHOMETER

FUNCTIONAL
- AUTO HIGH-BEAM HEADLAMPS
- ELECTRONIC PWR ASST STEER
- FORWARD COLLISION WARNING
- HILL START ASSIST
- LANE-KEEPING SYSTEM
- POST-COLLISION BRAKING
- PRE-COLLISION ASSIST W/AEB
- REAR VIEW CAMERA W/ TRAILER HITCH ASSIST
- SELECTABLE DRIVE MODES
- SIDE-WIND STABILIZATION

SAFETY/SECURITY
- 3 POINT SAFETY BELTS
- ADVANCETRAC™ WITH RSC®
- AIRBAGS & FRONT, SIDE AND SAFETY CANOPY® SYSTEM
- BRAKES - 4WHEEL DISC W/ABS
- SECURILOCK® ANTI-THEFT SYS
- SOS POST-CRASH ALERT SYS™
- TIRE PRESSURE MONIT SYS

WARRANTY
- 3YR/36,000 BUMPER / BUMPER
- 5YR/60,000 POWERTRAIN
- 5YR/60,000 ROADSIDE ASSIST

INCLUDED ON THIS VEHICLE	(MSRP)
OPTIONAL EQUIPMENT/OTHER	
PREFERRED EQUIPMENT PKG.101A	
4.10 LIMITED SLIP AXLE	NO CHARGE
WHEEL WELL LINERS	295.00
FRONT LICENSE PLATE BRACKET	NO CHARGE
FIXED REAR CARGO DOOR GLASS	250.00
AUTO START STOP REMOVAL	- 50.00
9950# GVWR PACKAGE	NO CHARGE
2WAY D/P NO ARM REST EB CLTH	NO CHARGE
50 STATE EMISSIONS	NO CHARGE
REVERSE SENSING SYSTEM	NO CHARGE
ELEC AIR TEMP CONTROL	NO CHARGE
SYNC 4 HD/NAV/IACC	2,050.00
HD CARGO FLOOR COVERING	925.00
HIGH RES REAR VIEW CAMERA	NO CHARGE
DUAL BATTERIES (70 AMP-HR)	NO CHARGE
SPARKLE SILVER WHEEL	1,050.00
BLIND SPOT ASSIST 1.0	795.00
REMOTE START	495.00
RUNNING BOARD	310.00
HEAVY-DUTY SCUFF PLATE KIT	NO CHARGE
POWERPOINT (12V)	15.00
POWER OUTLET (110V/400W)	475.00
HID HEADLAMPS	455.00
LOAD AREA PROTECTION PKG	485.00
E-85 FLEX FUEL CAPABLE	NO CHARGE

PRICE INFORMATION	(MSRP)
BASE PRICE	$48,470.00
TOTAL OPTIONS/OTHER	7,550.00
TOTAL VEHICLE & OPTIONS/OTHER	56,020.00
DESTINATION & DELIVERY	1,895.00

RAMP ONE CT7Z

RAMP TWO

CONVOY

ITEM #: 21-6877 O/T 2

TOTAL MSRP $57,915.00

Ford Credit Whether you decide to lease or finance your vehicle, you'll find the choices that are right for you. See your dealer for details or visit www.ford.com/finance.

This label is affixed pursuant to the Federal Automobile Information Disclosure Act. Gasoline, License, and Title Fees, State and Local taxes are not included. Dealer installed options or accessories are not included unless listed above.

PL292 N RB 2X 365 000453 11 29 23

California Air Resources Board

Flexible-Fuel Vehicle Gasoline-Ethanol (E85)

Environmental Performance

These ratings are not directly comparable to the U.S. EPA/DOT light-duty vehicle label ratings. For information on how to compare, please see www.arb.ca.gov/ep_label.

Protect the environment. Choose vehicles with **higher ratings**:

Greenhouse Gas Rating (tailpipe only)

A+ — C — D

Cleaner

Smog Rating (tailpipe only)

A+ — A — D

Cleaner

Using alternative fuels may change scores.

