

RESOLUTION NO. 101697

WHEREAS, the Town Council of the Town of Vance recognizes that the nearby location of the Mercedes-Benz plant has provided the Town with numerous economic development opportunities by attracting businesses and jobs; and,

WHEREAS, the Town Council desires to facilitate commercial growth by providing necessary infrastructure, specifically sanitary sewerage service to businesses locating on County Road 59 at Exit 86 of I-59/20; and

WHEREAS, funding is available to local governments for infrastructure projects that promote economic development; and

WHEREAS, the location of the Mercedes-Benz plant provides the Town of Vance with a Special Development Opportunity as defined by the Appalachian Regional Commission (ARC); and,

WHEREAS, the Town of Vance desires to apply to the Appalachian Regional Commission for a grant in the amount of \$200,000; and

WHEREAS, the Town of Vance intends to apply to the State of Alabama for a grant through the Community Development Block Grant (CDBG) Economic Development Infrastructure Fund to supply additional Federal assistance for this project in an amount of at least \$200,000;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Town of Vance apply for available grants including Appalachian Regional Commission, submitting a preapplication and full application as applicable, and Community Development Block Grant Economic Development Fund to fund the much needed sanitary sewer service expansion to serve businesses locating on County Road 59 at Exit 86 of Interstate 59/20.

Section 2. That Michael Sanders, in his capacity as Mayor of the Town of Vance, is hereby authorized and directed to execute all required application documents on behalf of the Town of Vance, and submit said applications for funding consideration.

Section 3. That the Town of Vance will provide matching funds in the amount of \$533,000 to facilitate the project, unless match can be reduced with a waiver of the CDBG grant limit of \$200,000.

to provide sanitary sewer service to the public in the corporate limits of the Town of Vance, Alabama (the "Town"), and in the surrounding territory and (ii) to sell said revenue bonds pursuant to a Bond Purchase Agreement among the GUSC, the Town and Principal Financial Securities, Inc., the initial purchaser of said bonds. The chairman further stated that, in order to provide for the use of the System by the Town and for the payment of debt service on said bonds, it would be necessary and desirable, and in the best interest of the Town, for the Town to enter into a Lease Agreement with the GUSC.

The chairman then exhibited to the meeting a copy of a proposed Lease Agreement between the Town and the GUSC. Following a discussion of that agreement, the following resolution was introduced in writing by Mr. Coffee.

RESOLUTION NO. 100997

BE IT RESOLVED by the Town Council (herein called the "Council") of the Town of Vance, Alabama (herein called the "Town") as follows:

Section 1. The Council has ascertained and does hereby find and declare as follows:

(a) In order to finance the costs of acquiring, constructing and installing a new sanitary sewer system (herein called the "System") to serve certain areas within the Town of Vance and certain surrounding areas, it is appropriate and desirable for The Governmental Utility Services Corporation of the Town of Vance—Sewer Services (herein called the "GUSC") to issue its \$3,530,000 principal amount of Revenue Bonds, Series 1997 (herein called the "Bonds").

(b) The GUSC and the Town have heretofore entered into a Bond Purchase Agreement dated October 2, 1997 (herein called the "Bond Purchase Agreement") with Principal Financial Securities, Inc. (herein called the

Dianne
Averett

moved that unanimous consent be given for the immediate consideration of and
action on said resolution, which motion was seconded by ^{B: 11} Coffee, and, upon said motion
being put to vote, the following vote was recorded.

YEAS:
All

NAYS:
None

The Mayor thereupon declared that the motion for unanimous consent for immediate
consideration of and action on said resolution had been unanimously carried. ^{Bill} Coffee thereupon
moved that said resolution be adopted, which motion was seconded by ^{Brend} Morrison, and, upon
the said motion being put to vote, the following vote was recorded:

YEAS:
All

NAYS:
None

The chairman thereupon declared that said resolution had been duly adopted.

* * * *

There being no further business to come before the meeting, it was duly adjourned.

