

**SHELBY COUNTY COMMISSION
NOVEMBER 22, 2010
MINUTES**

**STATE OF ALABAMA
COUNTY OF SHELBY**

The Shelby County Commission of Shelby County, Alabama, met at the County Administration Building in the City of Columbiana, Alabama, at 6:00 P. M., Monday, November 22, 2010. The meeting was called to order by Commissioner Corley Ellis. The invocation was given followed by the Pledge of Allegiance. Roll was called and the following members were present:

PRESENT

Commissioner Corley Ellis
Commissioner Dan Acker
Commissioner Lindsey Allison
Commissioner Joel Bearden
Commissioner Larry Dillard
Commissioner Robbie Hayes
Commissioner Jon Parker
Commissioner Rick Shepherd

ABSENT

Commissioner Tommy Edwards

**APPROVAL OF MINUTES FROM NOVEMBER 8, 2010
RESOLUTION 10-11-22-01**

MOTION: Commissioner Dillard - Motion to approve Minutes from November 8, 2010 as presented
SECOND: Commissioner Shepherd
VOTE ON MOTION: Unanimous **MOTION CARRIED**

**APPROVAL OF BILLS, REQUISITIONS, CHECK REGISTER
GOVERNMENTAL FUNDS AND PROPRIETARY FUNDS
RESOLUTION 10-11-22-02**

MOTION: Commissioner Hayes - Motion to approve the Bills, requisitions and check register for Government and Proprietary Funds as presented
SECOND: Commissioner Acker
VOTE ON MOTION: Unanimous **MOTION CARRIED**

**COMMITTEE ASSIGNMENTS 2010-2011
RESOLUTION 10-11-22-03**

MOTION: Commissioner Bearden – Motion to approve Resolution 10-11-22-03 as presented
SECOND: Commissioner Hayes
VOTE ON MOTION: Unanimous **MOTION CARRIED**

RESOLUTION 10-11-22-03

BE IT RESOLVED, that the Shelby County Commission hereby accepts and approves the following board, committee or initiative appointments hereby submitted by Commissioner Corley Ellis, County Commission Chairperson as follows: Middle Alabama Area on Aging (M4A) – Jon Parker, Dan Acker and Earl Cunningham, Birmingham Business Alliance – Corley Ellis and Alex Dudchock; Regional Planning Commission of Greater Birmingham (RPC) – Robbie Hayes, Ray Hamilton and Reggie Holloway; CAWACO – Corley Ellis; Metropolitan Planning Organization – Larry Dillard, Randy Cole, and Ray Hamilton; Clean Water Partnership - Coosa & Cahaba River - Dan Acker; Shelby County Partnership – Lindsey Allison, Larry Dillard and Alex Dudchock; Positive Maturity – Rick Shepherd & Shelli Thomason.

BE IT FURTHER RESOLVED, the County Commission hereby accepts and approves Commissioner Ellis' recommendation for appointments as stated above and below effective December 1, 2010.

**Robbie Hayes, Committee Chairperson
Lindsey Allison
Jon Parker**

BUDGET, FINANCE & LEGAL

Fiscal Budgets
Information Technology Services (IT Services)
Commission Accounting
Property Tax Commissioner
State of Alabama Dept. of Public Examiners
Business Revenue
Bonds & Warrant Issues
Board of Equalization
Asset Management & Inventories
Legal, Litigation & Risk Management
License Offices

DEVELOPMENT SERVICES

Planning Commission
Development Services: Planning Services, Inspection Services
Shelby County Economic & Industrial Development Authority - (SCEIDA)
Economic Development and Recruitment
Park and Recreation Authority (PARA)
Shelby West Corporate Park (SWCP)
Shelby County Partnership Initiative

GOVERNMENT LIAISON & PERSONNEL

Civil Service Board
Personnel
Legislative Delegation

Local Governments/Municipalities
Law Enforcement Personnel Board

COUNTY CONTRACT SERVICES

Alabama Cooperative Extension System
Alabama Symphony Orchestra
Aldrich Coal Mine Museum
Birmingham Business Alliance
Birmingham Regional Paratransit Consortium (CLASTRAN)
Developing Alabama Youth Foundation, Inc. (DAY Program)
Family Connection
Harrison Regional Library (Shelby County Library Cooperative)
Heart of Dixie Railroad Museum
Humane Society
McWane Center
Middle Alabama Area Agency on Aging (M4A)
Owens House - Advocacy Center
Positive Maturity - RSVP
Regional Planning Commission of Greater Birmingham (RPC)
SafeHouse
Shelby ARC/KidsFirst
Shelby County Museum and Archives - Shelby County Historical Society
Shelby Emergency Assistance
Shelby Iron Works
Shelby County RSVP
Smith-Harrison Museum
KidsFirst - Alabaster

Dan Acker, Committee Chairperson
Joel Bearden
Corley Ellis

HEALTH AND HUMAN RESOURCES

Chilton-Shelby Mental Health
Department of Human Resources
Health Department
Coroner
Shelby County Community Health Foundation (SCCHF)

GENERAL SERVICES

Facilities & General Services
Airport
Risk Management
Drug Education
Board of Education
Cable TV

PUBLIC SAFETY, COURTS & ELECTION

Sheriff's Office & Jail
Drug Task Force
Juvenile Court Services
Juvenile Detention Facility (SCRJDF)
Probate
Courts
District Attorney
Circuit Clerk
Board Registrars
Election Management, Voting Places and Processes
Census
Shelby County Community Corrections (SCCC)

**Rick Shepherd, Chairperson
Larry Dillard
Tommy Edwards**

ENVIRONMENTAL & NATURAL RESOURCES

Utilities - Water & Sewer Services
Alabama Forestry Commission
Soil and Water Conservation District

Environmental Services: Storm Water Management, Emergency Management, Mosquito Control, Animal Control, Landfill, Recycling, Litter Collection, Illegal Landfills and County Contractor applicable to Solid Waste Collection & Contract Compliance

ROADS AND TRANSPORTATION

Highway and Transportation
Road Maintenance
Road Resurfacing
Dirt Road Improvement Program
Equipment Maintenance & Management
Bridge Inspection & Construction
Right-of-Way
Prescriptive Use
Vacation of Property
Utility Easements

**BUDGET, FINANCE AND LEGAL
ANNUAL FINANCIAL REPORTS FY 2009-10
RESOLUTION 10-11-22-04**

MOTION: Commissioner Hayes -- Motion to approve Resolution 10-11-22-04 as presented

SECOND: Commissioner Allison

VOTE ON MOTION: Unanimous

MOTION CARRIED

RESOLUTION 10-11-22-04

BE IT RESOLVED, that the Shelby County Commission hereby approves and records the Annual Financial

RESOLUTION 10-11-22-05C

BE IT RESOLVED, that the Shelby County Commission hereby awards the bid for Accessories and Apparel to Robinson Textiles, Inc. and Bob Barker, Inc. as follows:

Said bid is located within the County Manager's Office.

Vendors	Robinson Textiles	Bob Barker
Price per each - Accessories		
Anti-Suicide Smock	86.00	81.82
Anti-suicide Blanket	70.00	73.00
Inmate Ball Caps	1.41	1.125
Toboggan	1.16	.82
Inmate Poncho	2.16	2.07
Jackets		
Inmate Light Duty Winter Outside Work Coat	12.00 (M-2X) 15.00 (3X-5X)	19.02 (38-56) 22.00 (58-68)
Inmate Heavy Weight Outside Work Coat	16.00 (M-2X) 16.50 (3X) 17.00 (4X) 17.50 (5X) 19.00 (6X)	19.02 (38-56) 22.00 (58-68)

RESOLUTION 10-11-22-05D

BE IT RESOLVED, that the Shelby County Commission hereby awards the bid for Inmate Uniform Items to the overall lowest responsive bidder, Robinson Textiles, Inc. as attached.

Said bid is located within the County Manager's Office.

**ROAD AND TRANSPORTATION
EBENEZER SWAMP INTERPRETIVE CENTER
BOARDWALK EXPANSIONPROJECT
RESOLUTION 10-11-22-06**

MOTION: Commissioner Shepherd – Motion to approve Resolution 10-11-22-06 as presented
SECOND: Commissioner Parker
VOTE ON MOTION: Unanimous **MOTION CARRIED**

RESOLUTION 10-11-22-06

WHEREAS, the County of Shelby, Alabama (hereinafter at times referred to as County) is desirous of having certain improvements made at Ebenezer Swamp Interpretive Center within the Limits of Shelby County, in accordance with plans prepared by the Alabama Department of Transportation and designated as Project No. DE-A79(912) Ebenezer Swamp Interpretive Center Boardwalk Expansion Project in Shelby County just North of CR-24, Between CR-12 and Montevallo Road.

WHEREAS, the Alabama Department of Transportation is now or may later be desirous of receiving Federal Aid for improvement of said highway; and

WHEREAS, the Federal Highway Administration, an agency of the United States of America will not participate in any funding for the construction of said project until and unless the County will agree to certain requirements of the Federal Highway Administration. The County for the purpose of complying with requirements of the Federal Highway Administration in regard to its funding of improvements of the type and kind in this agreement provided for, does hereby pass and adopt the following resolution:

BE IT RESOLVED, by the Commission of Shelby County, that the plans of said project including alignment, profile, grades, typical sections and paving layouts as submitted to this County and which are now on file in the office of the Administrative Assistant to the County Manager are hereby approved and that the location of said project as staked out by the Alabama Department of Transportation and as shown by said plans referred to are hereby approved and the Alabama Department of Transportation, in cooperation with the Federal Highway Administration, is hereby authorized to proceed with grading, draining, paving and otherwise improving and constructing of said project in accordance with said plans.

The County by and through its Commission hereby grants to the Alabama Department of Transportation the full use of and access to the dedicated widths of any existing streets for the construction of said project and hereby agrees to permit and allow the Alabama Department of Transportation to close and barricade the said project and intersecting streets for as long as necessary while the said project is being graded, drained, paved, and otherwise improved, and hereby agrees that the use of any street or highway for parking within an interchange area will not at any time be permitted.

