

RESOLUTION 020204

WHEREAS, the Town of Vance supports the expansion of local industries or the location of new industry to provide for expanded and improved job opportunities for the citizens of the town; and

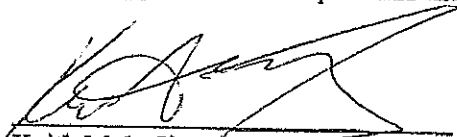
WHEREAS, one new industry is adding jobs and another will be constructing facilities in the Town of Vance which will create approximately 303 new jobs for local residents; and


WHEREAS, there exists the need for the construction of infrastructure in conjunction with this new industrial development which will be undertaken;

NOW, THEREFORE, BE IT RESOLVED that the Town of Vance hereby approves the submission of a Community Development Block Grant Economic Development Infrastructure Project application for \$500,000.00 in grant assistance to the Alabama Department of Economic and Community Affairs. Approximately \$373,463.30 shall be provided as cash match through the Town of Vance in addition to grant funds.

BE IT FURTHER RESOLVED that the Town of Vance authorizes the Mayor, Keith Mahaffey, to execute any and all documents as required to provide for the submission and approval of the proposed project.

Approved and adopted this the 2nd day of February, 2004.


Keith Mahaffey, Mayor
Town of Vance

Attest: 
Susan Alexander, Town Clerk
Town of Vance

SEAL

Alabama Power Company

Centreville, Alabama

_____, Alabama
_____, 19____

Gentlemen:

This to advise that Vance Council Commission of Vance, Alabama

on the 3 day of May, ~~19~~2004, adopted resolutions which appear in the minutes of this meeting, authorizing the following street lighting modifications:

Fixture Ownership				Size Lamp (Lumens)	Location
Number of Fixtures Owned by Co.		Number of Fixtures Owned by Customer			
Install	Remove	Install	Remove		

The requested modifications will change the present billing amounts as shown below:

- (a) Additions To temporarily Turn off street lights in Logan Farms - Vance, AL. \$ _____
- (b) Removals _____ \$ _____
- (c) Other _____ \$ _____

- (d) Net Change In Annual Billing \$ _____
- (e) Previous Annual Billing \$ _____
- (f) New Annual Billing \$ _____
- (g) New Monthly Billing \$ _____

For Company Use Only:	
W. E. Number	<input type="checkbox"/> W. E. Not required
Set Order Number	Date

Alabama Power Company
Approved: _____
Title: _____

Signed: Town of Vance
Municipality, County or State
By: [Signature]
Title: Mayor

RESOLUTION NUMBER

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

1. That the Town enter into an Agreement with the State of Alabama, acting by and through the Alabama Department of Transportation for:

Project Agreement for AMENDMENT 666 FUNDS; which Agreement is before this Council.

2. That the Agreement be executed in the name of the Town, by its Mayor, for and on its behalf;
3. That the Agreement be attested by the Town Clerk and the seal of the Town affixed thereto.

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 file by the Town Clerk.

Passed, adopted and approved this 7 day of June, 2004.

ATTESTED:

Susan Alexander
Town Clerk

[Signature]
Mayor

I, the undersigned qualified and acting clerk of the Town of Vance, Alabama, do hereby certify that the above and foregoing is a true copy of a resolution passed and adopted by the Town Council of the Town named therein, at a regular meeting of such Council held on the 7 day of June, 2004, and that such resolution is on file in the Town Clerk's office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Town on this 7 day of June, 2004.

Susan Alexander
Town Clerk

Resolution No: 062104

**TOWN OF VANCE
VANCE, ALABAMA
RESOLUTION FOR ADOPTION OF
GOVERNMENTAL ACCOUNTING STANDARDS BOARD
STATEMENT 34 (GASBS 34)**

AS REQUIRED by the Governmental Accounting Standards Board, The Town of Vance, Alabama, does hereby adopt, as part of its accounting and financial reporting compliance, Governmental Accounting Standards Boards Statement 34. This Statement shall require the Town to comply with all requirements of this document as it applies to financial accounting reporting, recording of transactions and documentation of such. This Statement shall be referred to as the "New Reporting Model" and shall allow The Town of Vance to be in compliance with financial and accounting reporting for a local governmental entity.