Motionias to Ajoorn By Dianne Averett 2nd by Debra Martin

D

Mike Sach
Mayor

Debra Martin
Town Clerk

RESOLUTION NO 092597

VANCE PLANNING COMMISSION

A RESOLUTION ADOPTING A COMPREHENSIVE PLAN FOR THE PHYSICAL DEVELOPMENT OF THE TOWN OF VANCE, ALABAMA, IN ACCORDANCE WITH THE PROVISIONS OF SECTIONS 11-52-8, 9, AND 10, CODE OF ALABAMA, 1975; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 11-52-8, Code of Alabama, 1975, as amended, authorizes the Vance Planning Commission to prepare and adopt a comprehensive plan for the physical development of the municipality, including any areas outside of its boundaries which, in the Commission's judgment, bear relation to the planning of such municipality; and

Whereas the Town Council of Vance, Alabama, has appointed the Vance Planning Commission to be designated as the planning commission for the Town of Vance; and

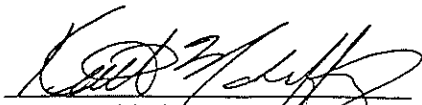
Whereas the Planning Commission considered it desirable to prepare a comprehensive plan to assist in meeting the impact of changing conditions and needs; and

Whereas the Planning Commission has, in the course of preparing such a comprehensive plan, made careful and comprehensive surveys and studies of present conditions and future growth potentials of the town of Vance, and has given due regard to its relation to neighboring territory; and

Whereas the Planning Commission has given due public notice of a hearing related to the adoption of a comprehensive plan for the Town of Vance, Alabama, and has held said public hearing; and

Whereas all requirements of Title II, Chapter 52, Article I of the Code of Alabama, 1975, as amended, with regard to the preparation and adoption of a comprehensive plan or portion thereof by the Planning Commission have been met;

NOW THEREFORE BE IT RESOLVED BY THE PLANNING COMMISSION OF THE TOWN OF VANCE, ALABAMA that the comprehensive plan, entitled Comprehensive Plan, Vance, Alabama and dated, September 1997, attached hereto and made a part hereof, is hereby adopted by the Vance Planning Commission this 25th day of September, 1997.


Chairman

ATTEST: 
Secretary

RESOLUTION NO. 100797

WHEREAS, the Town of Vance, Alabama desires to be in compliance with non-discrimination provisions as set forth in Section 504 of the Rehabilitation Act of 1973 and the American with Disabilities Act, and

WHEREAS, the Town of Vance, Alabama does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or the provision of services, and

WHEREAS, the Town of Vance, Alabama, as a recipient of federal financial assistance, does not discriminate in admission or access to, or treatment or employment in, its federally assisted programs and activities, and

WHEREAS, it is necessary to identify an employee to coordinate compliance with the non-discrimination requirements contained in § 8.53 of the Department of Housing and Urban Development and/or § 35.107 of the Department of Justice regulations, and

WHEREAS, it is necessary to make an initial and continuing notification of non-discrimination by the posting of notices, publication in newspapers and magazines, placement of notices in recipients' publications, and distribution of memoranda or other written communications, and

WHEREAS, it is necessary to provide a procedure for grievance for prompt and equitable resolution of complaints alleging any action prohibited by 24 CFR Part 8 or 28 CFR Part 35 (as applicable) of the Department of Housing and Urban Development and the Department of Justice regulations respectively;

THEREFORE, BE IT RESOLVED;

1. That regulations set forth in 24 CFR Part 8 and 28 CFR Part 35 of the Department of Housing and Urban Development and the Department of Justice regulations respectively, which set forth regulations for compliance with Section 504 of the Rehabilitation Act of 1973 and the American with Disabilities Act, be followed to ensure non-discrimination against persons on the basis of race, color, national origin, sex, religion, age or disability. This includes all necessary efforts to self-evaluate and prepare a transition plan for

general administration, communications, employment, program participation, and facility accessibility.

2. Nora Weaver, Town Clerk, is designated as the Section 504/ADA Coordinator to coordinate compliance with the non-discrimination requirements contained in § 8.53 of the Department of Housing and Urban Development and/or § 35.107 of the Department of Justice regulations. Furthermore, the Honorable Michael W. Sanders, Mayor, is designated as the person responsible for hearing any appeals made by concerned parties to the Section 504/ADA Coordinator.
3. The attached "Policy of Non-Discrimination on the Basis of Disability" shall be distributed to all current employees and will be given to all potential applicants for jobs and all new employees. Said notice will further be posted so that it can be easily seen.
4. The attached Equal Opportunity Statement will regularly be referenced in the posting of notices, publication in newspapers and other publications, and distribution of memoranda or other written communications.
5. The attached Section 504/ADA Grievance Procedure is adopted.
6. The attached Reasonable Accommodation Policy is adopted.
7. The Uniform Federal Accessibility Standards (UFAS) will be the standard by which the facility accessibility assessment will be performed, supplemented by the USDA Forest Service "Design Guide" for accessible outdoor recreational areas.

