

COMMISSION MEETING
FEBRUARY 11, 2008

Those in attendance for today's meeting were:

1. Mr. Dan Wright-Update on Plantersville, South Chilton Volunteer Fire Departments
2. Mr. Gerald Arrington-Minooka Park
3. Mr. Doug Bice-Chilton Water Authority Co. Rd. 43
4. Mr. James Burnette-Co. Rd. 724
5. Mr. Wayne Andrews-Co. Rd. 7
6. Mr. Bill Collum-Courthouse Security
7. Tax Assessor Tom Powers-Re-appraisal reclassification
8. Attorney John Hollis Jackson
9. Attorney Hollis Jackson
10. Engineer Tony Wearren

Commissioner Wyatt offered the following resolution seconded by Commissioner Hayes: BE IT RESOLVED that the Minooka Park Ranger responsibilities be amended as follows: The Minooka Park Ranger Law Enforcement duties will fall under the Sheriff Department and he may be asked to respond with the Sheriff's Department under emergency situations.

Chairman Caton declared this resolution adopted by the following vote: Commissioner Agee, Caton, Wyatt and Hayes voted "aye" and Commissioner Mims and Headley voted "nay".

Commissioner Hayes offered the following resolution seconded by Commissioner Wyatt: BE IT RESOLVED to purchase a rescue trailer for Minooka Park for the sum of \$4,583.00 with written approval from ADECA that Chilton County will be reimbursed 80% of the cost.

Chairman Caton declared this resolution adopted by the following vote: Commissioner Agee, Caton, Wyatt and Hayes voted "aye" and Commissioner Headley and Mims voted "nay".

Commissioner Wyatt offered the following resolution seconded by Commissioner Hayes: BE IT RESOLVED to purchase a security system for Minooka Park for approximately \$3,000.00 with written approval from ADECA that Chilton County will be reimbursed 80% of the cost and;

BE IT FURTHER RESOLVED that there will be a cell phone monitoring fee in the amount of \$78.00 per month for the security system which will be paid from the Minooka Park Budget.

Chairman Caton declared this resolution adopted by the following vote: Commissioner Agee, Caton, Wyatt and Hayes voted "aye" and Commissioner Headley and Mims voted "nay".

Commissioner Hayes offered the following resolution seconded by Commissioner Wyatt: BE IT RESOLVED to send out bid invitations to build living quarters over the Education Building at Minooka Park and to build a 1,000 square foot living quarters at another location in the Park. Chairman Caton and Park Manager Gerald Arrington will draw up the bid specs and give them to the Administrator to send out.

Chairman Caton declared this resolution adopted by the following vote: Commissioner Agee, Caton, Wyatt and Hayes voted "aye" and Commissioner Headley and Mims voted "nay".

Commissioner Hayes offered the following resolution seconded by Commissioner Wyatt: BE IT RESOLVED to hire Southeast Pond Management to test the Minooka Park Lake and to recommend management principals for the lake.

Chairman Caton declared this resolution adopted by the following vote: Commissioner Agee, Caton, Wyatt and Hayes voted "aye" and Commissioner Headley and Mims voted "nay".

WHEREAS, this being the time and date, February 11, 2008, 10:00 a.m. to accept bids for 9 concrete pads for Higgins Ferry Park, Chairman Caton declared the bids as follows: Concrete Plus Construction Inc. \$15,750.00 and Ronnie C. Baker \$11,250.00; THEREFORE, Commissioner Hayes offered the following resolution seconded by Commissioner Hayes and carried by a unanimous vote of this Commission: BE IT RESOLVED that Frank Atkinson, Ranger at Higgins Ferry Park, review the bids, determine the lowest and most responsive bidder and report back to this Commission at the next regular meeting on February 25, 2008.

WHEREAS, this being the time and date, February 11, 2008, 10:00 a.m. to accept bids for repair on a trackhoe at the road department, Chairman Caton declared the bids as follows: Tractor and Equipment \$51,917.41; THEREFORE, Commissioner Hayes offered the following resolution seconded by Commissioner Wyatt and carried by a unanimous vote of this Commission: BE IT RESOLVED, because only one bid was received, Engineer Tony Wearren can negotiate with other companies for the trackhoe repair.