The County hereby further agrees to adopt or pass such legally effective ordinances and/or laws as will permanently barricade and/or relocate certain intersection streets as required by the State and to permanently deny or limit access at certain locations as required by the State along said improvements, all of which are more specifically stated as follows:

N/A

Please refer to: Project Notes and Traffic Control Notes (Sheets 7)

Please refer to: Sequence of Construction and Traffic Control Plans (Sheets 9-19)

BE IT FURTHER RESOLVED, by the County Commission, that for and in consideration of the Alabama Department of Transportation in cooperation with the Federal Highway Administration, constructing said highway and routing traffic along the same through the County over said project, such

County hereby agrees with the Alabama Department of Transportation and for the benefit of the Federal Highway Administration, that on the above mentioned project the County will not in the future permit encroachments upon the right-of-way; nor will it pass any ordinances or laws fixing a speed limit contrary to those limits provided for in Title 32, Chapter 5, Code of Alabama 1975, as amended, and other laws of Alabama; nor will it permit other than parallel parking in areas where parking is permitted; nor will it allow the placing of any informational, regulatory, or warning signs, signals, median crossover, curb and pavement or other markings, and traffic signals without written approval of the Alabama Department of Transportation and the Federal Highway Administration, of the location, form and character of such installations. The traffic control devices and signs installed during construction, and those installed after completion of this project shall be in accordance with the latest edition of the National Manual on Uniform Traffic Control Devices and accepted standards adopted by the Alabama Department of Transportation of the State of Alabama and by the Federal Highway Administration. The County further agrees that subsequent traffic control devices deemed necessary by it in keeping with applicable statutes, rules and regulations to promote the safe and efficient utilization of the highway under the authority of Title 32, Chapter 5, Code of Alabama 1975, and all other applicable laws of Alabama, shall be subject to and must have the approval of the Alabama Department of Transportation of the State of Alabama and of the Federal Highway Administration, prior to installation and the County further agrees that it will enforce traffic and control the same under the provisions of Title 32, Chapter 5, Code of Alabama 1975, and other applicable laws of Alabama.

BE IT FURTHER RESOLVED, by this County Commission:

1. That the County agrees to perform all maintenance on crossroads, service drives, or relocated roads that are not designated Federal or State highways that are in the jurisdiction of the County.
2. That the County agrees to perform all maintenance on any existing road which has been replaced by a new road; or, if the existing road is not used, the County has the option of vacating the same.
3. That the County agrees to perform all maintenance on interchanges to the theoretical crossing of the denied access line.
4. That the County agrees to perform all maintenance on grade separations along the roadway to the end of the bridge, or the denied access fence, whichever the case.

It is understood and agreed that no changes in this Resolution or Agreement shall in the future be made without having obtained the prior approval of the Federal Highway Administration.

**VACATION OF COUNTY ROAD 57
RESOLUTION 10-11-22-07**

MOTION: Commissioner Shepherd – Motion to approve Resolution 10-11-22-07 as presented

SECOND: Commissioner Dillard

VOTE ON MOTION: 6 Yeas – Commissioner Acker, Commissioner Ellis, Commissioner Dillard, Commissioner Hayes, Commissioner Parker, Commissioner Shepherd; 2 Abstained – Commissioner Allison and Commissioner Bearden
MOTION CARRIED

RESOLUTION 10-11-22-07

WHEREAS, Ralph W. Bearden, Monta Faye Bearden, Ralph W. Bearden, Jr., Alfred W. Bearden, Cynthia B. Carroll, Ramona B. Martin, Lynda Sue Clinkscales Granger, Hawaii ERS Timberland, L.L.C., Roy H. Holladay, II, Cathy W. Holladay and Bouvier Harmon Ervin are the owners of all the property abutting on or adjacent to the following described property and the public road, street, highway or right-of-way over and across said property that is proposed to be vacated, situated in Shelby County, Alabama:

That portion of Shelby County Road #57 (hereinafter "Road") extending from the Shelby County/St. Clair County line westward across the Owners' properties abutting said Road to the south side of Kelly Creek and includes the bridge structure across Kelly Creek. It is the intent of this action to ensure the vacation of all of said Road across the properties of the Owners whether previously vacated or not.

WHEREAS, the above owners are desirous of vacating said tract of land described above and the public road, street, highway or right-of-way over and across said property and requests that the assent of the County Commission of Shelby County, Alabama be given as required by law in such cases; subject, however, to all existing rights of way or easements for public utilities and to all utility facilities presently situated in said vacated area;

That after vacation of the above described tract of land and the public road, street, highway or right-of-way over and across said property, and all public rights and easements therein, convenient means of ingress and egress to and from the property will be afforded to all other property owners owning property in or near the tract of land embraced in said map, plat or survey by the remaining streets, avenues, or highways dedicated by said map, plat, or survey.

NOW THEREFORE, Be It Resolved the County Commission of Shelby County, Alabama, that they do hereby assent to the said **Ralph W. Bearden, Monta Faye Bearden, Ralph W. Bearden, Jr., Alfred W. Bearden, Cynthia B. Carroll, Ramona B. Martin, Lynda Sue Clinkscales Granger, Hawaii ERS Timberland, L.L.C., Roy H. Holladay, II, Cathy W. Holladay and Bouvier Harmon Ervin** vacating said tract of land and the public road, street, highway or right-of-way over and across said property as described above and that the above described property be and the same is hereby vacated and annulled and all public rights and easements therein divested of the property; subject, however, to all existing rights of way or easements for public utilities and to all utility facilities presently situated in said area vacated hereby.

STATE OF ALABAMA)
SHELBY COUNTY)

I, Kim Reynolds, Assistant to the County Manager of Shelby County, Alabama hereby approve that the above and foregoing is a true and correct transcript of a Resolution duly adopted by the County Commission of Shelby County, Alabama, on the 22nd day of November, 2010, and that the aforesaid Resolution is duly recorded in the official minutes and records of said County Commission.

Given under my hand and official seal this the _____ day of _____, 2010.

KIM REYNOLDS
Assistant to the County Manager
Shelby County Commission

**ADJOURNMENT
RESOLUTION 10-11-22-08**

MOTION: Commissioner Hayes – There being no further business to come before the Commission, move to adjourn this 22nd day of November, 2010 at 6:25 P.M.

SECOND: Commissioner Shepherd

VOTE ON MOTION: Unanimous

MOTION CARRIED

READ & APPROVED:



COMMISSIONER DAN ACKER



COMMISSIONER LINDSEY ALLISON


COMMISSIONER JOEL BEARDEN


COMMISSIONER LARRY DILLARD


COMMISSIONER TOMMY EDWARDS


COMMISSIONER CORLEY ELLIS


COMMISSIONER ROBBIE HAYES


COMMISSIONER JON PARKER


COMMISSIONER RICK SHEPHERD

**SHELBY COUNTY COMMISSION
ANNUAL FINANCIAL REPORT
COMBINED STATEMENT OF REVENUE, EXPENDITURES AND CHANGES IN FUND BALANCES
FOR THE PERIOD OCTOBER 1, 2009 THROUGH SEPTEMBER 30, 2010**

	GENERAL FUND	SPECIAL REVENUES	CAPITAL PROJECTS	DEBT SERVICE	TRUST & AGENCY	TOTAL
REVENUES						
TAXES	33,958,251.29	8,356,511.98	0.00	0.00	0.00	42,314,763.27
LICENSES & PERMITS	896,795.86	0.00	0.00	0.00	0.00	896,795.86
INTERGOVERNMENTAL	1,536,669.48	8,686,147.14	0.00	0.00	178,115.35	10,400,931.97
CHARGES FOR SERVICES	12,530,031.41	5,950.00	0.00	0.00	266,984.61	12,802,966.02
MISCELLANEOUS REVENUE	633,572.41	520,972.59	136,469.37	67,628.51	3,722,463.16	5,081,106.04
						0.00
TOTAL REVENUE	49,555,320.45	17,569,581.71	136,469.37	67,628.51	4,167,563.12	71,496,563.16
EXPENDITURES						
GENERAL GOVERNMENT	16,925,322.58	850,926.39	548,366.44	0.00	6,897,206.77	25,221,822.18
PUBLIC SAFETY	26,937,874.52	283,547.60	225.00	0.00	0.00	27,221,647.12
HIGHWAYS & ROADS	328,150.26	10,255,830.34	0.00	0.00	0.00	10,583,980.60
HEALTH	537,679.88	72,772.21	0.00	0.00	0.00	610,452.09
WELFARE	871,186.66	374,005.59	0.00	0.00	0.00	1,245,192.25
CULTURAL & RECREATION	1,255,187.40	1,299,079.06	3,727.30	0.00	0.00	2,557,993.76
EDUCATION	150,000.00	0.00	0.00	0.00	0.00	150,000.00
DEBT SERVICE FEES	6,875.00	0.00	0.00	0.00	0.00	6,875.00
TOTAL CURRENT EXPEND.	47,012,276.30	13,136,161.19	552,318.74	0.00	6,897,206.77	67,597,963.00
CAPITAL OUTLAY	2,532,139.57	3,235,205.35	3,230,536.16	0.00	7,369.57	9,005,250.65
DEBT SERVICE - PRINCIPLE	0.00	73,643.93	0.00	0.00	0.00	73,643.93
DEBT SERVICE - INTEREST	0.00	20,821.88	0.00	0.00	0.00	20,821.88
OTHER OUTLAY	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL EXPENDITURES	49,544,415.87	16,465,832.35	3,782,854.90	0.00	6,904,576.34	76,697,679.46
EXCESS OF REVENUES						
OVER/UNDER EXPEND.	10,904.58	1,103,749.36	-3,646,385.53	67,628.51	-2,737,013.22	-5,201,116.30
ALL FUNDS						
OTHER FINANCING SOURCES						
TRANSFERS IN	1,591,076.73	7,185,755.78	4,097,498.00	0.00	208,376.32	13,082,706.83
TRANSFERS OUT	-1,282,755.78	-10,632,816.62	-1,096,540.24	0.00	-70,594.19	-13,082,706.83
OTHER FINANCING	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL	308,320.95	-3,447,060.84	3,000,957.76	0.00	137,782.13	0.00
EXCESS OF REVENUES & OTHER SOURCES-OVER/ UNDER EXP. & OTHER USES						
	319,225.53	-2,343,311.48	-645,427.77	67,628.51	-2,599,231.09	-5,201,116.30
BEGINNING FUND BALANCE						
	22,652,675.72	6,479,101.12	-2,297,422.39	88,141.38	9,995,930.30	36,918,426.13
ADJUSTMENTS						
	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL FUND BALANCE						
	22,971,901.25	4,135,789.64	-2,942,850.16	155,769.89	7,396,699.21	31,717,309.83

**SHELBY COUNTY COMMISSION
ANNUAL FINANCIAL REPORT
COMBINED STATEMENT OF REVENUE, EXPENDITURES AND CHANGES IN FUND BALANCES
FOR THE PERIOD OCTOBER 1, 2009 THROUGH SEPTEMBER 30, 2010**