RESOLVED THIS DAY, JUNE 21, 2004, to be adopted and recorded as part of the permanent minutes and records of The Town of Vance, Alabama.

Witness: Susan Alexander

Its: Town Clerk

By: [Signature]

Its: Mayor

RESOLUTION #080100
(Amended 062104)

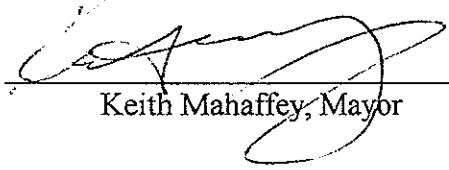
WHEREAS, a regular municipal election has been called to be held on the 24th day of August, 2004, and a runoff election, to be held if necessary, on the 14th day of September, 2004, and

WHEREAS, it is the desire of the Town Council to compensate the Elected Officials in the sum of \$ 100⁰⁰ for the poll hours of 7:00am to 7:00pm.

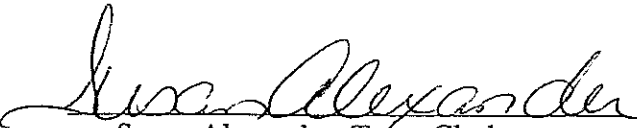
WHEREAS, Section 11-46-27 of the Alabama Code of 1975, as amended, provides, in part, that the municipal governing body, not less than 15 days before the holding of any municipal election, appoint from the qualified electors of the respective voting districts, officers to hold the election as follows; where paper ballots are used, one returning officer for each ward and three inspectors and two clerks at each voting place.

NOW, THHEREFORE, BE IT RESOLVED by the Town Council of the Town of Vance, Alabama, that the election officers for said election shall receive compensation in the amount of \$ 100⁰⁰, for the poll hours of 7:00am to 7:00pm.

ADOPTED AND APPROVED this 21st day of June, 2004


Keith Mahaffey, Mayor

ATTEST:


Susan Alexander, Town Clerk

Resolution No: 062104A

**THE TOWN OF VANCE
VANCE, ALABAMA
RESOLUTION FOR ADOPTION OF A
CAPITALIZATION POLICY**

BE IT RESOLVED, The Town of Vance, Alabama, does hereby adopt the following policy as its Capitalization Policy for the recording of the acquisition of capital assets of the Town:

It shall be the policy of the Town of Vance, Alabama, to capitalize all goods, furniture, fixtures, machinery, equipment, vehicles and other capital items with a cost in excess of \$1,000. Major repairs or improvements to a capital item which extends the useful life of the asset shall be capitalized if its cost exceeds \$1,000. Capitalized goods and other capital assets shall be added to The Town's fixed asset schedule and depreciated in accordance with Federal Guidelines and Requirements.

ADOPTED, this the 21st day of JUNE, 2004, by the Town of Vance, Alabama, as evidenced by the below signatures and titles.

Witness: Alexander

Its: Town Clerk

By: [Signature]

Its: Mayor

**RESOLUTION OF THE
TUSCALOOSA COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY
(Legacy Investments LLC Project)**

BE IT RESOLVED by the board of directors (the "Directors") of the Tuscaloosa County Industrial Development Authority (the "IDA"), as follows:

(1) FINDINGS: The Directors do hereby find, declare, and ascertain as follows:

(a) That Legacy Investments LLC, a limited liability company (the "Company") is considering the acquisition of a site and construction of a warehouse and preproduction auxiliary facility thereon and the acquisition and installation in the plant of certain items of machinery and equipment (the "Project") in the Town of Vance, Alabama (the "Town"); and

(b) That the establishment of the Company's proposed Project in the State of Alabama and in the County will promote the development of industry, trade, and the natural and human resources of the State of Alabama and the County; and

