

THE JEFFERSON COUNTY COMMISSION

NOVEMBER 14, 2006

RESOLUTION OF ORGANIZATION

WHEREAS, in the case of Michael Taylor, et al. v. Jefferson County Commission, et al., CV 84-C-1730-S, in the United States District Court resulted in a Consent Decree which expanded the Jefferson County Commission to five (5) members elected from five (5) districts, the descriptions of which are set out therein, commencing with the general election of November, 1986, and each four years thereafter, and which decree provided that the Commissioners so elected shall hold their respective offices for the term of four (4) years from the first Monday after the second Tuesday of January, next after the general election at which they are elected and until their successors are elected and qualified; and

WHEREAS, said decree provided further that the Commissioners shall distribute the powers and duties conferred by law upon the County Commission and the members thereof as they deem fit and efficient and that all laws assigning powers and duties to particular Commissioners under the former three-member Commission shall be interpreted as assigning those powers and duties to the Commission as a whole; and

WHEREAS, the Alabama Legislature, by Act in 1989, last amended as Act No. 97-640 (now codified at § 11-3-1, Code of Alabama (1975)), declared as general law that beginning with the next term of office for each County Commissioner, the term shall expire on the first Monday following the day of the general election at which the successor to that office is elected and thereafter, each County Commissioner shall hold office from 12:01

**APPROVED BY THE
JEFFERSON COUNTY COMMISSION**
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A.M. on the first Tuesday following his or her election and until his or her successor is elected and qualified; and

WHEREAS, by Act No. 97-147, the Alabama Legislature further implemented the decree, as amended, of the case of Taylor, et al. v. Jefferson County Commission, described above, and legislatively created and established in and for Jefferson County a single-member district governing body comprised of five members elected from single-member districts and which Act further provided that the President of the Commission shall be elected by the members of the Commission and the Commission shall assign the duties and jurisdiction of each Commissioner; and

WHEREAS, in said general election of November 7, 2006, the following individuals were duly elected from the districts shown by each name:

- District No. 1 – Larry Langford
- District No. 2 – Shelia Smoot
- District No. 3 – Bobby Humphries
- District No. 4 – Bettye Fine Collins
- District No. 5 – Jim Carns

; and

WHEREAS, each of said individuals has been duly sworn and has taken office as such Jefferson County Commissioner and the Jefferson County Commission now desires to further implement said Consent Decree.

NOW THEREFORE, BE IT RESOLVED by the Jefferson County Commission as follows:

(1) The Jefferson County Commission shall consist of five (5) Commissioners who shall be elected from districts numbered 1 through 5 by the duly qualified voters thereof as other state and county officials, commencing with the general election in November, 1986, and each four years thereafter. In all primary and general elections held to choose members of the Commission, the ballot shall separately designate the five County Commission districts and specify the candidates for each such position. The Commissioners so elected shall hold their respective offices for a term of four years from 12:01 A.M. on Tuesday, November 14, 2006, after the general election at which they are elected until their successors are elected and qualified.

(2) The powers and duties conferred by law upon County Commissions and the members thereof in Jefferson County shall be distributed among five Commission Departments as follows:

1. Department of Finance and General Services
2. Department of Roads and Transportation
3. Department of Environmental Services
4. Department of Health and Human Services
5. Department of Information Technology

There is set out hereinbelow the respective offices, divisions and sections making up each such Commission Department.

(3) The Commissioner assigned to each such Commission Department shall be the head thereof and shall supervise and control its operation subject to the authority of the Commission as a whole. Each Commissioner shall be the Appointing Authority under the Personnel Board Rules for their assigned Commission Department. The President of the

Commission shall be the head of the Department of Finance and General Services.

(4) Effective at 12:01 A.M., November 14, 2006, the Commissioners are hereby assigned to the Commission Departments reflected opposite their names:

- | | | |
|----|--|---------------------|
| 1. | Department of Finance and General Services - President | Bettye Fine Collins |
| 2. | Department of Roads and Transportation | Bobby Humphryes |
| 3. | Department of Environmental Services | Jim Carns |
| 4. | Department of Health and Human Services | Larry Langford |
| 5. | Department of Information Technology | Shelia Smoot |

The Commissioner shall hold the Commission Department assignments set out above concurrently with the current term of the County Commission. Provided, however, the foregoing assignments may be changed during the term by a resolution of the Commission, approved by not less than three (3) Commissioners.

(5) There are hereby established the following Commissioner Committees. Each such Committee shall consist of three (3) Commissioners. There shall be one (1) such Committee assigned to each of the five (5) Commission Departments set out in paragraph 2, above. The Commissioner assigned as the head of each Commission Department in paragraph 4, above, shall be the Chairman of the Committee hereby assigned to such Commission Department.