BONDS AND WARRANTS PAYABLE SEPTEMBER 30, 2010					
	INT. RATE	BEGIN PAY DATES	ISSUE DATE	FINAL	BALANCE
GENERAL OBLIGATION WARRANTS					
SERIES 2004-DWSRF-BL	3.05%	8/15/2007	12/15/2004	8/15/2026	21,030,000
SERIES 2005-DWSRF-BL	3.44%	8/15/2008	10/1/2005	8/15/2027	25,280,000
SERIES 2007-DWSRF-DL	3.50%	8/15/2010	11/28/2007	8/15/2029	16,370,000
ON DECEMBER 15, 2004 THE COUNTY ENTERED INTO AN AGREEMENT WITH THE DRINKING WATER STATE REVOLVING FUND (DWSRF) LOAN PROGRAM TO OBTAIN FUNDING FOR THE CONSTRUCTION OF A WATER PLANT.					
ON OCTOBER 1, 2005 THE COUNTY ENTERED INTO AN AGREEMENT WITH THE DWSRF FOR A SECOND OBLIGATION FOR THE SAME PURPOSE. ON NOVEMBER 28, 2007 THE COUNTY ENTERED INTO AN AGREEMENT WITH THE DWSRF FOR A THIRD OBLIGATION FOR THE SAME PURPOSE. THE BALANCE NOTED HEREIN IS THE TOTAL LOAN AMOUNT INCLUDING DEFERRED INTEREST. THE FIRST PAYMENTS ON THE LOANS BEGAN ON AUGUST 15, 2007, AUGUST 15, 2008 AND AUGUST 15, 2010 RESPECTIVELY.					
CAPITAL LEASES - ALL FUNDS	PRINCIPAL INDEBTEDNESS AS OF 9/30/2010				0.00
NOTES PAYABLE INDEX FEE FUND	PRINCIPAL INDEBTEDNESS AS OF 9/30/2010				0.00
NOTES PAYABLE GENERAL FUND	PRINCIPAL INDEBTEDNESS AS OF 9/30/2010				1,441,328.44
TOTAL CAPITAL LEASES & NOTES PAYABLE					1,441,328.44
DEFEASED WARRANTS					
ON MARCH 15, 2001, SHELBY COUNTY ENTERED INTO AN ESCROW AGREEMENT WITH OUR TRUSTEE WHEREBY FUNDS WERE PLACED IN AN IRREVOCABLE TRUST SUFFICIENT TO DEFEASE ALL REMAINING PRINCIPLE AND INTEREST OUTSTANDING FOR THE SERIES 1992-A, THE SERIES 1992-B, THE SERIES 1996, AND THE SERIES 1994-A WARRANTS.					
THIS FINANCIAL INFORMATION MEETS THE REQUIREMENTS OF CODE OF ALABAMA 1975.					
THE FOREGOING IS A REPORT OF THE RECEIPTS AND DISBURSEMENTS OF SHELBY COUNTY UNDER THE CONTROL OF THE SHELBY COUNTY COMMISSION FOR THE PERIOD OCTOBER 1, 2009 THROUGH SEPTEMBER 30, 2010. IT IS ORDERED THAT THE SAME BE FILED, RECORDED AND PUBLISHED. THE DETAILED STATEMENT IS ON FILE IN THE SHELBY COUNTY COMMISSION OFFICE LOCATED AT 200 WEST COLLEGE STREET, COLUMBIANA, ALABAMA.					
I, CORLEY ELLIS, CHAIRMAN OF THE SHELBY COUNTY COMMISSION, SHELBY COUNTY, ALABAMA, HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE FOREGOING REPORT OF SAID COMMISSION IS TRUE AND AND CORRECT OF THE MONIES COMING INTO SAID COMMISSION AND ALL EXPENDITURES BY SAID COMMISSION FROM OCTOBER 1, 2009 THROUGH SEPTEMBER 30, 2010.					
CORLEY ELLIS, CHAIRMAN SHELBY COUNTY COMMISSION SHELBY COUNTY, ALABAMA					

**SHELBY COUNTY WATER AND ENVIRONMENTAL SERVICES
 COMBINED STATEMENT OF REVENUES, EXPENSES, AND CHANGES
 IN NET ASSETS--PROPRIETARY FUNDS
 FOR THE YEAR ENDED SEPTEMBER 30, 2010**

	LANDFILL	WATER
Operating Revenues:		
Charges for Services	3,731,820.16	6,906,728.32
Total Operating Revenues	3,731,820.16	6,906,728.32
Operating Expenses:		
Personnel	1,596,975.52	1,686,423.36
Professional Fees	109,593.81	37,137.94
Depreciation & Amortization	365,247.99	3,365,209.77
Other	960,692.52	3,653,414.87
Total Operating Expenses	3,032,509.84	8,742,185.94
Operating Income	699,310.32	(1,835,457.62)
Nonoperating Revenues (Expenses):		
Interest Earned	22,552.42	9,484.27
Interest Expense		(2,259,298.04)
Community Services	(1,667.44)	
Gain (Loss) on Sale of Assets	39,360.00	
Joint Venture Subsidy		(60,707.90)
Total Nonoperating Revenues (Expenses)	60,244.98	(2,310,521.67)
Net Income Before Contributions and Transfers	759,555.30	(4,145,979.29)
Capital Contributions		96,244.14
Change in Net Assets	759,555.30	(4,049,735.15)
Total Net Assets - Beginning of Year	23,003,586.37	66,664,084.52
Total Net Assets - End of Year	23,763,141.67	62,614,349.37

**TALLADEGA/SHELBY FILTRATION PLANT
STATEMENT OF REVENUES, EXPENSES, AND
CHANGES IN NET ASSETS
FOR THE YEAR ENDED SEPTEMBER 30, 2010**

Operating Revenues:	
Water Sales-Shelby	1,816,890.02
Water Sales-Talladega	357,264.60
Total Operating Revenues	<u>2,174,154.62</u>
Plant:	
Operations and Maintenance	663,427.95
Architectural & Engineering	3,076.85
Utilities	328,138.96
Insurance	55,620.90
Repairs and Maintenance	22,058.04
Supplies	637,010.35
Office Supplies	6,226.88
Depreciation	137,897.88
Other	18,542.56
Total Plant Expenses	<u>1,872,000.37</u>
Operating Income (Loss)	<u>302,154.25</u>
Nonoperating Revenues (Expenses):	
Interest Earned	153.34
Gain (Loss) on Sale of Assets	
Joint Venture Subsidy	121,415.80
Total Nonoperating Revenues (Expenses)	<u>121,569.14</u>
Net Income (Loss)	423,723.39
Change in Net Assets	<u>423,723.39</u>
Total Net Assets - Beginning of Year	2,092,925.05
Total Net Assets - End of Year	<u><u>2,516,648.44</u></u>

REPORT TO THE SHELBY COUNTY COMMISSION
From the Department of Development Services
Planning Services

November 22, 2010

Case No. A10-010, Mama's Kitchen & General Store
(New)

1st Reading – No Action Requested

Mr. Joseph Askew has submitted the attached documentation in support of a new application request for a 050-Retail Beer (Off-Premises Only) license for Mama's Kitchen & General Store, LLC.

The applicant states that the facility is a convenience store operating from 5:00 a.m. until 6:00 p.m., Monday through Friday and from 7:00 a.m. until 2:00 p.m. on Saturday. This facility, Mama's Kitchen & General Store, is located at 767 Highway 31, Alabaster, AL 35007. The subject property is located in an unzoned area of Shelby County.

There have been two (2) new license applications and no license transfers for this location since 2002.

The County Engineer's report has verified that the facility is an existing site, has access via AL Highway 31. No drainage problems have been observed on the site.

The Saginaw Fire District reports that the subject facility does have an adequate water source to permit the effective use of fire fighting equipment. The facility does have adequate personal safety equipment; such as fire extinguishers, lighted fire exits and lighted fire exit signs. *Please Note: Upon inspection, however, the fire chief has determined that the applicant must install two (2) smoke detectors.*

Attached is a copy of the definition for a **"050-Retail Beer (Off-Premises Only) License"**, as defined in the Alabama ABC Board Rules and Regulations. It should be noted that subject to the decision of the County Commission, ***this application will be forwarded to the State ABC Board and the State of Alabama Health Department for further processing, review and approval.***

050 Retail Beer License (Off Premises Only)

050 Retail beer license for off-premises consumption (28-3A-17) – A retail beer license which will authorize the licensee to purchase beer, including draft beer in counties or municipalities where the sale thereof is permitted, in original unopened containers from licensed wholesalers and to sell such beer in original unopened containers from licensed wholesalers and to sell such beer in packaged form at retail for off-premises consumption, where such use of the proposed location is not, at the time of the original application, prohibited by a valid zoning ordinance or other ordinance in the valid exercise of police power by the governing body of the municipality or county in which the retail outlet is located.

ALABAMA ABC BOARD
LICENSE CLASSIFICATIONS

Liquor License Classifications

010	Lounge Retail Liquor – Class I
011	Lounge Retail Liquor – Class II (Package Store)
020	Restaurant Retail Liquor
031	Club Liquor – Class I
032	Club Liquor – Class II
040	Retail Beer – (On or Off Premises)
050	Retail Beer – (Off Premises Only)
060	Retail Table Wine – (On or Off Premises)
070	Retail Table Wine – (Off Premises Only)
080	Liquor Whole Sale
090	Wholesale Beer Only
100	Wholesale Table Wine Only – 14.9% or Less
110	Wholesale Table Wine & Beer Combined
120	Warehouse License
130	Additional Warehouse – Wine, Beer or Both
140	Special Events Retail
150	Special Retail License – 30 Days or Less
160	Special Retail – More Than 30 Days
170	Retail Common Carrier
180	Manufacturer of Denatured Alcohol
190	Manufacturer of Alcohol Production Units
200	Manufacturer
210	Importer
220	Brewpub
230	International Motor Speedway

**Alabama ABC Board
License Classification Explanations**

CLUB LIQUOR RETAIL LICENSE (28-3A-12) – A club liquor license will authorize the licensee to purchase liquor and wine from the board or as authorized by the board and to purchase table wine and beer, including draft or keg beer in any county or municipality in which the sale thereof is permitted, from any wholesaler licensee of the board and to sell liquor and wine, dispensed from containers of any size, and beer, including draft or keg beer, in any county or municipality in which the sale thereof is permitted, to the members of the club or their guests for on-premises consumption except on Sunday.

031 Club Liquor – Class I (28-3-1-7a) – A corporation or association organized or formed in good faith by authority of law and which must have at least 150 paid-up members. It must be the owner, lessee or occupant of an establishment operated solely for the objects of a notional, social, patriotic, political or athletic nature or the like, but not for pecuniary gain, and the property as well as the advantages of which, belong to all the members and which maintains an establishment provided with special space and accommodations where, in consideration of payment, food with or without lodging is habitually served. The club shall hold regular meetings, continue its business through officers regularly elected, admit members by written application, investigation and ballot and charge and collect dues from elected members.