WHEREAS, this being the time and date, February 11, 2008, 10:00 a.m. to accept bids for gasoline department tires and; WHEREAS, there was an error in the bidding process; THEREFORE, Commissioner Headley offered the following resolution seconded by Commissioner Wyatt and carried by a unanimous vote of this Commission: BE IT RESOLVED to reject all bids for gasoline tires and to rebid.

Commissioner Agee offered the following resolution seconded by Commissioner Mims: BE IT RESOLVED to adopt the security recommendations for the Chilton County Courthouse plan presented by EMA Director Bill Collum, as on file in the Commission Office and; BE IT FURTHER RESOLVED that this plan can be amended at any time. Chairman Caton declared this resolution adopted by the following vote: Commissioner Agee, Caton, Wyatt, Mims and Hayes voted "aye" and Commissioner Headley voted "nay".

Commissioner Headley offered the following resolution seconded by Commissioner Mims: BE IT RESOLVED, upon the recommendation of Tax Assessor, Tom Powers, that Amy Deavers be reclassified to GIS Technician with a salary increase. Chairman Caton declared the motion defeated by the following vote: Commissioner Agee, Caton, Wyatt and Hayes voted "nay" and Commissioner Mims and Headley voted "aye".

Commissioner Hayes offered the following resolution seconded by Commissioner Mims and carried by a unanimous vote of the Commissioners present (Commissioner Agee not present at time of voting). BE IT RESOLVED to pay the invoice to Dixieland Construction in the amount of \$1,346.00 for the building of the wall in the old Commission room.

Commissioner Headley offered the following resolution seconded by Commissioner Hayes and carried by a unanimous vote of the Commissioners present (Commissioner Agee not present at the time of voting). BE IT RESOLVED that the following items be declared surplus and removed from the County inventory. 100030-2000 Crown Vic; 100034-2001 Crown Vic; 100039-2001 Crown Vic; 400617-2004 Crown Vic; 980019-1996 Crown Vic; all of the above were wrecked or out of service and; BE IT FURTHER RESOLVED that the following items be removed from inventory but are still in service; 980060-Bars and Sirens and 980062-Bullet Proof Vest.

Commissioner Wyatt offered the following resolution seconded by Commissioner Headley and carried by a unanimous vote of this Commission: BE IT RESOLVED to advertise for two part-time Courthouse janitorial employees at the rate of \$8.00 per hour.

Commissioner Wyatt offered the following resolution seconded by Commissioner Mims: BE IT RESOLVED that the Chairman contact Representative Jimmy Martin concerning the combining of the Tax Collector and Tax Assessor offices.

Commissioner Headley offered the following resolution seconded by Commissioner Hayes and carried by a unanimous vote of this Commission: BE IT RESOLVED upon the request of the County Engineer that the following line items be adjusted. Transfer \$3,000.00 from line 580 to line 235 and \$500.00 from line 219 to line 217.

Commissioner Hayes offered the following resolution seconded by Commissioner Mims and carried by a unanimous vote of this Commission: BE IT RESOLVED to grant Kevin Littleton up to a three month medical leave of absence effective immediately.

Commissioner Wyatt offered the following resolution seconded by Commissioner Mims and carried by a unanimous vote of this Commission: BE IT RESOLVED to advertise for a public hearing on the closing of approximately 0.1 mile east of the intersection of Co. Rd. 571 and Co. Rd. 510 along Co. Rd. 510. This hearing will be on March 10, 2008 at 11:00 a.m.

Commissioner Wyatt offered the following resolution seconded by Commissioner Hayes and carried by a unanimous vote of this Commission: BE IT RESOLVED to go into executive session to discuss the general reputation and character of an individual and pending litigation.

Commissioner Wyatt offered the following resolution seconded by Commissioner Hayes and carried by a unanimous vote of this Commission: BE IT RESOLVED that this Commission go back into regular session.

Commissioner Wyatt offered the following resolution seconded by Commissioner Headley and carried by a unanimous vote of this Commission: BE IT RESOLVED that the claim to Apple Inc. in the amount of \$3,537.00 not be paid until Matt Taylor comes to the February 25, 2008. The Commission would like to ask Mr. Taylor some questions concerning this invoice.