Vehicle emissions are a primary contributor to climate change and smog. Ratings are determined by the California Air Resources Board based on this vehicle's measured emissions.

CALIFORNIA AIR RESOURCES BOARD

GOVERNMENT 5-STAR SAFETY RATINGS

Overall Vehicle Score **Not Rated**

Based on the combined ratings of frontal, side and rollover.
Should ONLY be compared to other vehicles of similar size and weight.

Frontal Crash	Driver	★★★★
	Passenger	★★

Based on the risk of injury in a frontal impact.
Should ONLY be compared to other vehicles of similar size and weight.

Side Crash	Front seat	Not Rated
	Rear seat	Not Rated

Based on the risk of injury in a side impact.

Rollover **Not Rated**

Based on the risk of rollover in a single-vehicle crash.

Star ratings range from 1 to 5 stars (★★★★★), with 5 being the highest.
Source: National Highway Traffic Safety Administration (NHTSA).
www.safercar.gov or 1-888-327-4236

FordPass Connect™

Download the FordPass™ app* and you can:

Access Vehicle Control Features
- Remotely start, lock and unlock your vehicle.
- Locate your vehicle and check approximate fuel range.
- Receive vehicle health alerts.

Activate 4G LTE Wi-Fi Hotspot
- New vehicles include a 3-month or 3GB data (whichever comes first) Wi-Fi trial.
- Connect up to ten Wi-Fi-equipped devices.

The FordPass Connect™ modem is active and sending vehicle data (e.g., diagnostics) to Ford. See in-vehicle Settings for connectivity options.

1FTBF1Y89PKC00140

FORD PROTECT

Insist on Ford Protect! The only extended service plan fully backed by Ford and honored at every Ford dealership in the U.S., Canada and Mexico. See your Ford dealer or visit www.FordOwner.com.

⚠ **WARNING:** Operating, servicing and maintaining a passenger vehicle, pickup truck, van, or off-road vehicle can expose you to chemicals including engine exhaust, carbon monoxide, phthalates, and lead, which are known to the State of California to cause cancer and birth defects or other reproductive harm. To minimize exposure, avoid breathing exhaust, do not idle the engine except as necessary, service your vehicle in a well-ventilated area and wear gloves or wash your hands frequently when servicing your vehicle. For more information go to www.P65Warnings.ca.gov/passenger-vehicle.

SCAN OR TEXT 1FPKC00140 TO 48028

Msg & Data rates may apply. Text HELP for help

www.ford.com/help/privacy-terms/

1202312083253

04/18/2024

* AVAILABLE 4-24-24

Structural Steel Beams

All Structural Steel Beams shall be A50 or greater.

Beam Sizes	Unit L (FT)	# of Units	Est. length (FT)	$/ft	Cost ($)
W30x108	50	6	300	86.55	25,965.00
W24x55	21.5	6	129	42.64	5,500.56
				Subtotal (A)	$ 31,465.56

All Structural Steel shapes shall be A36 or greater.

Steel shapes

	lb./ft	Est. length (FT)	$/ft	Cost ($)
8" C - Channel	11.5	280	8.08	2,262.40
10" C - Channel	15.3	120	11.62	1,394.40
12" C - Channel	20.7	120	16.23	1,947.60
4" x 4" Angle Steel	8.2	120	5.33	639.60

B composite floor Decking sheets 1.5" deep		Est. length (FT)	$/ft	Cost ($)
24 ft long, 3 ft wide cover with a lap	22 gauge	960	11.00	10,560.00
			Subtotal (B)	$ 16,804.00

All Material shall be Grade 60 and conform to the requirements of Section 835, Alabama Department of Transportation Standard Specifications for Highway Construction, current edition

Steel Rebar

Bar Size	Est. (lbs./ft)	Dia. (inches)	Est. (lbs.)	Est. length (ft)	$/ft	Cost
#4	0.668	0.5	13506.96	20220	.33	6,672.60
#5	1.043	0.625	22883.42	21940	.51	11,189.40
#6	1.502	0.75	210.28	140	.73	102.00
#7	2.044	0.875	204.4	100	1.00	100.00
#9	3.4	1.128	272	80	3.00	240.00
					Subtotal (C)	$ 18,303.40

TOTAL (A+B+C) $ 66,572.96

Quantities are minimum estimated amounts. Compensation will be for actual quantities specified in purchase order.