(c) That the Company has agreed in principle with TW-Fitting-NA, LLC ("TW-Fitting") to lease the Project from the Company (TW-Fitting and any successor tenants are hereinafter referred to as the "Tenant"); and

(d) That in order to induce the Company and Tenant to establish the Project in the County, it is desirable and appropriate for the IDA to offer

(i) To grant the maximum permissible tax abatements under the Tax Incentive Reform Act of 1992;

(ii) To obtain a site preparation and building rehabilitation grant from the State Industrial Development Authority and to use such grant to pay or to reimburse the Company for qualifying expenses;

(iii) To enter into an Interim Lease Agreement with the Company for some or all of the Project site; and

(iv) To sell and issue the IDA's long-term revenue bonds for the purpose of providing for the permanent financing of the costs of the Project.

(2) INDUCEMENT AGREEMENT: In order to induce the Company and Tenant to locate the Project in the County, the chairman or vice-chairman of the IDA is hereby authorized and directed to execute and deliver, for and in the name and behalf of the IDA, a so-called "Inducement Agreement" between the IDA and the Company in substantially the form provided to the legal counsel of the IDA prior to the adoption of this Resolution (which form of Inducement Agreement is attached to and made a part of this Resolution as Exhibit "A"), with such changes, not inconsistent with the provisions hereof, as the chairman or vice-chairman of the IDA shall determine to be necessary or desirable in order to consummate the transactions authorized by this Resolution.

(3) OFFICIAL INTENT: The IDA intends this Resolution to constitute a declaration of its "official intent," subject to the terms and conditions hereof, to issue the bonds as tax-exempt private activity bonds in a principal amount of up to \$10,000,000 and to expend the proceeds thereof to defray the cost of the Project, including all costs of the IDA in connection with the issuance of the bonds and the acquisition, construction and installation of the Project. This commitment on the part of the IDA is hereby declared to be an "official intent" of the IDA acting by and through the Board of Directors of the IDA toward the issuance of the bonds as contemplated in this Resolution in accordance with the purposes of the provisions of section 11-92A-1 *et seq.*, of the *Code of Alabama* (1975) (the "Act") and section 1.150-2 of the regulations under the Internal Revenue Code of 1986, as amended. To the extent that reimbursement to the Company of preliminary costs incurred and paid by the Company toward the Project is permitted to be made from the proceeds of the IDA's bonds under the Act and the regulations applicable to the bonds, such reimbursement is intended and is hereby authorized. The Project is designed to constitute "manufacturing facilities" within the meaning of Internal Revenue Code section 144.

(4) VALIDATION: The chairman or vice-chairman of the IDA, at his discretion, is hereby authorized to file a petition to determine the validity of the issuance of said bonds and

legality of all proceedings had or taken in connection therewith, pursuant to article 17, chapter 6, title 6 of the *Code of Alabama* (1975), as amended, provided that the Company or Tenant shall agree to pay all costs of such proceeding reasonably incurred by the IDA on terms satisfactory to the chairman or vice-chairman. The chairman, vice-chairman, or other appropriate officer of the IDA may cause the notice described in section 11-92A-14(c) of the *Code of Alabama* (1975) to be published once a week for two consecutive weeks in a newspaper of general circulation published in Tuscaloosa County.

(5) **INDUSTRIAL DEVELOPMENT GRANT:** The IDA shall file an initial notification with the State Industrial Development Authority and apply for a State Industrial Development Authority Industrial Development Grant with respect to the Project in the maximum amount permitted by law, shall prosecute such application with all due diligence and dispatch, and provide such funds as may be appropriated by the Alabama Legislature and received pursuant to the grant application for application to costs of the Project.