PASSED, ADOPTED, AND APPROVED, THIS 7th DAY OF Oct., 1997.

ATTEST:

Authorized Official's Name

Nora L. Weaver

RESOLUTION NO. 081997

A RESOLUTION AUTHORIZING THE MAYOR TO MAKE CERTIFICATIONS ESTABLISHING THE FAIR MARKET VALUE OF PROPERTY TO BE ACQUIRED BY THE TOWN OF VANCE.

WHEREAS, under guidelines established pursuant to the Uniform Act (P.L. 91-646) of 1970, an authorized official acting under a general resolution may execute an appropriate certification, which, among other things:

1. Establishes just compensation for real property.
2. Identifies property by name of owner, parcel number or other identification.
3. Delimits the property and the interest to be acquired therein.
4. Certifies that the work of the appraiser and the review appraiser with respect to each property has been performed in a competent manner in accordance with applicable State Law, the Uniform Relocation Assistance, and Real Property Acquisition Policies Act of 1970, State and Local policies and requirements.

NOW, THEREFORE BE IT RESOLVED by the Town Council of the Town of Vance, Alabama, that the Mayor be and hereby is authorized to make such certification and to perform all necessary and/or desirable actions to comply with Local Land Acquisition Policies and Procedures and ADECA's Land Acquisition requirements as they presently exist and as they may be amended.

PASSED, ADOPTED AND APPROVED this 19th day of August, 1997.



Mayor

Attest:



City Clerk

RESOLUTION NO. 081997A

WHEREAS, the appraisal report by David Burns (Southeast Appraisals, Inc.) for the parcels shown on the attachment to this resolution, was presented to the Town Council for their review; and

WHEREAS, a review appraiser's (Deborah C. Mitchell of Mitchell Appraisal Service), Fair Market Value determination and her report therein was reviewed by the Town Council of Vance at the meeting held on August 19, 1997, and

WHEREAS, information pertaining to the name of the owner, parcel number and location was available to each member of the City Council; and

WHEREAS, the Vance Town Council wishes to establish Just Compensation for these parcels to be acquired by the Town to facilitate CDBG Project Numbers SM-CM-PF-96-030 and SM-ED-PF-96-033, and

WHEREAS, the delimits of the properties and the interests to be acquired therein was presented to the Town Council:

NOW, THEREFORE, BE IT RESOLVED:

1. That the Town Council of the Town of Vance certifies that the work of the appraiser and the review appraiser, with respect to each property has been performed in competent manner in accordance with applicable State law, the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, Public Law 91-646, and State and Local policies and requirements; and
2. That Just Compensation is hereby established for the parcels as follows:

Parcel No.: 32 and 34, Survey No. 97-27 C & A
 Owner: Judy Elaine Barnard
 Interest to be Acquired: Fee Simple Interest
 Est. Fair Market Value: \$624.00
 See Attached Legal Description

Parcel No.: 25, Survey No. 96-48
 Owner: Donald M. Brook
 Interest to be Acquired: Fee Simple Interest
 Est. Fair Market Value: \$2,086.00
 See Attached Legal Description

Parcel No.: Undesignated Parcel, Survey Number 97-09

RESOLUTION NO. 080597

BE IT RESOLVED by the Town Council (herein called the "Council") of the Town of Vance, Alabama (herein called the "Town") as follows:

Section 1. The Council has ascertained and does hereby find and declare as follows:

(a) In order to finance the costs of acquiring, constructing and installing a new sanitary sewer system (herein called the "System") to serve certain areas within the Town of Vance and certain surrounding areas, it may be appropriate and desirable for The Governmental Utility Services Corporation of the Town of Vance—Sewer Services (herein called the "GUSC") to issue a series of its revenue bonds (herein called the "Proposed Bonds") and, in connection therewith, for the Town (i) to enter into a Lease Agreement (herein called the "Lease") with the GUSC, pursuant to which the GUSC will lease the System to the Town, and (ii) to enter into an Operating and Maintenance Agreement (herein called the "Operating Agreement") with the GUSC and Citizens Water Service, Inc. (herein called "Citizens"), in order to provide for the operation and maintenance of the System by Citizens.

(b) The Mayor has heretofore called a public hearing to be held on August 5, 1997, at 7:00 p.m. at the Vance Town Hall to consider all views of the general public with respect to the execution and delivery by the Town of the Lease and the Operating Agreement.