Apel Machine & Supply Co., Inc.
Company

Phone: 256-734-2032 Fax: 256-737-0673
Phone/Fax

P.O. 2010 Cullman, AL 35056-2010
Mailing Address

John Apel, President
Representative

W-9 TAX DOCUMENTS and E-VERIFY ARE REQUIRED TO BE SUBMITTED WITH THIS BID. FAILURE TO DO SO WILL RESULT IN REJECTION OF BIDDERS SUBMITTAL

COMPLIANCE WITH THE BEASON-HAMMON ALABAMA TAXPAYER AND CITIZEN PROTECTION ACT (ACT 2011-535. AS AMENDED BY ACT 2012-491)

By signing this contract, grant, or other agreement, the contracting parties affirm, for the duration of the agreement, that they will not violate federal immigration law or knowingly employ, hire for employment, or continue to employ an unauthorized alien within the State of Alabama. Furthermore, a contracting party found to be in violation of this provision shall be deemed in breach of the agreement and shall be responsible for all damages resulting therefrom. The Contractor is enrolled in E-Verify unless it is not eligible to enroll because of the rules of that program or other factors beyond its control.

Structural Steel Beams

All Structural Steel Beams shall be A50 or greater.

Beam Sizes	Unit L (FT)	# of Units	Est. length (FT)	$/ft	Cost ($)
W30x108	50	6	300	$110.72	$33,223.61
W24x55	21.5	6	129	$48.03	$7,203.90
				Subtotal (A)	$40,437.51

All Structural Steel shapes shall be A36 or greater.

Steel shapes

	lb./ft	Est. length (FT)	$/ft	Cost ($)
8" C - Channel	11.5	280	$8.62	2412.75
10" C - Channel	15.3	120	$12.37	1484.04
12" C - Channel	20.7	120	$16.98	2037.13
4" x 4" Angle Steel	8.2	120	$6.22	753.57

B composite floor Decking sheets 1.5" deep		Est. length (FT)	$/ft	Cost ($)
24 ft long, 3 ft wide cover with a lap	22 gauge	960	$2.21	$6,372.00
			Subtotal (B)	$13,059.49

All Material shall be Grade 60 and conform to the requirements of Section 835, Alabama Department of Transportation Standard Specifications for Highway Construction, current edition

Steel Rebar

Bar Size	Est. (lbs./ft)	Dia. (inches)	Est. (lbs.)	Est. length (ft)	$/ft	Cost
#4	0.668	0.5	13506.96	20220	.3937	$7961.17
#5	1.043	0.625	22883.42	21940	.6147	$13,427.47
#6	1.502	0.75	210.28	140	.8841	$123.78
#7	2.044	0.875	204.4	100	1.65	$164.89
#9	3.4	1.128	272	80	4.38	350.00
					Subtotal (C)	$22,027.31

TOTAL (A+B+C) $75,524.31

Quantities are minimum estimated amounts. Compensation will be for actual quantities specified in purchase order.

Shelton Steel, Inc.
Company

205-466-7675
Phone/Fax

2012 Booker Branch Rd. Horton, AL 35920
Mailing Address

Kevin Shelton President
Representative

W-9 TAX DOCUMENTS and E-VERIFY ARE REQUIRED TO BE SUBMITTED WITH THIS BID. FAILURE TO DO SO WILL RESULT IN REJECTION OF BIDDERS SUBMITTAL

COMPLIANCE WITH THE BEASON-HAMMON ALABAMA TAXPAYER AND CITIZEN PROTECTION ACT (ACT 2011-535. AS AMENDED BY ACT 2012-491)

By signing this contract, grant, or other agreement, the contracting parties affirm, for the duration of the agreement, that they will not violate federal immigration law or knowingly employ, hire for employment, or continue to employ an unauthorized alien within the State of Alabama. Furthermore, a contracting party found to be in violation of this provision shall be deemed in breach of the agreement and shall be responsible for all damages resulting therefrom. The Contractor is enrolled in E-Verify unless it is not eligible to enroll because of the rules of that program or other factors beyond its control.