032 Club Liquor – Class II (28-3-1-7b) – A corporation or association organized or formed in good faith by authority of law and which must have at least 100 paid-up members. It must be the owner, lessee or occupant of an establishment operated solely for the objects of a national, social, patriotic, political or athletic nature or the like. The club shall hold regular meetings, continue its business through officers regularly elected, admit members by written application, investigation and ballot and charge and collect dues from elected members.

080 Liquor Wholesaler (28-3A-8) – A liquor wholesale license shall authorize the licensee to import and receive shipments of liquor or wine from outside the state from licensed manufacturers and to sell at wholesale or distribute liquor or wine to the board or as authorized by the board except a liquor wholesale license may not sell liquor or fortified wine to retail licensees of the board. Sales shall be in original packages or containers as prepared for the market by the manufacturer or bottler. No person shall sell at wholesale or distribute liquor or wine within this state to the board or as authorized by the board unless such person shall be issued a liquor wholesale license by the board.

110 Wholesaler license for beer or table wine (28-3A-9) – A wholesale license which shall authorize the licensee to import and receive shipments of beer and table wine from outside the state from licensed manufacturers, to purchase beer and table wine from licensed manufacturers or other licensed wholesalers within the state and to sell at wholesale or distribute beer and table wine to all licensees or others within this state lawfully authorized to sell beer and wine within said state, and to export beer and wine from the state. Sales to all authorized persons shall be in original packages or containers as prepared from the market by the manufacturer or bottler. No person shall sell at wholesale or distribute beer or table wine within this state or to licensees of the board unless such person shall be issued a wholesale license by the board.

090 Wholesale Beer Only

100 Wholesale Table Wine Only – 14.9% or less

Lounge retail liquor license (28-3A-11) – A retail liquor license which will authorize the licensee to purchase liquor and wine from the board or as authorized by the board and to purchase table wine, and beer, including draft or keg beer in any county or municipality in which the sale thereof is permitted, from any wholesaler licensee of the board and to sell at retail liquor and wine, dispensed from containers of any size, and beer, including draft or keg beer in any county or municipality in which the sale thereof is permitted, to patrons. A lounge liquor licensee may permit dancing or provide other lawful entertainment on the licensed premises. No person under 19 years of age shall be admitted on the premises of any lounge liquor licensee as a patron or employee, and it shall be unlawful for any such licensee to admit any minor to the premises as a patron or employee.

010 Lounge Retail Liquor – Class I

011 Lounge Retail Liquor – Class II

120 Warehouse license (28-3A-10) – Shall authorize the licensee to import and receive shipments of beer and table wine from outside the state from licensed manufacturers, to purchase beer and table wine from licensed manufacturers or other licensed wholesalers within the state and to sell at wholesale or distribute beer and table wine to all licensees or others within this state lawfully authorized to sell beer and wine within said state, and to export beer and wine from the state. Sales to all authorized persons shall be in original packages, or containers as prepared for the market by the manufacturer or bottler. No person shall sell at wholesale or distribute beer or table wine within this state or to licensees of the board unless such person shall be issued a wholesale license by the board.

130 Additional Warehouse – Wine, Beer or Both

020 Restaurant retail liquor license (28-3A-13) – A restaurant liquor license for a hotel, restaurant, civic center authority or dinner theater which will authorize the licensee to purchase liquor and wine from the board or as authorized by the board and to purchase table wine and beer, including draft or keg beer in any county or municipality in which the sale thereof is permitted, from any wholesaler licensee of the board, and in that part of the hotel, restaurant, club or dinner theater set out in the license, to sell liquor and wine, dispensed from containers of any size, and beer, including draft or keg beer, in any county or municipality in which the sale thereof is permitted, to the patrons, guests or members for on-premises consumption in any part of the civic center or in that part of the hotel, restaurant, or dinner theater habitually used for serving meals to patrons, guests or members, or other public or private rooms of the building in accordance with the provisions of this chapter and the regulations made thereunder, and where a restaurant located in a hotel, but not operated by the owner of the hotel, is licensed to sell alcoholic beverages in the restaurant, it may also sell alcoholic beverages to guests in private rooms in the hotel.

060 Retail table wine license for on-premises and off-premises consumption (28-3A-14) – A retail table wine license which will authorize the licensee to purchase table wine from the board or from a licensed wholesaler in counties and municipalities where authorized, and to sell at retail, in unopened original containers or dispense from containers of any size, for on-premises consumption in a room or rooms or place on the licensed premises at all times accessible to the use and accommodation of the general public, and in original unopened containers for off-premises consumption, where such use of the proposed location is not, at the time of the original application, prohibited by a valid zoning ordinance or the municipality or county in which the outlet is located.

070 Retail table wine license for off-premises consumption (28-3A-15) – A retail table wine license for any retail outlet, which license will authorize the licensee to purchase table wine in packaged form from the board, or from licensed wholesalers and to sell such table wines in original unopened containers at retail for off-premises consumption, where such use of the proposed location of the retail outlet is not, at the time of original application, prohibited by a valid zoning ordinance or other ordinance in the valid exercise of police power by the governing body of the municipality or county in which the retail outlet is located.

040 Retail beer license for on-premises and off-premises consumption (28-3A-16) – A retail beer license which will authorized the licensee to purchase beer, including draft beer in counties or municipalities where the sale thereof is permitted, from a licensed wholesaler and to sell at retail for on-premises consumption in a room or rooms or place on the licensed premises at all times accessible to the use and accommodation of the general public, and in original unopened containers for off-premises consumption, where such use of the proposed location is not at the time of the original application, prohibited by a valid zoning ordinance or other ordinance in the valid exercise of police power by the governing body of the municipality or county in which the outlet is located.

050 Retail beer license for off-premises consumption (28-3A-17) – A retail beer license which will authorize the licensee to purchase beer, including draft beer in counties or municipalities where the sale thereof is permitted, in original unopened containers from licensed wholesalers and to sell such beer in original unopened containers from licensed wholesalers and to sell such beer in packaged form at retail for off-premises consumption, where such use of the proposed location is not, at the time of the original application, prohibited by a valid zoning ordinance or other ordinance in the valid exercise of police power by the governing body of the municipality or county in which the retail outlet is located.

170 Retail common carrier liquor license (28-3A-18) – A retail common carrier liquor license for a railroad, airline, bus line, ship line, vessel or other common carrier entity operating passenger vehicles with a passenger seating capacity of at least 10 people, which will authorize the licensee to sell whenever operated in Alabama, alcoholic beverages, liquor, wine and beer, including draft beer, to passengers for consumption while aboard such licensee. No railroad, airline, bus line, ship line, vessel or common carrier entity shall sell alcoholic beverages to passengers for consumption within this state without first obtaining a retail common carrier liquor license from the board.

Special retail license (28-3A-19) – A special retail license in wet counties for a state park, racing commission, fair authority, airport authority, or civic center authority, or the franchises or concessionaire of such park, commission or authority, and may, in its discretion, issue a special retail license to any other valid responsible organization of good reputation for such period of time not to exceed one year and upon such terms and conditions as the board shall prescribe, which will authorize the licensee to purchase, where the retail sale thereof is authorized by the board, liquor and wine from the board or as authorized by the board and table wine and beer from any wholesale licensee of the board and to sell at retail and dispense such alcoholic beverages as are authorized by the board at such locations authorized by the board upon such terms and conditions as prescribed by the board. Provided however, no sale of alcoholic beverages shall be permitted on any Sunday after the hour of 2:00 A.M.

150 Special retail license – 30 days or less

160 Special retail license – More than 30 days

140 Special events retail license (28-3A-20) – Upon application made on a form provided by the board at least 120 days in advance of the event for which a license is granted, the board shall issue a special events license for a valid, responsible organization of good reputation, for a period not to exceed seven days, and upon such terms and conditions as the board may prescribe, which will authorize the licensee to purchase, where the retail sale thereof is authorized by the board, liquor and wine from the board or as authorized by the board and table wine and beer from any wholesale licensee of the board and to sell at retail and dispense such alcoholic beverages as are authorized by the board to the patrons, guests or members of the organization at such locations or areas as shall be authorized by the board upon such terms and conditions as prescribed by the board. Provided, however, no sale of alcoholic beverages shall be permitted on any Sunday after the hour of 2:00 A.M.

180 Manufacturer of Denatured Alcohol

AND

190 Manufacturer of Alcohol Production Units (28-5-2)

Upon the filing with the governor of Alabama by any person, firm or corporation of an application to operate on any state-owned land that constitutes, in whole or in part, any plan of development by the state or its agency for the improvement or expansion of any of the harbors or seaports of the state an alcohol distillery and alcohol denaturing plant for the production of industrial alcohol solely for non-beverage use, the governor may, in his discretion, grant a permit, as provided in this chapter, to such applicant to operate an alcohol distillery and alcohol denaturing plant, in connection with a sugar refinery, where the distillation of alcohol may be economically undertaken to conserve the by-product materials use in or incident to the operation of such sugar refinery; provided, that the applicant has or does secure, by lease, the right to occupy the premises described in the application.

No permit shall be granted to operate an alcohol denaturing plant away from the premises of the sugar refinery and the alcohol distillery where the alcohol is produced.

200 Manufacturer

210 Importer

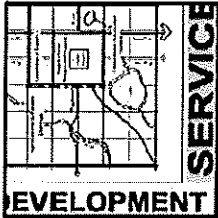
220 Brewpub (28-4A-3) – (a) In addition to the licenses authorized to be issued and renewed by the board pursuant to the Alcoholic Beverage Licensing Code codified as Chapter 3A, Title 28, the board, upon applicant's compliance with the provisions of this chapter and with Chapter 3A, Title 28, and the regulations made thereunder, is authorized to issue to a qualified applicant a brewpub license which shall authorize the licensee to manufacture or brew beer in a quantity not to exceed 10,000 barrels in any one year and to sell such beer in unpackaged form at retail for on-premises consumption only, and to purchase beer in original unopened containers from licensed wholesalers and to sell such beer at retail for on-premises consumption only, in a room or rooms or place on the licensed premises at all time accessible to the use and accommodation of the general public, subject to the following conditions:

- (1) The brewpub premises must be located in an historic building or site as defined in Section 40-8-1, in a wet county or wet municipality, in which county beer was brewed for public consumption prior to the ratification of the Eighteenth Amendment to the U.S. Constitution in 1919.
- (2) The proposed location of the premises shall not, at the time of the original application, be prohibited by a valid zoning ordinance or other ordinance in the valid exercise of police power by the governing body of the municipality or county in which the brewpub is located.
- (3) Beer brewed by the brewpub licensee shall not be possessed, sold or dispensed except on the premises where brewed, and shall not be packaged or contained in other than barrels from which the beer is to be dispensed on the premises for consumption on the premises.
- (4) The brewpub must contain and operate a restaurant with a seating capacity of not less than 80.

