

**RESOLUTION NO. 2024-1**

**A RESOLUTION IN SUPPORT OF A PROPOSED LOCAL CONSTITUTIONAL AMENDMENT TO PROVIDE REPRESENTATION TO ALL CITIZENS RESIDING IN THE PELL CITY SCHOOL ATTENDANCE ZONE AND TAX DISTRICT AND TO DEFINE THE RESIDENTIAL ZONES FROM WHICH QUALIFIED ELECTORS MAY VOTE FOR THE ST. CLAIR COUNTY SUPERINTENDENT AND THE MEMBERS OF THE ST. CLAIR COUNTY BOARD OF EDUCATION**

**WHEREAS**, in 1982, the City of Pell City formed the Pell City School System by separating from the St. Clair County School System; and,

**WHEREAS**, when it was formed, the Pell City School System maintained the same school attendance zone that existed when it was part of the St. Clair County School System, which consisted of all the land inside the city limits of the City of Pell City and certain adjacent land outside the city limits of the City of Pell City (collectively, the “Pell City School Attendance Zone and Tax District”); and,

**WHEREAS**, Alabama law currently provides that “a city board of education [is] to be composed of five members who shall be residents of the city,” §16-11-2(b), Ala. Code 1975 (emphasis added); and,

**WHEREAS**, under current Alabama law, therefore, only those qualified individuals residing within the city limits of the City of Pell City are currently eligible to serve on the Pell City Board of Education even though all the students residing in the Pell City School Attendance Zone and Tax District attend the Pell City School System; and,

**WHEREAS**, since the formation of the Pell City School System, those individuals that reside outside the city limits of the City of Pell City and within the unincorporated portion of the Pell City School Attendance Zone and Tax District (the “County portion”) have not been legally eligible to serve on the Pell City Board of Education or to vote in elections for the Pell City Board of Education; and,

**WHEREAS**, since the formation of the Pell City School System, those individuals residing in the County portion of the Pell City School Attendance Zone and Tax District have continued to vote in the elections for the office of the St. Clair County Superintendent and the St. Clair County Board of Education, even though the students residing in the County portion of the Pell City School Attendance Zone and Tax District attend the Pell City School System; and,

**WHEREAS**, the Pell City Board of Education is committed to providing representation for those individuals that reside in the County portion of the Pell City School Attendance Zone and Tax District; and,

**WHEREAS**, the Pell City Board of Education has worked for many years to find a solution that allows those individuals that reside in the County portion of the Pell City School Attendance

Zone and Tax District to participate in the governance of the Pell City School System, where their students attend school, including retaining experts to advise the Pell City Board of Education on the feasibility of expanding its current voting districts to include the County portion of the Pell City School Attendance Zone and Tax District; and,

**WHEREAS**, after significant study and evaluation, the Pell City Board of Education has determined that it is not feasible to expand its current voting districts to include the County portion of the Pell City School Attendance Zone and Tax District; and,

**WHEREAS**, the Pell City Board of Education has analyzed and considered every option available to provide those individuals that reside in the County portion of the Pell City School Attendance Zone and Tax District the opportunity to participate in the governance of the Pell City School System; and,

**WHEREAS**, the Pell City Board of Education has determined that it is in the best interests of all citizens residing in the Pell City School Attendance Zone and Tax District to return the Pell City Board of Education to an appointed board, as it existed when the Pell City School System was formed, and to legally establish that the appointed members of the Pell City Board of Education shall be qualified individuals who reside within the entire Pell City School Attendance Zone and Tax District, with at least two of those members being appointed from the County portion of the Pell City School Attendance Zone and Tax District; and,

**WHEREAS**, the Pell City Board of Education has reviewed draft legislation to be considered in the 2024 Alabama Legislative Session that proposes a Local Constitutional Amendment to address the governance issues between the Pell City School System and the St. Clair County School System and to modify existing Alabama law to allow individuals who reside in the County portion of the Pell City School Attendance Zone and Tax District to serve on the Pell City Board of Education; and,

**WHEREAS**, the Pell City Board of Education finds that the proposed legislation is in the best interests of all citizens of St. Clair County because it remedies the governance issues that have affected the Pell City Board of Education and the St. Clair County Board of Education since the formation of the Pell City School System.

**NOW, THEREFORE, BE IT RESOLVED** by the Pell City Board of Education as follows:

1. The Pell City Board of Education hereby supports the enactment in the 2024 Alabama Legislative Session of the draft local legislation presented to the Board proposing a Local Constitutional Amendment to address the governance issues that exist between the Pell City School System and the St. Clair County School System and to modify existing Alabama law to allow individuals who reside in the County portion of the Pell City School Attendance Zone and Tax District to serve on the Pell City Board of Education.

2. The Pell City Board of Education urges the members of the St. Clair County Legislative Delegation to take all actions necessary and proper to enact the proposed local

legislation and to provide the qualified citizens of St. Clair County the opportunity to vote on the proposed Local Constitutional Amendment.

**RESOLVED** this 25th day of January, 2024.

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Joe Sawyer, Board President

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Cecil Fomby

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Laurie Mize Henderson

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Norman Wilder

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Greg Crump

ATTEST:

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Dr. James Martin, Superintendent