BID NO. 1457

INVITATION TO BIDDERS
STRUCTURAL STEEL & REINFORCING STEEL

The Cullman County Commission will be receiving bids until 2:00 p.m., Monday, April 18, 2022, in the County Commission Office, Room 105 Courthouse, Cullman, Alabama, for structural steel. At this time sealed bids will be publicly opened and read aloud.

This bid is for a one-time purchase. Quantities are estimated amounts. Compensation will be for actual quantities specified in purchase order. This bid will only be valid for a period of thirty (30) calendar days, close of business from the of award date.

The Cullman County Commission reserves the right to reject any and/or all bids and to waive any formalities in the bidding.

Bid price shall be price per foot and include all delivery costs to any project locations within the boundaries of Cullman County as directed.

All beams must conform to ASTM A-36 & 50 Equivalent or Greater; All Material shall conform to the requirements of Section 508, Alabama Department of Transportation Standard Specifications for Highway Construction, current edition; applicable to materials only.

Successful Bidder must provide appropriate certifications (ASTM, AISC, etc.) from the manufacturer certifying that the steel products meet the specifications required in this bid; More specifically this applies to the grade or strength of the steel.

Award will be based upon the lowest **TOTAL** bid price submitted by a responsible bidder.

All bids shall be typewritten, written in ink. They must be signed by an official of the corporation/company duly authorized to sign bids.

Bid responses must be returned in a sealed envelope clearly marked as a bid with the bid number and your company name on the outside.

Bid will be awarded based on lowest bid meeting required specifications. Any questions regarding this bid should be directed to Jon Brunner @ 256-796-1336.

Structural Steel Beams

All Structural Steel Beams shall be A50 or greater.

Beam Sizes	Unit L (FT)	# of Units	Est. length (FT)	$/ft	Cost ($)
W30x108	50	6	300	85.05	25,515.00
W24x55	21.5	6	129	46.85	6,043.65
				Subtotal (A)	$31,558.65

All Structural Steel shapes shall be A36 or greater.

Steel shapes

	lb./ft	Est. length (FT)	$/ft	Cost ($)
8" C - Channel	11.5	280	7.48	2,094.40
10" C - Channel	15.3	120	10.71	1,285.20
12" C - Channel	20.7	120	14.49	1,738.80
4" x 4" Angle Steel	8.2	120	5.58	669.60

B composite floor Decking sheets 1.5" deep		Est. length (FT)	$/ft	Cost ($)
24 ft long, 3 ft wide cover with a lap	22 gauge	960	3.57/SQFT	10,281.60
			Subtotal (B)	$ 11,069.80

All Material shall be Grade 60 and conform to the requirements of Section 835, Alabama Department of Transportation Standard Specifications for Highway Construction, current edition

Steel Rebar

Bar Size	Est. (lbs./ft)	Dia. (inches)	Est. (lbs.)	Est. length (ft)	$/ft	Cost
#4	0.668	0.5	13506.96	20220	.33	6,672.60
#5	1.043	0.625	22883.42	21940	.51	11,189.40
#6	1.502	0.75	210.28	140	.83	116.20
#7	2.044	0.875	204.4	100	1.13	113.00
#9	3.4	1.128	272	80	3.75	300.00
					Subtotal (C)	$ 18,391.20

TOTAL (A+B+C) $ 66,019.45

Quantities are minimum estimated amounts. Compensation will be for actual quantities specified in purchase order.