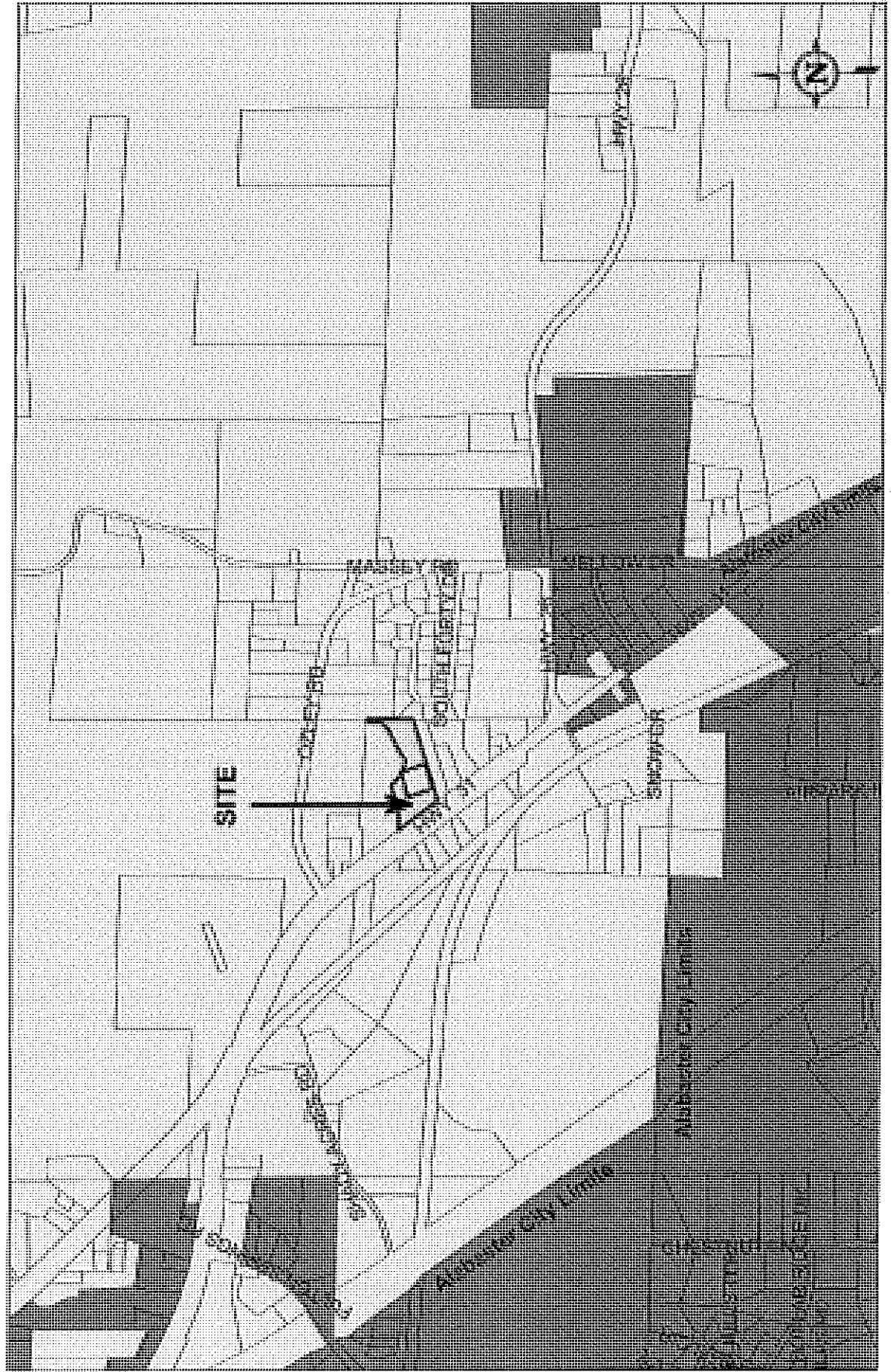
(b) The annual license fee levied and prescribed for a license as a brewpub issued or renewed by the board pursuant to the authority of this chapter is \$1,000.

(c) Except as provided in this subsection, the provision of Title 28 shall be applicable. The provisions of Section 28-3-4 and subsection (b) of Section 28-3A-6, shall not be applicable with regard to beer brewed by the brewpub and sold and dispensed on the brewpub premises. In all other respects, Section 28-3-4 and Section 28-3A-6(b) shall be applicable.

230 International Motor Speedway



A10-010
Mama's Kitchen & General Store
ABC License Request





STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION
Confirmation Number: 20100106093550466



Type License: 050 - RETAIL BEER (OFF PREMISES ONLY) State: \$100.00 County: \$50.00
Type License: State: County:
Trade Name: MAMA KITCHEN AND GENERAL STORE LLC Filing Fee: \$50.00
Applicant: MAMA KITCHEN AND GENERAL STORE Transfer Fee:
Location Address: 767 HIGHWAY 31 ; SOUTH ALABASTER, AL 35007
Mailing Address: 810 WATERFORD CIRCLE CALERA, AL 35040
County: SHELBY Tobacco sales: YES Tobacco Vending Machines: 0
Sale of Products Containing Ephedrine: NO Type Ownership: LLC
Book, Page, or Document info: 20091217000462060 Do you sell Draft Beer: N
Date Incorporated: 12/17/2009 State incorporated: AL County Incorporated: SHELBY
Date of Authority: 12/17/2009

Name: Title: Date and Place of Birth: Residence Address:

JOSEPH RANDOLPH ASKEW [REDACTED]	MEMBER	[REDACTED] HOUSTON AL	810 WATERFORD CIRCLE CALERA, AL 35040

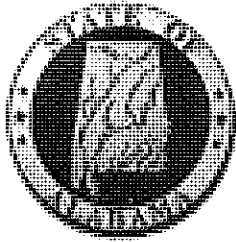
State Tax ID #: R006269937
Has applicant complied with financial responsibility ABC RR 20-X-5-.14? YES
Does ABC have any actions pending against the current licensee? NO
Has anyone, including manager or applicant, had a Federal/State permit or license suspended or revoked? NO
Has a liquor, wine, malt or brewed license for these premises ever been denied, suspended, or revoked? NO
Are the applicant(s) named above, the only person(s), in any manner interested in the business sought to be licensed? YES
Are any of the applicants, whether individual, member of a partnership or association, or officers and directors of cooperation itself, in any manner monetarily interested, either directly or indirectly, in the profits of any other class of business regulated under authority of this act? NO
Does applicant own or control, directly or indirectly, hold lien against any real or personal property which is rented, leased or used in the conduct of business by the holder of any vinous, malt or brewed beverage, or distilled liquors permit or license issued under authority of this act? NO
Is applicant receiving, either directly or indirectly, any loan, credit, money, or the equivalent thereof from or through a subsidiary or affiliate or other licensee, or from any firm, association or corporation operating under or regulated by the authority of this act? NO

Contact Person: JOSEPH R ASKEW
Business Phone: 205-621-9968
Fax:

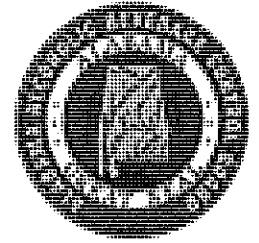
Home Phone: 205-668-7929
Cell Phone:
E-mail:

PREVIOUS LICENSE INFORMATION:
Trade Name: NOODIES STOP SHOP
Applicant: MYRA JEAN MARTIN

Previous License Number(s)
License 1: 050-001020558-410
License 2:



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD



ALCOHOL LICENSE APPLICATION
 Confirmation Number: 20100106093550466

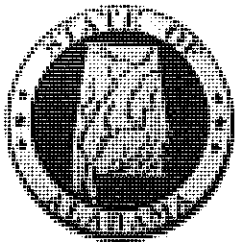
If applicant is leasing the property, is a copy of the lease agreement attached? **YES**
 Name of Property owner/lessor and phone number: **MYRA JEAN MARTIN 205-663-2353**
 What is lessors primary business? **OWNER**
 Is lessor involved in any way with the alcoholic beverage business? **NO**
 Is there any further interest, or connection with, the licensee's business by the lessor? **NO**

Does the premise have a fully equipped kitchen? **NO**
 Is the business used to habitually and principally provide food to the public? **NO**
 Does the establishment have restroom facilities? **YES**
 Is the premise equipped with services and facilities for on premises consumption of alcoholic beverages? **NO**

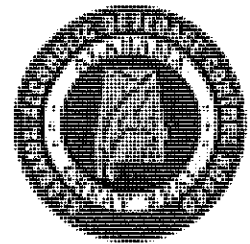
Will the business be operated primarily as a package store? **NO**
 Building Dimensions Square Footage: **1260** Display Square Footage:
 Building seating capacity: **0** Does Licensed premises include a patio area? **NO**
 License Structure: **ONE STORY** License covers: **ENTIRE STRUCTURE**
 Number of licenses in the vicinity: **1** Nearest: **1**
 Nearest school: **2 miles** Nearest church: **3 blocks** Nearest residence: **1 blocks**
 Location is within: **POLICE JURISDICTION** Police protection: **COUNTY**

Has any person(s) with any interest, including manager, whether as sole applicant, officer, member, or partner been charged (whether convicted or not) of any law violation(s)?

Name:	Violation & Date:	Arresting Agency:	Disposition:
JJA			



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION
Confirmation Number: 20100106093550466



Initial each

Signature page

JRA

In reference to law violations, I attest to the truthfulness of the responses given within the application.

JRA

In reference to the Lease/property ownership, I attest to the truthfulness of the responses given within the application.

JRA

In reference to ACT No. 80-529, I understand that if my application is denied or discontinued, I will not be refunded the filing fee required by this application.

JRA

In reference to Special Retail or Special Events retail license, I agree to comply with all applicable laws and regulations concerning this class of license, and to observe the special terms and conditions as indicated within the application.

JRA

In reference to the Club Application information, I attest to the truthfulness of the responses given within the application.

JRA

In reference to the transfer of license/location, I attest to the truthfulness of the information listed on the attached transfer agreement.

JRA

In accordance with Alabama Rules & Regulations 20-X-5-.01(4), any social security number disclosed under this regulation shall be used for the purpose of investigation or verification by the ABC Board and shall not be a matter of public record.

JRA

The undersigned agree, if a license is issued as herein applied for, to comply at all times with and to fully observe all the provisions of the Alabama Alcoholic Beverage Control Act, as appears in Code of Alabama, Title 28, and all laws of the State of Alabama relative to the handling of alcoholic beverages.