Commissioner Hayes offered the following resolution seconded by Commissioner Wyatt and carried by a unanimous vote of this Commission: BE IT RESOLVED that the Chairman sign the contract between the Commission and Hull and Russell, P.C.

TAX LEVY 2008

This being the meeting date fixed by law for this Commission to levy taxes for the current year under Title 40-7-42, Code of Alabama, the Commission proceeded to deliberate on the revenues required by the County to meet the needs of the people and their County government, within the scope of this Commission's duty and authority as provided by law.

WHEREAS, it is required by law that the Chilton County Commission levy the following taxes; General Taxes, Special Taxes required for the County for the current year, including public building, and roads tax, roads and bridges, law enforcement, health tax, vocational trade school, rural and industrial development tax, license tax, special tax for fire, medical emergency systems and forest protection tax: and

WHEREAS, the authority for the General Tax Levy is found in Title 40-7-42 of the Code of Alabama.

LEVY OF COUNTY TAX FOR GENERAL PURPOSES, SEVEN MILLS, 2008

It is resolved, ordered, adjudges and decreed by the Chilton County Commission, that there be and that there hereby is levied as provided by Title 40-7-42, Code of Alabama, the amount of General Taxes required for the expenses of said Chilton County, Alabama,

for the current year, a tax rate of seven tenths of one percent on the value of the taxable property and the amount of other subjects of taxation in said Chilton County, Alabama as assessed for revenue for the State of Alabama as shown by the books of assessments for the current year after they have been corrected as provided by law, such tax of seven-tenths of one percent is for the current year after they have been corrected as provided by law; such tax of seven-tenths of one percent said Commission finds necessary to defray the expenses of said County for the current year. It is further ordered, adjudged and decreed by this Commission that the Tax Assessor be and he is hereby ordered and directed to assess the amount of \$0.70 on each \$100.00 worth of taxable property in said County in addition to all other taxes hereinafter levied; and

SCHOOL TAX LEVY 2008,COUNTY WIDE, THREE MILLS

WHEREAS, On March 13, 1979 in a county wide election the voters of Chilton County duly adopted a county three mill tax for school purposes and did authorize the levy of the same, expiring September 30, 1999. On April 23, 1979 the Chilton County Commission, acting with the authority given them by Act 46 of the 1978 Session of the Alabama Legislature levied an additional one mill for school purposes. On July 26, 1982 the Chilton County Commission, by resolution and as authorized by the laws of the State of Alabama, reduced this tax by one mill. On May 11, 1999 in a special county wide election the voters of Chilton County duly adopted the extension of the county three mill tax for school purposes and did authorize the levy of the same, expiring September 30, 2019. It is therefore resolved, ordered, adjudged and decreed that for school purposes, a tax of \$0.30 on each \$100.00 worth of taxable property assessed and shown in Chilton County, Alabama, be and the same is hereby levied for the current year in addition to all other general and special taxes, and the Tax Assessor is hereby directed and ordered to assess the same at the rate of \$0.30 on each \$100.00 worth of taxable property in said Chilton County, Alabama; and

SCHOOL TAX LEVY, 2008 COUNTY WIDE, TWO MILLS

WHEREAS, On March 13, 1979 in a county wide election the voters of Chilton County duly approved a county wide one mill tax for the school purposes, and did empower the levy of same, expiring September 30, 1999. On April 23, 1979, the Chilton County Commission, acting with the authority given them by Act 46 of the 1978 Session of the Alabama Legislature, levied an additional one mill for school purposes. On May 11, 1999 in a special county wide election the voters of Chilton County duly adopted the extension of the county one mill tax for school purposes and did authorize the levy of the same, expiring September 30, 2019. It is therefore resolved, ordered, adjudged and decreed that for public school purposes a special tax of \$0.20 on each \$100.00 worth of taxable property assessed and shown in Chilton County, Alabama be and is hereby levied in addition to all other general and special taxes for the current year, as provided by law, and the Tax Assessor is hereby directed and ordered to assess the same for the current year at the rate of \$0.20 on each \$100.00 worth of taxable property in Chilton County, Alabama; and