JMS Russel Metals
Company

(256) 308-0580
Phone/Fax

1312 Commerce Dr. NW
Decatur, AL 35601
Mailing Address

Representative

W-9 TAX DOCUMENTS and E-VERIFY ARE REQUIRED TO BE SUBMITTED WITH THIS BID. FAILURE TO DO SO WILL RESULT IN REJECTION OF BIDDERS SUBMITTAL

COMPLIANCE WITH THE BEASON-HAMMON ALABAMA TAXPAYER AND CITIZEN PROTECTION ACT (ACT 2011-535. AS AMENDED BY ACT 2012-491)

By signing this contract, grant, or other agreement, the contracting parties affirm, for the duration of the agreement, that they will not violate federal immigration law or knowingly employ, hire for employment, or continue to employ an unauthorized alien within the State of Alabama. Furthermore, a contracting party found to be in violation of this provision shall be deemed in breach of the agreement and shall be responsible for all damages resulting therefrom. The Contractor is enrolled in E-Verify unless it is not eligible to enroll because of the rules of that program or other factors beyond its control.

JMS RUSSEL METALS CORP

1312 COMMERCE DRIVE N.W.
DECATUR, AL 35601
PHONE#(256)-308-0580 FAX#(256)-308-0250

QUOTATION

SOLD TO: CASH IN ADVANCE
1312 COMMERCE DR NW
DECATUR, AL 35601

SHIP TO: CASH IN ADVANCE
WILL CALL
DECATUR, AL 35601

QUOTATION NUMBER
20607417

CUST#:2010001
PH#(256)-308-0580
PO#: CULLMAN COUNTY BID DEC
CONTACT NAME:

QUOTE DATE	REQUEST DATE
03/04/24	

F.O.B.
DESTINATION

TERMS
COD

RUSSELL FOWLER
SALES REPRESENTATIVE

IN RESPONSE TO YOUR INQUIRY WE ARE PLEASED TO QUOTE AS FOLLOWS:

ITEM NO.	QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
23029	300 FT 6 EA	30 X 108 WF BEAM A992 / 572 50 WIDTH LENGTH 600.0000 BUNDLE QTY	85.0500 FT	25,515.00
24394	129 FT 6 EA	24 X 55 WF BEAM A992 / A572 50 WIDTH LENGTH 258.0000 BUNDLE QTY	46.8500 FT	6,043.65
75964	280 FT 14 EA	8 X 11.5 STR CHAN A36 WIDTH LENGTH 20'	7.4800 FT	2,094.40
96221	120 FT 3 EA	10 X 15.3 STR CHAN A36 WIDTH LENGTH 40'	10.7100 FT	1,285.20
96232	120 FT 3 EA	12 X 20.7 STR CHAN A36 WIDTH LENGTH 40'	14.4900 FT	1,738.80

TERMS & CONDITIONS OF QUOTE
1. Prices and charges are subject to change, please confirm at time of placing order
2. Prices are subject to change if quantity is changed on final order
3. All sales, use, excise or other applicable taxes shall be paid by the Purchaser even if not included on quote.
4. Delivery dates are Vendor's best estimate only and subject to delays beyond Vendor's reasonable control
5. Our normal terms of sales are net 30 days, subject to credit approval
This quote is subject to our Terms & Conditions of Sale which are available for your review at www.russelmetals.com/en/tools/pages/terms_and_conditions.aspx or by fax or email from your sales representative.

FS_NS_ Rev. 11.03

JMS RUSSEL METALS CORP

1312 COMMERCE DRIVE N.W.
DECATUR, AL 35601
PHONE#(256)-308-0580 FAX#(256)-308-0250

QUOTATION

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TERMS
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RUSSELL FOWLER
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WILL CALL
DECATUR, AL 35601

QUOTATION NUMBER
20607417

CUST#:2010001
PH#(256)-308-0580
PO#: CULLMAN COUNTY BID DEC
CONTACT NAME:

IN RESPONSE TO YOUR INQUIRY WE ARE PLEASED TO QUOTE AS FOLLOWS:

ITEM NO.	QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
96288	120 FT 3 EA	4 X 4 X 5/16 STR ANG A36 WIDTH LENGTH 40'	5.5800 FT	669.60
26213	20220 FT 1,011 EA	1/2 (#4) HR ASTM A615 GR60 WIDTH LENGTH 20'	.3300 FT	6,672.60
33180	21940 FT 1,097 EA	5/8 (#5) HR ASTM A615 GR60 WIDTH LENGTH 20'	.5100 FT	11,189.40
47621	140 FT 7 EA	3/4 (#6) HR ASTM A615 GR60 WIDTH LENGTH 20'	.8300 FT	116.20
47623	100 FT 5 EA	7/8 (#7) HR ASTM A615 GR60 WIDTH LENGTH 20'	1.1300 FT	113.00

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5. Our normal terms of sales are net 30 days subject to credit approval

This quote is subject to our Terms & Conditions of Sale which are available for your review at www.russelmetals.com/en/tools/pages/terms_and_conditions.aspx or by fax or email from your sales representative.

FS_WB_Rev. 11.09

JMS RUSSEL METALS CORP

1312 COMMERCE DRIVE N.W.
DECATUR, AL 35601
PHONE#(256)-308-0580 FAX#(256)-308-0250

QUOTATION

QUOTE DATE	REQUEST DATE
03/04/24	

F.O.B.
DESTINATION

TERMS
COD

RUSSELL FOWLER
SALES REPRESENTATIVE

SOLD TO: CASH IN ADVANCE
1312 COMMERCE DR NW
DECATUR, AL 35601

SHIP TO: CASH IN ADVANCE
WILL CALL
DECATUR, AL 35601

QUOTATION NUMBER
20607417

CUST#:2010001
PH#(256)-308-0580
PO#: CULLMAN COUNTY BID DEC
CONTACT NAME:

IN RESPONSE TO YOUR INQUIRY WE ARE PLEASED TO QUOTE AS FOLLOWS:

ITEM NO.	QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
24576	80 FT 4 EA	1 1/8 (#9) HR ASTM A615 GR60 WIDTH LENGTH 20'	3.7500 FT	300.00
00820	2880 SFT 40 EA	B FLOOR COMPOSITE DECKING 22GA GA WIDTH 36.0000 LENGTH 288.0000 GALVANIZED 3' WIDE X 24' LONG	3.5700 SFT	10,281.60

TOTAL WEIGHT 85098 LBS

TOTALS	66,019.45
STATE TAX	
OTHER TAX	
GRAND TOTAL	66,019.45

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4. Delivery dates are Vendor's best estimate only and subject to delays beyond Vendor's reasonable control.
5. Our normal terms of sales are net 30 days, subject to credit approval.
This quote is subject to our Terms & Conditions of Sale which are available for your review at www.russelmetals.com/en/tools/pages/terms_and_conditions.aspx or by fax or email from your sales representative.

FS_WB_Rev. 11.02

PHILIP WIDNER, P.E.
County Engineer
pwidner@co.cullman.al.us

Cullman County COMMISSION

JON BRUNNER, P.E.
Assistant Engineer
jbrunner@co.cullman.al.us

Cullman County Engineering Department

2883 Highway 69 North - Cullman, AL 35058
Phone: 256-796-1336 Pax: 256-796-7039

March 20, 2024

Proposed considerations for upcoming Commission meeting on April 18, 2024.

- Proposed plat Kirkland Estates Subdivision. A minor subdivision containing 3 Lots. Subdivision is located .6 miles West of Hwy 231 on County Road 1763.

PHILIP WIDNER, P.E.
County Engineer
pwidner@co.cullman.al.us

Cullman County COMMISSION

JON BRUNNER, P.E.
Assistant Engineer
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Cullman County Engineering Department

2883 Highway 69 North - Cullman, AL 35058
Phone: 256-796-1336 Pax: 256-796-7039

March 27, 2024

Proposed considerations for upcoming Commission meeting on April 18, 2024.

- Proposed plat Simcoe Village Subdivision. A minor subdivision containing 8 Lots in Commission District 3. Subdivision is located 1 mile North of US Hwy 278 off County Road 747 at intersection of County Road 1629 and County Road 1630.