1. Commission Committee – Department of Finance and General Services
Chairman – Bettye Fine Collins

Member #1 – Bobby Humphryes

Member #2 – Jim Carns

2. Commission Committee – Department of Roads and Transportation

Chairman – Bobby Humphryes

Member #1 – Jim Carns

Member #2 – Larry Langford

3. Commission Committee – Department of Environmental Services

Chairman – Jim Carns

Member #1 – Bobby Humphryes

Member #2 – Shelia Smoot

4. Commission Committee – Department of Health and Human Services

Chairman – Larry Langford

Member #1 – Jim Carns

Member #2 – Bettye Fine Collins

5. Commission Committee – Department of Information Technology

Chairman – Shelia Smoot

Member #1 – Bobby Humphryes

Member #2 – Bettye Fine Collins

The Commission Committees shall meet at least once monthly and at other times as called by the respective Chairmen. Provided, the Chairmen shall establish a regular meeting day and times for the Committee that does not conflict with any other Committee. The

Commission Committees shall serve to advise, consult, coordinate and otherwise assist the Chairmen in carrying out the duties of the Commission Departments as the Chairmen shall deem fit and efficient. Provided, in order for business of the Commission Departments to be eligible for placement on the Commission Agenda for the Regular Meeting, the items must be voted out of the Committee by a majority of the Committee members. The Committee Chairman shall have a weighted vote when less than three Committee members are present. If the vote is one to one, the Chairman prevails. If only the Chairman is present, the Chairman prevails. Provided, any three Commissioners can place an item on the Agenda regardless of Committee action or inaction. In case of doubt as to the appropriate Committee for items of business, the President shall make an assignment.

(6) In the event of vacation of office of a Commissioner by death or resignation or otherwise, a replacement shall be made in accordance with law. If the vacating Commissioner is President of the Commission, then in that event the President Pro Tempore shall become President of the Commission to serve out the remainder of the Commission term. If the vacating Commissioner is not President, the remaining Commissioners shall assign a Commissioner to the Department vacated by a majority vote of the remaining Commissioners. If one of such remaining Commissioners is so assigned then in that event the replacement Commissioner shall be assigned to the Department previously held by such newly assigned Commissioner. The President of the Commission shall then make such Commission Committee assignments to the newly assigned Commissioners and the replacement Commissioner in keeping with paragraph (5) above.

(7) Duties of the President. In addition to the department head and committee

responsibilities of the President of the Jefferson County Commission the following authority and responsibilities shall also be assigned to that office. The President of the Jefferson County Commission shall:

1. Serve as the presiding officer at all Regular and Pre-Commission and Commission Meetings.
2. Serve as the ceremonial and titular head of the Commission.
3. Be the signer of all contracts and other agreements which require approval of the Commission.
4. Have the authority and responsibility to sign all checks and/or warrants on the County Commission accounts.
5. Assume supervision and control of any Department or Departments whose assigned Commissioner has vacated office until relieved of said responsibility by resolution of this Commission or until a replacement Commissioner takes office.
6. Serve as Appointing Authority under the Personnel Board Rules for each of the County Departments (excluding Commission Departments) headed by an elected official and for the County Attorney's Office.

(8) There shall be a President Pro Tempore of the Jefferson County Commission who shall serve as President in the absence or incapacity of the President. The President Pro Tem. shall serve for the full four year term. The President Pro Tem. shall be Jim Carns.

(9) Amendment. This resolution may be amended by resolution of the County Commission approved by not less than three (3) Commissioners.

(10) Notice. Any resolution to change any aspect of this resolution must be proposed at the Pre-Commission Meeting immediately preceding the Regular Commission

Meeting at which the resolution is offered. Provided, however, this requirement may be waived by a resolution of this Commission unanimously approved with all members present and voting.

(11) Attached as Exhibit A are the assignments of offices, divisions and sections making up each Commission Department. Any office, division and section assigned herein or not specifically assigned herein to either one of the Commission Departments may be assigned or re-assigned to either of said Commission Departments. The subordinate Departments identified herein as being headed by an Elected Department Head shall be supervised and controlled by said respective Elected Department Heads, and to the extent authorized by law, subject to the authority of the Commission as a whole. The entities described herein as Non-Departmental shall be the joint responsibility of the Jefferson County Commission to the extent authorized by law.

There is attached hereto an Organization Chart (Exhibit A) identifying the respective offices, divisions and sections making up each Department.

Jefferson County Commission

Finance and General Services
Finance Department
BMO
Human Resources
Family Court
General Services
Building Services
Elections
Printing
Construction & Communication
Minutes Clerk
Office of Senior Citizen Services
Public Information Officer
Purchasing
Revenue

Roads & Transportation
Highway Administration
Highway Design
Highway Right of Way
Highway Engineering & Construction
Camp Bessemer
Camp Ketona
Traffic Engineering
Fleet Management
Land Development
Inspection Services
EMA

Environmental Services
Environmental Services Administration
Sanitation Engineering & Construction
Sewer Plants
Labs
Landfills
Sewer Billing
Board of Registrars
Community & Economic Development
Workforce Development

Health & Human Services
Jefferson Rehabilitation & Health Center
Cooper Green Hospital
Coroner
Laundry

Information Technology
Information Technology
Environmental Protection

Joint Responsibility	
County Attorney	Non-County/ Non-Departmental
Elected Department Heads and Officials	Law Library
Tax Assessor	Farm Agent
Assistant Tax Assessor	State Courts
Tax Collector	Pension Board
Assistant Tax Collector	Personnel Board
Probate Court	Board of Equalization
Treasurer	District Attorney
Deputy Treasurer	Bessemer District Attorney
	Sheriff