(c) Acting pursuant to Section 11-97-17 of the Code of Alabama 1975, the Mayor caused to be published once a week for three successive weeks in *The Tuscaloosa News*, a newspaper having general circulation in the Town of Vance, Alabama, a notice of the said public hearing, the said notice having been published in the issues of said newspaper published on July 15, 1997, July 22, 1997, and July 29, 1997, with the first publication of the said notice having been published not less than three weeks prior to the date of said public hearing.

(d) No newspaper is now being published within the corporate limits of the Town of Vance.

(e) At the said public hearing on August 5, 1997, all members of the general public were afforded the opportunity to express their views, orally or in writing, with respect to the execution and delivery of, and the consummation of the transactions contemplated by, the Lease and the Operating Agreement, and all views so expressed have been duly considered by the Council.

Section 2. The Council hereby ratifies, confirms and approves the aforesaid actions taken by the Mayor in calling said public hearing and in causing notice of said public hearing to be published as aforesaid.

Section 3. The Town is authorized to enter into and to perform the Lease with the GUSC upon the issuance of the Proposed Bonds, which agreement shall be substantially in the form presented to the Council at the meeting at which this resolution is adopted. The Mayor is hereby authorized and directed to execute and deliver, for and in the name and behalf of the Town, the Lease, and the Town Clerk is hereby authorized and directed to affix the seal of the Town to the Lease and to attest the same. The Lease as so executed and delivered may contain such changes, additions and omissions as the Mayor, acting with the advice of counsel to the Town, shall determine to be necessary or desirable, the determination of the definitive form of the Lease by the Mayor to be established conclusively by his execution thereof.

Section 4. The Town is authorized to enter into and to perform the Operating Agreement, which agreement shall be substantially in the form presented to the Council at the meeting at which this resolution is adopted. The Mayor is hereby authorized and directed to execute and deliver, for and in the name and behalf of the Town, the Operating Agreement, and the Town Clerk is hereby authorized and directed to affix the seal of the Town to the Operating Agreement and to attest the same. The Operating Agreement as so executed and delivered may contain such changes, additions and omissions as the Mayor, acting with the advice of counsel to the Town, shall determine to be necessary or desirable, the determination of the definitive form of the Operating Agreement by the Mayor to be established conclusively by his execution thereof.

RESOLUTION No. 060397

WHEREAS, the Town of Vance is hereby making known its intention to apply to the State of Alabama for a Community Development Block Grant (CDBG) Planning Fund Project to undertake development of a Transportation Plan; and

WHEREAS, this legislative body of the Town of Vance, recognizes Michael W. Sanders, Mayor of the Town of Vance, as the appropriate Town official authorized to act on behalf of the Town in such dealings; and

WHEREAS, this body acknowledges that the Mayor's signature shall be binding upon the Town of Vance, in such matters; and

WHEREAS, the total cost for development of the proposed plan is \$40,000.00; and

WHEREAS, the Town is required to provide a local match equal to 20% of the total project cost.

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the Mayor and Town Council of the Town of Vance, Alabama, that:

1. Michael W. Sanders, Mayor is hereby authorized to act as the appropriate Town officer on behalf of the Town of Vance, in dealing with the State of Alabama and to sign any and all necessary application papers for the CDBG Planning Grant funds as well as any necessary contracts and other agreements between the Town of Vance and other parties; and
2. The Town will provide \$8,000.00 as a cash local match to the proposed project.

ADOPTED AND APPROVED this 3rd day of June, 1997.

TOWN OF VANCE, ALABAMA



Michael W. Sanders, Mayor

(SEAL)

ATTEST:



Nora Weaver, Town Clerk

Moulin

RESOLUTION NO. 040897

WHEREAS, the Town of Vance advertised for proposals and directly contacted known qualified firms in order to obtain proposals for the provision of administrative services for CDBG Project No. SM-ED-PF-96-033.

WHEREAS, Roth, Fleegal, McHugh & Associates, L.L.C. has been identified as the most qualified proposer as determined through the competitive rating system, and

WHEREAS, the Mayor and Town Council reviewed the proposal submitted by Roth, Fleegal, McHugh & Associates, L.L.C. to ensure that the firm could be classified as a responsible contractor, possessing the ability to perform successfully under the terms and conditions of the proposed CDBG administrative services procurement, and

WHEREAS, the Mayor and Town Council concluded from their review that Roth, Fleegal, McHugh & Associates, L.L.C. can be classified as both a responsible contractor and a firm which has a proven track record of implementing similar CDBG projects, and

WHEREAS, based on the Town's understanding of ADECA's current policy relating to procurement of professional services, a contract may be entered into under these circumstances provided the proposed contract amount is reasonable, and

WHEREAS, it has been determined that it is in the best interest of the Town of Vance to enter into a contract with Roth, Fleegal, McHugh & Associates, L.L.C., and that the proposed contract amount is reasonable and justified.

