

RESOLUTION

WHEREAS, Alabama counties lack home rule and are therefore unable to raise revenue without express statutory authorization from the Alabama Legislature;

WHEREAS, Jefferson County's substantial source of unearmarked governmental funds was an occupational tax; and

WHEREAS, the Alabama Supreme Court has determined that the 2009 statute authorizing the occupational tax was improperly advertised by the Alabama Legislature and is therefore invalid; and

WHEREAS, the Alabama Legislature has failed to date to lawfully enact a statute to replace the lost unearmarked governmental funds; and

WHEREAS, the County's governmental funds are the primary funding sources for essential services including, among other things, the court system, the Sheriff, the jail, the District Attorney, building permits and inspections, land use and zoning, road maintenance, disaster response, senior services, distribution of revenues to public school systems, municipalities, fire districts and the State of Alabama, and are the sole source for payment of the County's general obligation debt; and

WHEREAS, the loss of the unearmarked governmental funds has resulted in the cessation of numerous services provided to the citizens of the County and has already jeopardized the health, safety and welfare of the citizens of the County; and

WHEREAS, the County's general obligation debt consists of \$200,520,000 resulting from three series of general obligation warrants issued in 2001, 2003 and 2004 (the "GO Debt"); and

WHEREAS, approximately \$15,391,753 in payments of GO Debt are due on April 2, 2012 (the "April 2 GO Debt Payment"); and

WHEREAS, the Jefferson County Commission hereby concludes that making the April 2 GO Debt Payment will accelerate the exhaustion of the unearmarked governmental funds and render the County unable to pay necessary and legitimate expenses of government and to provide essential services to the citizens of the County.

NOW THEREFORE BE IT RESOLVED BY THE JEFFERSON COUNTY COMMISSION that the County Manager shall not make the April 2 GO Debt Payment.