PHILIP WIDNER, P.E.
County Engineer
pwidner@co.cullman.al.us

Cullman County COMMISSION

JON BRUNNER, P.E.
Assistant Engineer
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Cullman County Engineering Department

2883 Highway 69 North - Cullman, AL 35058
Phone: 256-796-1336 Pax: 256-796-7039

April 1, 2024

Proposed considerations for upcoming Commission meeting on April 18, 2024.

- Proposed plat Alabama Pines Subdivision. A minor subdivision containing 3 Lots in Commission District 2. Subdivision is located at the end of County Road 31, one mile off of County Road 30.

PHILIP WIDNER, P.E.
County Engineer
pwidner@co.cullman.al.us

Cullman County COMMISSION

JON BRUNNER, P.E.
Assistant Engineer
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Cullman County Engineering Department

2883 Highway 69 North - Cullman, AL 35058
Phone: 256-796-1336 Pax: 256-796-7039

April 2, 2024

Proposed resub division for Commission meeting on April 18, 2024.

- Proposed resurvey of Hart's Cove subdivision in Commission District 2. Subdivision is located 4.5 miles behind the Country Mall off County Road 201 on privately maintained County Road 2027. This resurvey combines lots 6A, 7A and 9 into 2 lots. Lot 9 will be removed and combined into Lot 6A-2 and 7A-2.

Jeff Clemons
Chairman

Kerry Watson
Commissioner, District 1

Garry Marchman
Commissioner, District 2

Cullman County COMMISSION

Kelly Duke
Commissioner, District 3

Corey Freeman
Commissioner, District 4

John Bullard
County Administrator

April 18, 2024

Members of the Cullman County Commission

RE: Opinion on Applicability of Executive Session

Dear Cullman County Commission Members:

This is to advise the members of the Cullman County Commission that I have reviewed the matter on which the County Commission is considering convening an executive session for discussion with legal counsel regarding a legal matter and have determined that, in my legal opinion, this matter is appropriate for executive session under Ala. Code § 36-25A-7(a)(3). Pursuant to Ala. Code § 36-25A-7(a)(3), a copy of this letter should be attached to the minutes of the County Commission meeting wherein the body considers a motion to convene an executive session to discuss this matter.

Sincerely,

Emily Niezer Johnston

Cullman County Attorney (Alabama Bar No. ASB-9271-M52N)

500 Second Avenue, S.W., Room 105 Cullman, Alabama 35055 Phone (256) 775-4878 Fax (256) 739-3525
www.co.cullman.al.us

EST. 1873

CULLMAN

ALABAMA

LEGAL

204 2nd Avenue NE
Cullman, Alabama 35055

(256) 775-7109
CityHall@CullmanAL.gov

P.O. Box 278
Cullman, Alabama 35056

Cullman County Commission
500 2nd Avenue SW
Room 105
Cullman, Alabama 35055

April 18th, 2024

RE: Opinion on Applicability of Executive Session
Competitive Economic Development Project

Mr. Johnston,

Please, be advised that I have discussed with Cullman Economic Development Director, Dale Greer, and I have reviewed the commerce or trade matter to be heard by the Cullman County Commission to be discussed in executive session. It is my opinion that an executive session is authorized for this discussion under *Ala. Code* § 36-25A-7(a)(7) of Act 2005-40, and that it will have a detrimental effect upon the competitive position of the City and County Commission or will reveal information protected by the Alabama Trade Secrets Act if the discussion is conducted outside of executive session.

This executive session would be to discuss preliminary negotiations of a potential economic development project involving matters of trade or commerce in which the City and County Commission are in competition with private individuals or entities and/or other governmental bodies in Alabama.

More specifically, Keith Ownes with Alumni Properties has requested to appear at the County Commission meeting on 4/18/2024, to discuss a proposed shopping center development which involve the above matters as defined in the Statute which qualify this discussion for an executive session.

Pursuant to Ala. Code § 36-25A-7(a)(7), a copy your letter requesting an executive session for the reasons stated above should be attached to the minutes of the County Commission meeting wherein the County Commission considers a motion to convene an executive session to discuss this matter.