NOW, THEREFORE, BE IT RESOLVED by the Town of Vance as follows:


Section 1. That, based on the Town's current understanding of procurement policy of ADECA, the acceptance of the proposal of Roth, Fleegal, McHugh & Associates, L.L.C. for the provision of professional services for the administration of CDBG Project No. SM-ED-PF-96-033 has been determined to be in the best interest of the Town of Vance, and that the proposed fee has been accepted as reasonable based on the complexity of the project and the amount and nature of the local match to be provided by the Town.

Section 2. That the Town of Vance enter into an agreement with Roth, Fleegal, McHugh & Associates, L.L.C. for the provision of administrative services, said agreement follows:

Section 3. That this action is based on the current interpretation of ADECA procurement policy which is acknowledged by this resolution and ADECA policy on file.

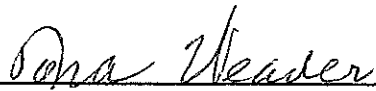
Section 4. That Michael Sanders, in his capacity as Mayor, is hereby authorized and directed to execute said agreement on behalf of the Town of Vance.

PASSED, ADOPTED AND APPROVED this 8th day of April, 1997.



Michael Sanders
Mayor

ATTEST:



Nora Weaver
Town Clerk

RESOLUTION NO. 040899A

WHEREAS, the Town of Vance advertised for proposals and directly contacted known qualified firms in order to obtain proposals for the provision of engineering services for CDBG Project No. SM-ED-PF-96-033.

WHEREAS, Goodwyn, Mills & Cawood, Inc. has been identified as the most qualified proposer as determined through the competitive rating system, and

WHEREAS, based on the Town's understanding of ADECA's current policy relating to procurement of professional services, a contract may be entered into under these circumstances provided the proposed contract amount is reasonable, and

WHEREAS, it has been determined that it is in the best interest of the Town of Vance to enter into a contract with Goodwyn, Mills & Cawood, Inc. and that the proposed contract amount is reasonable and justified.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Vance as follows:


Section 1. That, based on the Town's current understanding of procurement policy of ADECA, the acceptance of the proposal of Goodwyn, Mills and Cawood, Inc. for the provision of engineering services for CDBG Project No. SM-ED-PF-96-033 has been determined to be in the best interest of the Town of Vance, and that the proposed fee has been accepted as reasonable based on the complexity of the project and the amount and nature of the local match to be provided by the Town.

Section 2. That the Town of Vance enter into an agreement with Goodwyn, Mills and Cawood, Inc. for the provision of engineering services, said agreement to be attached to this resolution:

Section 3. That this action is based on the current interpretation of ADECA procurement policy which is acknowledged by this resolution and ADECA policy on file.

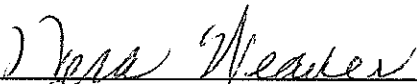
Section 4. That Michael Sanders, in his capacity as Mayor, is hereby authorized and directed to execute said agreement on behalf of the Town of Vance.

PASSED, ADOPTED AND APPROVED this 8th day of April, 1997.



Michael Sanders
Mayor

ATTEST:



Nora Weaver
Town Clerk

RESOLUTION # 040197

The Town of Vance recognizes the unlimited potential of Tuscaloosa County and the need for orderly recruitment of industries.

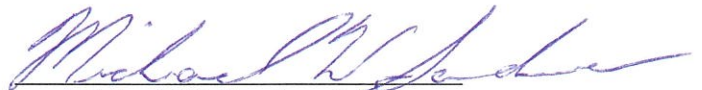
WHEREAS, the Town of Vance is in a position to assist in the infrastructure needs of East Tuscaloosa County.

WHEREAS, the Vance Town Council is allowed two (2) appointments to the Tuscaloosa County Industrial Development Authority.


THEREFORE BE IT RESOLVED, that the Vance Town Council hereby appoint E. J. Martin and Michael W. Sanders as their representatives on the Board of Directors of the Tuscaloosa County Industrial Development Authority.

PASSED, ADOPTED AND APPROVED this 1st day of April, 1997.

(Seal)


Michael W. Sanders, Mayor

ATTEST:


Nora L. Weaver, Town Clerk