The undersigned, if issued a license as herein requested, further agrees to obey all rules and regulations promulgated by the board relative to all alcoholic beverages received in this State. The undersigned, if issued a license as herein requested, also agrees to allow and hereby invites duly authorized agents of the Alabama Alcoholic Beverage Control Board and any duly commissioned law enforcement officer of the State, County or Municipality in which the license premises are located to enter and search without a warrant the licensed premises or any building owned or occupied by him or her in connection with said licensed premises. The undersigned hereby understands that he or she violate any provisions of the aforementioned laws his or her license shall be subject to revocation and no license can be again issued to said licensee for a period of one year. The undersigned further understands and agrees that no changes in the manner of operation and no deletion or discontinuance of any services or facilities as described in this application will be allowed without written approval of the proper governing body and the Alabama Alcoholic Beverage Control Board.

JRA

I hereby swear and affirm that I have read the application and all statements therein and facts set forth are true and correct, and that the applicant is the only person interested in the business for which the license is required.

Applicant Name (print): *Joseph R. Askew*

Signature of Applicant: *Joseph R. Askew*

Notary Name (print): *VELMA ALLEN*

Notary Signature: *Velma Allen*

Commission expires: *12-10-11*

Application Taken: *11/6/00* App. Inv. Completed:

Submitted to Local Government:

Forwarded to District Office:

Received from Local Government:

Received in District Office:

Reviewed by Supervisor:

Forwarded to Central Office:

REPORT TO THE SHELBY COUNTY COMMISSION
From the Department of Development Services
Planning Services

November 22, 2010

Case No. A10-011, City Vineyard
(New and Transfer)

First Reading – No Action Requested

Mr. Gavin Ennis, City Vineyard LLC, has submitted the attached documentation in support of a new application request for an 040-Retail Beer (On or Off Premises) license and a license transfer request for an 060- Retail Table Wine (On or Off Premises) license, from Ms. Michelle Coggins of City Vineyard Gift Baskets and Wine, Inc., for City Vineyard.

The applicant states that the facility is a retail store operating from 10:00 a.m. until 8:00 p.m., Monday through Thursday, from 10:00 a.m. until 10:00 p.m., Friday and from 10:00 a.m. until 9:00 p.m., on Saturday. This facility, City Vineyard, is located at 5479 Highway 280, Birmingham, AL 35242. The subject property is located in a B-2, General Business District and a retail store is a permitted use in this zoning category.

There has been one new license application and one license renewal application but no license transfers for this location since 2002.

The County Engineer's report has verified that the facility is an existing site, has access via US Highway 280 and that no drainage problems have been observed on the site.

The Cahaba Valley Fire District reports that the subject facility does have an adequate water source to permit the effective use of firefighting equipment and notes that the facility is only used to sell alcohol with none served on premises.

Attached is a copy of the definition for a **"040-Retail Beer (On or Off-Premises) License"** and a **"060- Retail Table Wine (On or Off Premises) License"** as defined in the Alabama ABC Board Rules and Regulations. It should be noted that subject to the decision of the County Commission, ***this application will be forwarded to the State ABC Board and the State of Alabama Health Department for further processing, review and approval.***

040 Retail Beer License (On or Off Premises)

040 Retail beer license for on-premises and off-premises consumption (28-3A-16) – A retail beer license which will authorized the licensee to purchase beer, including draft beer in counties or municipalities where the sale thereof is permitted, from a licensed wholesaler and to sell at retail for on –premises consumption in a room or rooms or place on the licensed premises at all times accessible to the use and accommodation of the general public, and in original unopened containers for off-premises consumption, where such use of the proposed location is not at the time of the original application, prohibited by a valid zoning ordinance or other ordinance in the valid exercise of police power by the governing body of the municipality or county in which the outlet is located.

060 Retail Table Wine (On or Off Premises)

060 Retail table wine license for on-premises and off-premises consumption (28-3A-14) – A retail table wine license which will authorize the licensee to purchase table wine from the board or from a licensed wholesaler in counties and municipalities where authorized, and to sell at retail, in unopened original containers or dispense from containers of any size, for on-premises consumption in a room or rooms or place on the licensed premises at all times accessible to the use and accommodation of the general public, and in original unopened containers for off-premises consumption, where such use of the proposed location is not, at the time of the original application, prohibited by a valid zoning ordinance or the municipality or county in which the outlet is located.

ALABAMA ABC BOARD

LICENSE CLASSIFICATIONS

Liquor License Classifications

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031 Club Liquor – Class I (28-3-1-7a) – A corporation or association organized or formed in good faith by authority of law and which must have at least 150 paid-up members. It must be the owner, lessee or occupant of an establishment operated solely for the objects of a notional, social, patriotic, political or athletic nature or the like, but not for pecuniary gain, and the property as well as the advantages of which, belong to all the members and which maintains an establishment provided with special space and accommodations where, in consideration of payment, food with or without lodging is habitually served. The club shall hold regular meetings, continue its business through officers regularly elected, admit members by written application, investigation and ballot and charge and collect dues from elected members.

032 Club Liquor – Class II (28-3-1-7b) – A corporation or association organized or formed in good faith by authority of law and which must have at least 100 paid-up members. It must be the owner, lessee or occupant of an establishment operated solely for the objects of a national, social, patriotic, political or athletic nature or the like. The club shall hold regular meetings, continue its business through officers regularly elected, admit members by written application, investigation and ballot and charge and collect dues from elected members.

080 Liquor Wholesaler (28-3A-8) – A liquor wholesale license shall authorize the licensee to import and receive shipments of liquor or wine from outside the state from licensed manufacturers and to sell at wholesale or distribute liquor or wine to the board or as authorized by the board except a liquor wholesale license may not sell liquor or fortified wine to retail licensees of the board. Sales shall be in original packages or containers as prepared for the market by the manufacturer or bottler. No person shall sell at wholesale or distribute liquor or wine within this state to the board or as authorized by the board unless such person shall be issued a liquor wholesale license by the board.

110 Wholesaler license for beer or table wine (28-3A-9) – A wholesale license which shall authorize the licensee to import and receive shipments of beer and table wine from outside the state from licensed manufacturers, to purchase beer and table wine from licensed manufacturers or other licensed wholesalers within the state and to sell at wholesale or distribute beer and table wine to all licensees or others within this state lawfully authorized to sell beer and wine within said state, and to export beer and wine from the state. Sales to all authorized persons shall be in original packages or containers as prepared from the market by the manufacturer or bottler. No person shall sell at wholesale or distribute beer or table wine within this state or to licensees of the board unless such person shall be issued a wholesale license by the board.

090 Wholesale Beer Only

100 Wholesale Table Wine Only – 14.9% or less

Lounge retail liquor license (28-3A-11) – A retail liquor license which will authorize the licensee to purchase liquor and wine from the board or as authorized by the board and to purchase table wine, and beer, including draft or keg beer in any county or municipality in which the sale thereof is permitted, from any wholesaler licensee of the board and to sell at retail liquor and wine, dispensed from containers of any size, and beer, including draft or keg beer in any county or municipality in which the sale thereof is permitted, to patrons. A lounge liquor licensee may permit dancing or provide other lawful entertainment on the licensed premises. No person under 19 years of age shall be admitted on the premises of any lounge liquor licensee as a patron or employee, and it shall be unlawful for any such licensee to admit any minor to the premises as a patron or employee.

010 Lounge Retail Liquor – Class I

011 Lounge Retail Liquor – Class II

120 Warehouse license (28-3A-10) – Shall authorize the licensee to import and receive shipments of beer and table wine from outside the state from licensed manufacturers, to purchase beer and table wine from licensed manufacturers or other licensed wholesalers within the state and to sell at wholesale or distribute beer and table wine to all licensees or others within this state lawfully authorized to sell beer and wine within said state, and to export beer and wine from the state. Sales to all authorized persons shall be in original packages, or containers as prepared for the market by the manufacturer or bottler. No person shall sell at wholesale or distribute beer or table wine within this state or to licensees of the board unless such person shall be issued a wholesale license by the board.

130 Additional Warehouse – Wine, Beer or Both

020 Restaurant retail liquor license (28-3A-13) – A restaurant liquor license for a hotel, restaurant, civic center authority or dinner theater which will authorize the licensee to purchase liquor and wine from the board or as authorized by the board and to purchase table wine and beer, including draft or keg beer in any county or municipality in which the sale thereof is permitted, from any wholesale licensee of the board, and in that part of the hotel, restaurant, club or dinner theater set out in the license, to sell liquor and wine, dispensed from containers of any size, and

beer, including draft or keg beer, in any county or municipality in which the sale thereof is permitted, to the patrons, guests or members for on-premises consumption in any part of the civic center or in that part of the hotel, restaurant, or dinner theater habitually used for serving meals to patrons, guests or members, or other public or private rooms of the building in accordance with the provisions of this chapter and the regulations made thereunder, and where a restaurant located in a hotel, but not operated by the owner of the hotel, is licensed to sell alcoholic beverages in the restaurant, it may also sell alcoholic beverages to guests in private rooms in the hotel.

060 Retail table wine license for on-premises and off-premises consumption (28-3A-14) – A retail table wine license which will authorize the licensee to purchase table wine from the board or from a licensed wholesaler in counties and municipalities where authorized, and to sell at retail, in unopened original containers or dispense from containers of any size, for on-premises consumption in a room or rooms or place on the licensed premises at all times accessible to the use and accommodation of the general public, and in original unopened containers for off-premises consumption, where such use of the proposed location is not, at the time of the original application, prohibited by a valid zoning ordinance or the municipality or county in which the outlet is located.

070 Retail table wine license for off-premises consumption (28-3A-15) – A retail table wine license for any retail outlet, which license will authorize the licensee to purchase table wine in packaged form from the board, or from licensed wholesalers and to sell such table wines in original unopened containers at retail for off-premises consumption, where such use of the proposed location of the retail outlet is not, at the time of original application, prohibited by a valid zoning ordinance or other ordinance in the valid exercise of police power by the governing body of the municipality or county in which the retail outlet is located.

040 Retail beer license for on-premises and off-premises consumption (28-3A-16) – A retail beer license which will authorized the licensee to purchase beer, including draft beer in counties or municipalities where the sale thereof is permitted, from a licensed wholesaler and to sell at retail for on –premises consumption in a room or rooms or place on the licensed premises at all times accessible to the use and accommodation of the general public, and in original unopened containers for off-premises consumption, where such use of the proposed location is not at the time of the original application, prohibited by a valid zoning ordinance or other ordinance in the valid exercise of police power by the governing body of the municipality or county in which the outlet is located.

050 Retail beer license for off-premises consumption (28-3A-17) – A retail beer license which will authorize the licensee to purchase beer, including draft beer in counties or municipalities where the sale thereof is permitted, in original unopened containers from licensed wholesalers and to sell such beer in original unopened containers from licensed wholesalers and to sell such beer in packaged form at retail for off-premises consumption, where such use of the proposed location is not, at the time of the original application, prohibited by a valid zoning ordinance or other ordinance in the valid exercise of police power by the governing body of the municipality or county in which the retail outlet is located.