(6) **TAX ABATEMENTS:** The IDA hereby agrees to grant to the Company and Tenant the maximum permissible tax abatements that the IDA may grant under section 40-9B-1, *et seq.*, of the *Code of Alabama* (1975). The chairman, vice-chairman, or other appropriate officer is hereby authorized and directed to enter into such agreement with the Company that may be necessary or appropriate in order to evidence such abatement and to file such forms, agreements, and other documents with the Alabama Department of Revenue, and any other state or local taxing authority as may be required or appropriate to perfect the abatements hereby granted. The Combined Application for Abatement of Taxes filed with the IDA by the Company is hereby accepted and approved, and the chairman or vice-chairman of the IDA is hereby authorized and directed to execute and deliver, for and in the name and behalf of the IDA, a so-called "Abatement Agreement" between the IDA and the Company in substantially the form provided the legal counsel of the IDA prior to the adoption of this Resolution (which form of Abatement Agreement is attached to and made a part of this Resolution as Exhibit "B"), with such changes, not inconsistent with the provisions hereof, as the chairman or vice-chairman of

the IDA shall determine to be necessary or desirable in order to consummate the transactions authorized by this Resolution including, but not limited to, the addition of Tuscaloosa County, Alabama and/or the Town as a party to such Abatement Agreement.

(7) ABATEMENTS UNCONDITIONAL: The abatements granted in paragraph (6) above and by and under the terms of the Abatement Agreement shall not be conditioned in any manner on the issuance of bonds pursuant to the Inducement Agreement or this Resolution.

(8) FACILITATING LOAN TRANSACTIONS. The IDA desires to facilitate and cooperate with the Company, Tenant, and their lenders to allow the realization of the maximum deed and mortgage tax abatements, to preserve their entitlement to site preparation grants, and to allow for one or more lenders to obtain a first priority lien on some or all of the Project. Therefore, without limitation, the officers of the IDA are authorized and directed, as from time to time requested by the Company or Tenant, to grant accommodation mortgages or similar pledges of the Project or portions thereof; to enter into subordination, attornment, and nondisturbance agreements and similar agreements with respect to the Project; to reconvey title to the Company or Tenant and then enter into new Interim Leases to facilitate the making of loans with respect to the Project; to extend or amend the Interim Lease; to waive the IDA's landlord's lien; to execute estoppel certificates; to execute closing certificates; and to otherwise execute and deliver such documents, deeds, mortgages, security agreements, waivers, and such as may from time to time facilitate such purposes and to from time to time amend, restate, extend, supplement, renew, replace, or otherwise modify the same.

(9) ADDITIONAL DOCUMENTS: It is understood that the final legal description of the Project site has not yet been determined and that the plans and specifications for the Project may change in the course of the development and construction, and equipping of the Project. The chairman or vice-chairman of the IDA, or either of them, be, and the same are now and hereafter, authorized, directed, and empowered to execute for and on behalf of the IDA such other and further documentation (following review of same by counsel to the IDA) as either determines, in his absolute discretion, to be necessary, helpful, convenient, or desirable in order

to consummate the transactions authorized by this Resolution, including, without limitation and whether or not *sui generis* with the following, amendments to the foregoing documents and instruments, documents approving and confirming any assignment by the Company of the Company's rights or interests under any of the foregoing, any correction or clarification of any of the foregoing, and changes to the description of the Project, or assets with respect to which taxes are abated.

(10) FURTHER AUTHORIZATION: The chairman, or vice-chairman, and other appropriate officers of the IDA are hereby authorized and directed to cause the IDA to perform its obligations under all documents contemplated by this Resolution or by the documents described in this Resolution, without necessity for further action by the IDA.

(11) EXECUTION, ATTESTING, AND ENSEALING: The signature of the chairman or vice-chairman shall be sufficient to constitute the execution of any document contemplated by this Resolution or the documents described in this Resolution by the IDA without the necessity of the impressing of the seal of the IDA or the attesting of such signature by the secretary or assistant secretary of the IDA, notwithstanding the form of such document or any provision of this Resolution to the contrary. However, the secretary or assistant secretary of the IDA is hereby authorized to affix the seal of the IDA to any document contemplated by this Resolution or the documents described in this Resolution, and the secretary is authorized to attest the same.