Sincerely,

Luke W. Satterfield, *Esq.*

Jeff Clemons
Chairman

Kerry Watson
Commissioner, District 1

Garry Marchman
Commissioner, District 2

Cullman County COMMISSION

Kelly Duke
Commissioner, District 3

Corey Freeman
Commissioner, District 4

John Bullard
County Administrator

Members of the Cullman

County Commission

Chairman Jeff Clemons

RE: Opinion on Applicability of Executive Session

Dear Commissioners and Chairman:

I am writing to advise the Members of the Cullman County Commission as follows:

___ That I have reviewed the matter on which the Commission is considering convening an executive session for discussion on the general reputation, character, physical condition, mental health, professional competence of an individual, or job performance of a public employee which is not required by Alabama law to file a Statement of Economic Interest, and have determined that, in my legal opinion, this matter is appropriate for executive session under Section 7 of Act No. 2005-40

___ That I have reviewed the matter on which the Commission is considering convening an executive session for discussion of the discipline or dismissal of, or to hear formal written complaints or charges brought against a public employee or an individual, corporation, partnerships, or legal entity subject to the regulation of the governmental body and have determined that, in my legal opinion, this matter is appropriate for executive session under Section 7 of Act No. 2005-40.

X That I have reviewed the matter on which the Commission is considering convening an executive session for discussion with legal counsel regarding a legal matter or to meet or confer with a mediator or arbitrator, and have determined that, in my legal opinion, this matter is appropriate for executive session under Section 7 Act No. 2005-40.

___ That I have reviewed the matter on which the Commission is considering convening an executive session for discussion of security matters and have determined that, in my legal opinion, this matter is appropriate for executive session under Section 7 of Act No. 2005-40.

___ That I have reviewed the matter on which the Commission is considering convening an executive session to discuss matters related to a criminal investigation and/or matters which may reveal the identity of an undercover law enforcement agent or informer. It is my opinion, and I am advising the Commission that this discussion would imperil effective law enforcement if conducted outside of executive session, and that under authority granted under Section 7 of Act No. 2005-40, this body may convene an executive session for this discussion.

500 Second Avenue, S.W., Room 105 Cullman, Alabama 35055 Phone (256) 775-4878 Fax (256) 739-3525
www.co.cullman.al.us

___ That I have reviewed the matter on which the Commission is considering convening an executive session to discuss matters related to the discussion of the price to offer or accept for the purchase, sale, exchange, lease, of and/or the market value of real property and have determined that, in my legal opinion, this matter is appropriate for executive session under Section 7 of Act No. 2005-40.

___ That I have reviewed the commerce or trade matter which the Commission proposes to discuss in executive session. It is my opinion that an executive session is authorized for this discussion under Section 7 (a)(7) of Act No. 2005-40, and that it will have a detrimental effect upon the competitive position of the Cullman County Commission of Cullman County or will reveal information protected by the Alabama Trade Secrets Act if the discussion is conducted outside of executive session.

___ That the County Commission may properly convene an executive session for the discussion of pending negotiations with a group of County employees under Section 7(a)(8) of Act No. 2005-40, and that there would be a detrimental effect upon the negotiating position of Cullman County if discussions of this matter were conducted outside of an executive session.

___ That I have reviewed the matter on which the Commission is considering convening an executive session and that the governmental body is acting as a "quasi-judicial body" and may enter into executive session to deliberate and discuss evidence or testimony presented during a public or contested case hearing.

Pursuant to Section 7 of Act No. 2005-40, a copy of this letter should be attached to the minutes of the County Commission meeting wherein the body considers a motion to convene an executive session to discuss this matter.

Sincerely,

Emily Niezer Johnston

Emily Niezer Johnston
Attorney for Cullman County

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County Commission

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RE: Opinion on Applicability of Executive Session

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Pursuant to Section 7 of Act No. 2005-40, a copy of this letter should be attached to the minutes of the County Commission meeting wherein the body considers a motion to convene an executive session to discuss this matter.

Sincerely,

Emily Niezer Johnston
Attorney for Cullman County

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April 18, 2024

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