ADMENDMENT 778 SCHOOL TAX LEVY, 2008 COUNTY WIDE, TWO MILLS

WHEREAS, on November 7, 2006, in a statewide election, the voters of the State of Alabama duly approved a constitutional amendment requiring a minimum ten mills in local property taxes for general public school purposes, all as provided in Amendment 778 of the Constitution of Alabama of 1901 (Act 2005-215). It is, therefore, RESOLVED, ORDERED, ADJUDGED and DECREED that for school purposes, a tax of \$0.20 on each \$100 worth of taxable property assessed and shown in Chilton County, Alabama, be, and the same is hereby, levied for the current year in addition to all other general and special taxes and the Tax Assessor is hereby directed and ordered to assess the same at the rate of \$0.20 on each \$100 worth of taxable property in said Chilton County, Alabama; and

SPECIAL SCHOOL TAX LEVY, DISTRICT "A" AND DISTRICT "B", THREE MILLS, 2008

WHEREAS, on April 10, 1979, in a special election held in and for District "A" of Chilton County and District "B" of Chilton County, the voters duly approved a special tax of \$0.30 on each \$100.00 worth of taxable property in School District "A" and School District "B" of Chilton County, Alabama and did empower the levy of same expiring

September 30, 1999. On June 29, 1999 a special election held in and for District "A" of Chilton County and District "B" of Chilton County, voters duly approved the extension of a special tax of \$0.30 on each \$100.00 worth of taxable property in School District "A" and School District "B" of Chilton County, Alabama and did empower the levy of the same expiring September 30, 2019. It is therefore resolved, ordered, adjudged and decreed that for public school purposes a special tax of \$0.30 on each \$100.00 worth of taxable property assessed and shown in School District "A" and School District "B" be and is hereby levied in addition to all other general taxes for the current year, as provided by law and the Tax Assessor is hereby directed and ordered to assess the same for the current year at a rate of \$0.30 on each \$100.00 worth of taxable property in School District "A" and School District "B" of Chilton County, Alabama; and

SPECIAL TAX LEVY, 2008, FOR COUNTY BUILDINGS, BRIDGES AND ROADS, THREE AND ONE-HALF MILLS

WHEREAS, this Commission deems it necessary to levy and collect a special tax, not exceeding one-fourth of one percent per annum, for the purpose of paying any debt or liability which, since 1936, has been or may hereinafter be created for the erection, construction or repairing or maintenance of necessary public building, bridges, roads in Chilton County, Alabama. On April 23, 1979 the Chilton County Commission acting with the authority given them by Act 46 of the 1978 Session of the Alabama Legislature levied an additional one mill. Be it resolved, ordered, adjudged and decreed that the Chilton County Commission does hereby levy a special tax for county building, bridges and roads in Chilton County for the current year of the purpose of paying any debts or liability which has been or, may hereinafter be, created for the erection, construction, repairing, furnishing or maintenance of necessary public buildings, bridges or roads in Chilton County, Alabama, which tax so levied and collected shall be applied exclusively for the purpose for which same is levied and collected as provided by Title 11-14-11, Code of Alabama and Act 46 of the 1978 Session of the Alabama Legislature. It is further ordered, adjudged and decreed that the Tax Assessor of this County be and he is hereby ordered and directed to assess the amount of \$0.35 on each \$100.00 worth of taxable property on this County upon the assessment made for the State of Alabama purposes as shown by the goods of assessment for the current year and the same be collected at the same time and in the same manner as the State taxes are collected; and

TRADE SCHOOL, RURAL AND INDUSTRIAL DEVELOPMENT TAX, THREE MILLS, 2008

WHEREAS, the voters of Chilton County did on December 4, 1984 by referendum duly approve a special property tax levy of three mills for a period of twenty years terminating December 31, 2004 the proceeds of which are to be used exclusively for a trade school, rural and industrial development purposes, as the same are enumerated in Amendment CLXVI, Constitution of Alabama, and by authority of Title 40-12-3. On November 2, 2004, the voters of Chilton County by referendum duly approved the extending of the three mills for a period of 20 years, terminating on December 31, 2024. It is therefore resolved, ordered, adjudged, and decreed that the Tax Assessor of this County be hereby ordered and directed to assess the amount of \$0.30 on each \$100.00 worth of taxable property in this County upon the assessment made for the State of Alabama purposes as shown by the books of assessment for the current year, and the same be collected at the same time and in the same manner as the State taxes are collected; and