170 Retail common carrier liquor license (28-3A-18) – A retail common carrier liquor license for a railroad, airline, bus line, ship line, vessel or other common carrier entity operating passenger vehicles with a passenger seating capacity of at least 10 people, which will authorize the licensee to sell whenever operated in Alabama, alcoholic beverages, liquor, wine and beer, including draft beer, to passengers for consumption while aboard such licensee. No railroad, airline, bus line, ship line, vessel or common carrier entity shall sell alcoholic beverages to passengers for consumption within this state without first obtaining a retail common carrier liquor license from the board.

Special retail license (28-3A-19) – A special retail license in wet counties for a state park, racing commission, fair authority, airport authority, or civic center authority, or the franchises or concessionaire of such park, commission or authority, and may, in its discretion, issue a special retail license to any other valid responsible organization of good reputation for such period of time not to exceed one year and upon such terms and conditions as the board shall prescribe, which will authorize the licensee to purchase, where the retail sale thereof is authorized by the board, liquor and wine from the board or as authorized by the board and table wine and beer from any wholesale licensee of the board and to sell at retail and dispense such alcoholic beverages as are authorized by the board at such locations authorized by the board upon such terms and conditions as prescribed by the board. Provided however, no sale of alcoholic beverages shall be permitted on any Sunday after the hour of 2:00 A.M.

150 Special retail license – 30 days or less

160 Special retail license – More than 30 days

140 Special events retail license (28-3A-20) – Upon application made on a form provided by the board at least 120 days in advance of the event for which a license is granted, the board shall issue a special events license for a valid, responsible organization of good reputation, for a period not to exceed seven days, and upon such terms and conditions as the board may prescribe, which will authorize the licensee to purchase, where the retail sale thereof is authorized by the board, liquor and wine from the board or as authorized by the board and table wine and beer from any wholesale licensee of the board and to sell at retail and dispense such alcoholic beverages as are authorized by the board to the patrons, guests or members of the organization at such locations or areas as shall be authorized by the board upon such terms and conditions as prescribed by the board. Provided, however, no sale of alcoholic beverages shall be permitted on any Sunday after the hour of 2:00 A.M.

**180 Manufacturer of Denatured Alcohol
AND**

190 Manufacturer of Alcohol Production Units (28-5-2)

Upon the filing with the governor of Alabama by any person, firm or corporation of an application to operate on any state-owned land that constitutes, in whole or in part, any plan of development by the state or its agency for the improvement or expansion of any of the harbors or seaports of the state an alcohol distillery and alcohol denaturing plant for the production of industrial alcohol solely for non-beverage use, the governor may, in his discretion, grant a permit, as provided in this chapter, to such applicant to operate an alcohol distillery and alcohol denaturing plant, in connection with a sugar refinery, where the distillation of alcohol may be economically undertaken to conserve the by-product materials use in or incident to the operation of such sugar refinery; provided, that the applicant has or does secure, by lease, the right to occupy the premises described in the application.

No permit shall be granted to operate an alcohol denaturing plan away from the premises of the sugar refinery and the alcohol distillery where the alcohol is produced.

200 Manufacturer

210 Importer

220 Brewpub (28-4A-3) – (a) In addition to the licenses authorized to be issued and renewed by the board pursuant to the Alcoholic Beverage Licensing Code codified as Chapter 3A, Title 28, the board, upon applicant's compliance with the provisions of this chapter and with Chapter 3A, Title 28, and the regulations made thereunder, is authorized to issue to a qualified applicant a brewpub license which shall authorize the licensee to manufacture or brew beer in a quantity not to exceed 10,000 barrels in any one year and to sell such beer in unpackaged form at retail for on-premises consumption only, and to purchase beer in original unopened containers from licensed wholesalers and to sell such beer at retail for on-premises consumption only, in a room or rooms or place on the licensed premises at all time accessible to the use and accommodation of the general public, subject to the following conditions:

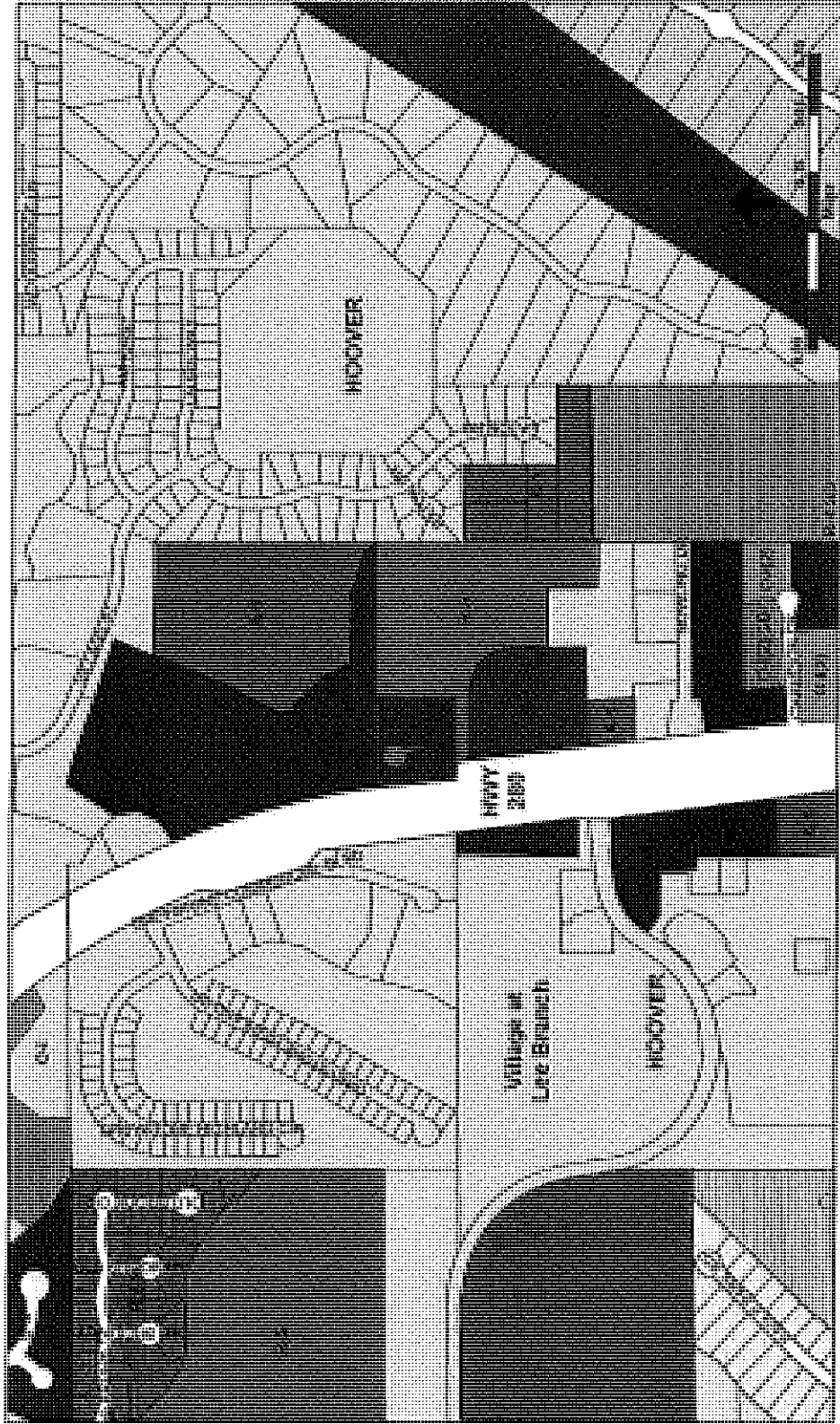
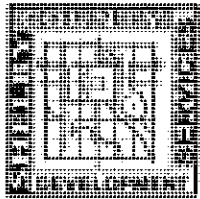
- (1) The brewpub premises must be located in an historic building or site as defined in Section 40-8-1, in a wet county or wet municipality, in which county beer was brewed for public consumption prior to the ratification of the Eighteenth Amendment to the U.S. Constitution in 1919.
- (2) The proposed location of the premises shall not, at the time of the original application, be prohibited by a valid zoning ordinance or other ordinance in the valid exercise of police power by the governing body of the municipality or county in which the brewpub is located.
- (3) Beer brewed by the brewpub licensee shall not be possessed, sold or dispensed except on the premises where brewed, and shall not be packaged or contained in other than barrels from which the beer is to be dispensed on the premises for consumption on the premises.
- (4) The brewpub must contain and operate a restaurant with a seating capacity of not less than 80.

(b) The annual license fee levied and prescribed for a license as a brewpub issued or renewed by the board pursuant to the authority of this chapter is \$1,000.

(c) Except as provided in this subsection, the provision of Title 28 shall be applicable. The provisions of Section 28-3-4 and subsection (b) of Section 28-3A-6, shall not be applicable with regard to beer brewed by the brewpub and sold and dispensed on the brewpub premises. In all other respects, Section 28-3-4 and Section 28-3A-6(b) shall be applicable.

230 International Motor Speedway

A10-011
City Vineyard
ABC License Request





**STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION**



Confirmation Number: 20100513104219394

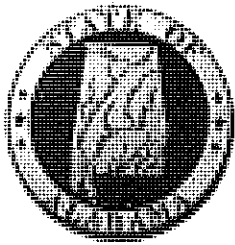
If applicant is leasing the property, is a copy of the lease agreement attached? **YES**
 Name of Property owner/lessor and phone number: **ARBOR PLACE LLC 205-733-1901**
 What is lessors primary business? **REAL ESTATE**
 Is lessor involved in any way with the alcoholic beverage business? **NO**
 Is there any further interest, or connection with, the licensee's business by the lessor? **NO**

Does the premise have a fully equipped kitchen? **NO**
 Is the business used to habitually and principally provide food to the public? **NO**
 Does the establishment have restroom facilities? **YES**
 Is the premise equipped with services and facilities for on premises consumption of alcoholic beverages? **YES**

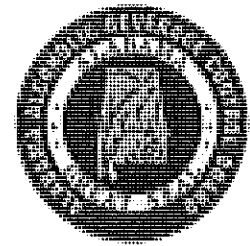
Will the business be operated primarily as a package store? **NO**
 Building Dimensions Square Footage: **1600** Display Square Footage:
 Building seating capacity: **0** Does Licensed premises include a patio area? **YES**
 License Structure: **ONE STORY** License covers: **ENTIRE STRUCTURE**
 Number of licenses in the vicinity: **6** Nearest: **1**
 Nearest school: **1 miles** Nearest church: **1 miles** Nearest residence: **6 blocks**
 Location is within: **COUNTY** Police protection: **COUNTY**

Has any person(s) with any interest, including manager, whether as sole applicant, officer, member, or partner been charged (whether convicted or not) of any law violation(s)?