(12) CONTRACT: The terms of this Resolution shall be deemed a contract with the Company, and may not be rescinded or amended by the IDA without the express, written consent of the Company.

(13) EXERCISE OF DISCRETION: The exercise of discretion by any officer of the IDA shall be conclusively presumed by such officer's execution or delivery of any document incidental to this Resolution.

RESOLUTION NO. 070604

TOWN OF VANCE, ALABAMA
AFFIDAVIT AND APPLICATION FOR EXEMPTION FROM
PAYMENT OF FEES FOR COLLECTION AND DISPOSAL OF SOLID WASTE UNDER
THE PROVISIONS OF THE ALABAMA SOLID WASTE DISPOSAL ACT

STATE OF ALABAMA

COUNTY OF TUSCALOOSA

Before me, the undersigned Notary Public, personally
appeared _____ who is known to me and who after first duly sworn deposes
and says as follows:

1. My name is _____
2. I reside at _____
3. I make this affidavit in aid of my application for an exemption from the payment of fees for
solid waste disposal for the period of _____ through

4. I understand that under the terms of Code of Ala. 1975, & 22-27-3(a)(2) and (3):
The Town Clerk is authorized to accept exemption requests and proofs of
income from households seeking the exemption and to forward same to the
solid waste officer or municipal governing body. The applicants shall verify
income through a notarized and sworn statement and attach the previous year's
Federal Tax Form 1040 or equivalent. The exemption shall apply only so long
As the household's sole source of income is social security and shall be
Requested no later that the first billing date of any year in which the exemption is
desired. Such exemptions may only be granted in those counties and municipalities which
have adopted a full coverage collection program in accordance with the Code of
Alabama, 1975, Section 22-27-3(a)(2) and (3).
5. I certify that neither I nor any member of my household living in my home is receiving or
eligible to receive:
 - (1) Any income from being unemployed in any capacity, or as a contractor, including
part time employment or contract work.
 - (2) Any income from any source whatsoever other than Social Security or SSI benefits.
 - (3) Any unemployment compensation benefits, taxable disability benefits (other than SSI
payments), or retirement benefits (other than Social Security benefits), such as IRS or
Keough Plans, from any source whatsoever.
 - (4) Any income from trusts or investments of any kind, including but not limited to
income from savings accounts, certificates of deposit, rental income, stocks, bonds,
mortgages, mutual funds, investment plans, or annuities.

(5) Any alimony payments for my benefits or the benefit of any member of my household.

I further certify that in filing this application for exemption I understand that if it is later discovered that I or any member of my household living in my home are receiving any income in excess of Social Security or SSI benefits, that I can be charged with violating the laws, rules and regulations relating to the disposal of solid waste in Tuscaloosa County, Alabama, and thereafter compelled to pay all fees which I would have otherwise been required to pay during the period of my exemption.

I further certify that I understand that (1) must apply for this exemption annually before _____ (insert municipal billing date) each year, (2) that this exemption shall not become effective until approved in writing by a duly authorized officer of the The Town Vance Council. (3) that this application is being executed by me under oath as an inducement to grant me an exemption, and (4) that I may be called upon to produce other proof of my eligibility or continued eligibility for this exemption at any time either before or after the execution of this application.

Signed this the _____ day of _____, 20_____.

Signature of Applicant/Affront

Print Name

Address: _____

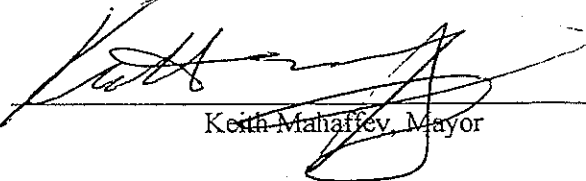
Sworn to and subscribed before me on this the _____ day of _____, 20_____.

Notary Public

My Commission Expires

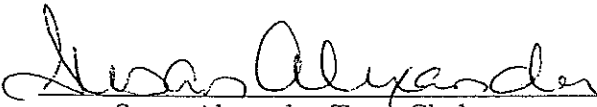
.....
Exemption Granted: _____ Yes _____ No Date: _____

Signature of Duly Authorized Officer



Keith Mahaffey, Mayor

ATTEST:



Susan Alexander, Town Clerk

RESOLUTION 080204A

RESOLUTION ADOPTING THE TUSCALOOSA COUNTY EMERGENCY
MANAGEMENT AGENCY'S HAZARDOUS MITIGATION PLAN

WHEREAS, the Tuscaloosa County Emergency Management Agency has notified the Town of Vance that it has completed the Hazardous Mitigation Plan (HMP) for the Town of Vance, the final draft of which has been reviewed by the Federal Emergency Management Agency (FEMA) for compliance with the federal hazardous mitigation planning standards contained in 44 CFR 201.6(b)-(d); and,

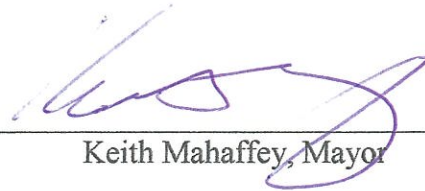
WHEREAS, the State of Alabama Emergency Management Agency has notified the Director of the Tuscaloosa County EMA that the HMP has approval once required revisions have been made to the same; and

WHEREAS, The Emergency Management Director has made the required revisions to the HMP and it is now necessary for all the local governments in Tuscaloosa to accept, approve and adopt the HMP.

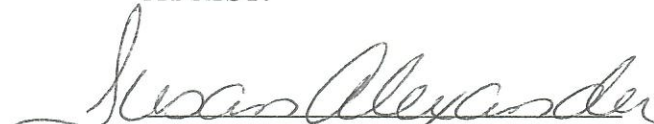
NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF
VANCE as follows:

That the Hazardous Mitigation Plan for Tuscaloosa County now before the Council, as completed by the Tuscaloosa County EMA, is hereby accepted, approved and adopted by the Town to the extent of its role in the Tuscaloosa County Hazardous Mitigation Plan.

Adopted, August 2, 2004.


Keith Mahaffey, Mayor

ATTEST:

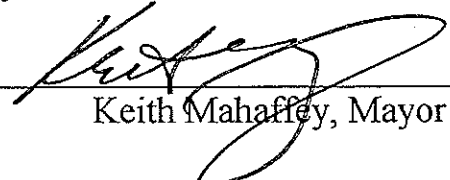

Susan Alexander, Town Clerk

RESOLUTION NO. 080204

TOWN OF VANCE

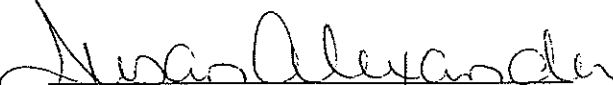
**Proposal for a fire district within the corporate limits
of the Town of Vance**

1. The Town of Vance proposes an amendment to the Constitution of Alabama of 1901, relating to Tuscaloosa County, Amendment No. 358, to authorize districts for fire protection and garbage disposal to include territory within the corporate limits of a municipality with a population of 10,000 or less with the approval of the municipal governing body.
2. It shall be the responsibility of the municipal governing body to collect the fire dues from the citizens within the municipality, along with garbage disposal dues, and distribute the fire district dues to the correct fire fighting and fire prevention system within the municipality. It will be understood between the fire fighting and fire prevention system and the municipality that these fire dues are to be spent within the corporate limits of the municipality to install serviceable fire hydrants, repair and purchase new equipment and vehicles, maintain, repair and build fire department buildings and provide up to date training for all fire fighting personnel.
3. The fire dues shall be five (\$5.00) dollars per month per household and shall be collected quarterly in conjunction with the garbage disposal fee. As the need arises for an increase in fire dues, then this increase will be voted upon by the municipal governing body after close discussion with the fire fighting and fire prevention system personnel within the municipality.



Keith Mahaffey, Mayor

ATTEST:



Susan Alexander, Town Clerk