SPECIAL TAX FOR COUNTY ROADS & BRIDGES, LAW ENFORCEMENT AND HEALTH, FIVE MILLS, 2008

WHEREAS, the voters of Chilton County on September 8, 1987 by referendum duly approved a special tax levy of 5 mills, the proceeds of which are to be used exclusively as follows: 1 mill for law enforcement, 1 mill for the purpose of public health, 3 mills for the construction, operation and maintenance of roads and bridges within Chilton County, WHEREAS, the voters of Chilton County on November 3, 1993 by referendum duly approved that ½ mill of the 1 mill for the purpose of public health go to the Chilton County Emergency Medical Units. The Tax Assessor is hereby directed and ordered to assess the same on all taxable property in this County at the rate of \$0.50 on each \$100.00 worth of taxable property upon the assessment made for the State of Alabama purposes as shown by the books of assessment for the current year, and the same be collected at the same time and in the same manner as the State taxes are collected; and

SPECIAL TAX-FIRE, MEDICAL, EMERGENCY SYSTEMS, 2008, FOUR MILL
WHEREAS, on March 2, 1982 in a county wide election the voters of Chilton County duly approved a special property tax not to exceed two and one-half mills on each dollar of taxable property, outside of any 5 incorporated municipality with Chilton County for the purpose of providing fire, medical and emergency services to the unincorporated areas of Chilton County and did authorize the levy of same for the period of twenty years. WHEREAS, the voters of Chilton County did on November 7, 2000 by referendum duly approve a special property tax not to exceed four mills on each dollar of taxable property outside of an incorporated municipality of Chilton County. It is therefore resolved, ordered, adjudged and decreed that the Tax Assessor of this County be hereby ordered and directed to assess the amount of \$0.40 on each \$100.00 worth of taxable property outside of any incorporated municipality within Chilton County, Alabama.

It is further resolved, ordered, adjudged and decreed, except as otherwise specifically provided by law, that there is hereby levied a County License Tax equal to fifty percent of the License Tax required to be paid to the State of Alabama, and the Judge of Probate in issuing State Licenses is hereby authorized and directed to collect fifty per cent of the amount of the State License Tax for said Chilton County, except as otherwise specifically provided by law.

It is resolved, ordered and decreed that all the aforementioned and described property taxes shall be assessed by the Tax Assessor as property is assessed for revenue for the State of Alabama, shown by the books of assessment for the current year, 2008, after they have been corrected as provided by law. It is further ordered that the Chairman of the Commission certify that the foregoing levy of taxes to the Tax Assessor for and on behalf of this Commission in accordance with the Code of Alabama, Title 40-7-42.

To: Hon. Thomas W. Powers, Tax Assessor
Chilton County, Alabama

Dear Sir,

Please take notice that the Chilton County Commission, in accordance with the Code of Alabama, Title 40-7-42, does hereby certify to you taxes levied for 2008, and the purpose of which the levy is made as said levy and purposes are set forth in Exhibit "A" attached hereby and made a part hereof, the same being a true and correct copy of the resolution and levy passed and adopted by this Commission at its regular meeting February 11, 2008.

Given this 11th day of February 2008.

CHILTON COUNTY COMMISSION

ALLEN CATON, CHAIRMAN

ATTEST: _____
Cathy B. Martin
Administrator
Chilton County Commission

The foregoing preamble and resolution having been ordered by Commissioner Heedy Hayes and read to the Commission by the Chairman, moved for the adoption of the foregoing resolution and preamble for the levy of taxes for 2008. His motion was seconded by Commissioner Bobby Agee. The Chairman declared the resolution adopted by the unanimous vote of the Commissioners.

STATE OF ALABAMA
CHILTON COUNTY

I, Thomas W. Powers, Tax Assessor of Chilton County, hereby acknowledge receipt from the Chilton County Commission for the Tax Levy for 2008, this 11th day February 2008.

Thomas W. Powers
Tax Assessor, Chilton County