Name:	Violation & Date:	Arresting Agency:	Dispositon:
JOHN GAVIN ENNIS <i>JG</i>	06212002 UNDEAGE DRINKING 5006A 06122002 MINOR IN POSSESSION 5007A	TEXAS	FINE CLOSED GUILTY



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION
Confirmation Number: 20100513104219394



Initial each

Signature page

JSE

In reference to law violations, I attest to the truthfulness of the responses given within the application.

JSE

In reference to the Lease/property ownership, I attest to the truthfulness of the responses given within the application.

JSE

In reference to ACT No. 80-529, I understand that if my application is denied or discontinued, I will not be refunded the filing fee required by this application.

JSE

In reference to Special Retail or Special Events retail license, I agree to comply with all applicable laws and regulations concerning this class of license, and to observe the special terms and conditions as indicated within the application.

JSE

In reference to the Club Application Information, I attest to the truthfulness of the responses given within the application.

JSE

In reference to the transfer of license/location, I attest to the truthfulness of the information listed on the attached transfer agreement.

JSE

In accordance with Alabama Rules & Regulations 20-X-5-.01(4), any social security number disclosed under this regulation shall be used for the purpose of investigation or verification by the ABC Board and shall not be a matter of public record.

JSE

The undersigned agree, if a license is issued as herein applied for, to comply at all times with and to fully observe all the provisions of the Alabama Alcoholic Beverage Control Act, as appears in Code of Alabama, Title 28, and all laws of the State of Alabama relative to the handling of alcoholic beverages. The undersigned, if issued a license as herein requested, further agrees to obey all rules and regulations promulgated by the board relative to all alcoholic beverages received in this State. The undersigned, if issued a license as herein requested, also agrees to allow and hereby invites duly authorized agents of the Alabama Alcoholic Beverage Control Board and any duly commissioned law enforcement officer of the State, County or Municipality in which the license premises are located to enter and search without a warrant the licensed premises or any building owned or occupied by him or her in connection with said licensed premises. The undersigned hereby understands that he or she violate any provisions of the aforementioned laws his or her license shall be subject to revocation and no license can be again issued to said licensee for a period of one year. The undersigned further understands and agrees that no changes in the manner of operation and no deletion or discontinuance of any services or facilities as described in this application will be allowed without written approval of the proper governing body and the Alabama Alcoholic Beverage Control Board.

JSE

I hereby swear and affirm that I have read the application and all statements therein and facts set forth are true and correct, and that the applicant is the only person interested in the business for which the license is required.

Applicant Name (print): JOHN GRAVIN ENN'S

Signature of Applicant: *John D. Enn's*

Notary Name (print): Velma Alver

Notary Signature: *Velma Alver*

Commission expires: 10-10-11

Application Taken 5/13/10

App. Inv. Completed:

Forwarded to District Office:

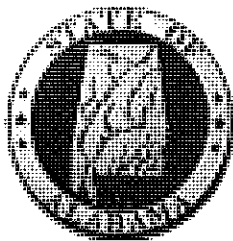
Submitted to Local Government:

Received from Local Government:

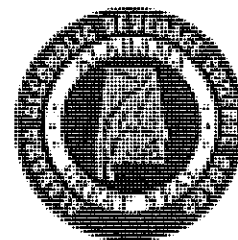
Received in District Office:

Reviewed by Supervisor:

Forwarded to Central Office:



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
 Confirmation Number: 20100513093513716



NOTICE OF TRANSFER OF ABC LICENSED BUSINESS

NOTE: A Copy of Operating Agreement Must be Attached To Application

CURRENT LICENSEE:
 CITY VINEYARD GIFT BASKETS WINE INC
 Address: 5479 HWY 280
 BIRMINGHAM, AL 35080
 Telephone: 205-437-3360

NEW APPLICANT:
 CITY VINEYARD LLC
 Address: 5479 HWY 280
 BIRMINGHAM, AL 35080
 Telephone: 205-437-3360

Current License No: 060 001747358

LICENSED PREMISES ADDRESS: 5479 HWY 280 BIRMINGHAM, AL 35080

THE AFORENAMED HEREBY SERVE NOTICE TO THE ABC BOARD OF THE ATTACHED CONTRACTUAL AGREEMENT GOVERNING THE CONTINUATION OF SALES OF ALCOHOLIC BEVERAGES ON THE LICENSED PREMISES.

The Parties to this agreement hereby acknowledge and affirm that the New (Applicant) Licensee will, at all times, act as the AGENT for the Current (Named) Licensee, and the Current Licensee shall act as PRINCIPAL for the purposes of the attached Agreement. The Principal shall be bound by all acts and/or omissions of the Agent in the operation of the licensed premises.

The Current Licensee is now and shall remain liable for any violations of ABC Rules and Regulations or other Alabama Law for the duration of the attached Agreement; and, further, that the Current Licensee has the right and authority, under Alabama Law, to surrender the ABC License to the ABC Board at any time.

The parties acknowledge that the operation of the licensed premises shall remain subject to inspection by ABC Enforcement, and must comply with all State and Local regulations and Laws, and that the local ABC Enforcement District Office must be immediately notified of any change in the attached Agreement.

THE CURRENT LICENSE WILL NOT BE RENEWED.

WITNESS our hands and seals on this the 13 day of MAY, 20 .

CURRENT LICENSEE (NAMED ON LICENSE)

Michelle Coggins
Michelle Coggins
 Print Name:
 Title: Owner

NEW LICENSEE (APPLICANT)

John Gavin Ennis
JOHN GAVIN ENNIS
 Print Name:
 Title: OWNER

WITNESS: (By ABC Enforcement) Velma Allen
 Revised 9/08



**STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION
Confirmation Number: 20100513093513716**



Type License: 060 - RETAIL TABLE WINE (ON OR OFF PREMISES) State: County:

Type License: State: County:

Trade Name: CITY VINEYARD Filing Fee:

Applicant: CITY VINEYARD LLC Transfer Fee: \$50.00

Location Address: 5479 HWY 280; SUITE 102 BIRMINGHAM, AL 35080

Mailing Address: 5479 HWY 280; SUITE 102 BIRMINGHAM, AL 35080

County: SHELBY Tobacco sales: NO Tobacco Vending Machines:

Sale of Products Containing Ephedrine: NO Type Ownership: CORPORATION

Book, Page, or Document info: LR201003 PG27147 Do you sell Draft Beer: N

Date Incorporated: 04/30/2010 State incorporated: AL County Incorporated: SHELBY

Date of Authority: 04/30/2010

Name: Title: Date and Place of Birth: Residence Address:

Name:	Title:	Date and Place of Birth:	Residence Address:
JOHN GAVIN ENNIS	OWNER	[REDACTED] KANAWHA VIRGINIA	1144 CASTLEMAINE DRIVE BIRMINGHAM, AL 35228
[REDACTED]			

Has applicant complied with financial responsibility ABC RR 20-X-5-.14? YES

Does ABC have any actions pending against the current licensee? NO

Has anyone, including manager or applicant, had a Federal/State permit or license suspended or revoked? NO

Has a liquor, wine, malt or brewed license for these premises ever been denied, suspended, or revoked? NO

Are the applicant(s) named above, the only person(s), in any manner interested in the business sought to be licensed? YES

Are any of the applicants, whether individual, member of a partnership or association, or officers and directors of cooperation itself, in any manner monetarily interested, either directly or indirectly, in the profits of any other class of business regulated under authority of this act? NO

Does applicant own or control, directly or indirectly, hold lien against any real or personal property which is rented, leased or used in the conduct of business by the holder of any vinous, malt or brewed beverage, or distilled liquors permit or license issued under authority of this act? NO

Is applicant receiving, either directly or indirectly, any loan, credit, money, or the equivalent thereof from or through a subsidiary or affiliate or other licensee, or from any firm, association or corporation operating under or regulated by the authority of this act? NO

Contact Person: JOHN GAVIN ENNIS

Business Phone: 205-437-3360

Fax:

Home Phone: 205-276-2254

Cell Phone:

E-mail: CITYVINEYARD280@GMAIL.COM

PREVIOUS LICENSE INFORMATION:

Trade Name: CITY VINEYARD GIFT BASKETS AND WINE

Applicant: CITY VINEYARD GIFT BASKETS & WINE, INC

Previous License Number(s)

License 1: 060-001747358-000

License 2:



**STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD**



**ALCOHOL LICENSE APPLICATION
Confirmation Number: 20100513093513716**

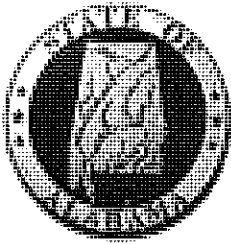
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 Is lessor involved in any way with the alcoholic beverage business? **NO**
 Is there any further interest, or connection with, the licensee's business by the lessor? **NO**

Does the premise have a fully equipped kitchen? **NO**
 Is the business used to habitually and principally provide food to the public? **NO**
 Does the establishment have restroom facilities? **YES**
 Is the premise equipped with services and facilities for on premises consumption of alcoholic beverages? **YES**

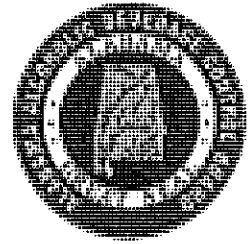
Will the business be operated primarily as a package store? **NO**
 Building Dimensions Square Footage: **1900** Display Square Footage:
 Building seating capacity: **16** Does Licensed premises include a patio area? **NO**
 License Structure: **ONE STORY** License covers: **ENTIRE STRUCTURE**
 Number of licenses in the vicinity: **6** Nearest: **1**
 Nearest school: **1 blocks** Nearest church: **1 miles** Nearest residence: **1 miles**
 Location is within: **COUNTY** Police protection: **COUNTY**

Has any person(s) with any interest, including manager, whether as sole applicant, officer, member, or partner been charged (whether convicted or not) of any law violation(s)?

Name:	Violation & Date:	Arresting Agency:	Disposition:
JSE			



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION
Confirmation Number: 20100513093513716



Initial each

Signature page

JBE

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JBE

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JBE

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JBE

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JBE

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Applicant Name (print): JOHN GAVIN ENNIS

Signature of Applicant: *John G. Ennis*

Notary Name (print): *Velma Allen*

Notary Signature: *Velma Allen*

Commission expires: 10-10-17

Application Taken: 5/13/10

App. Inv. Completed:

Forwarded to District Office:

Submitted to Local Government:

Received from Local Government:

Received in District Office:

Reviewed by Supervisor:

Forwarded to Central Office: