

Choctaw Sun photo by Tommy Campbell

## Hunting camp burns

BARRYTOWN — A fire destroyed what was believed to be a small hunting camp in the Barrytown-Womack Hill community last Thursday evening. The fire had already completely destroyed the small building by the time it was reported to the E-911 Dispatch Center, and was spreading into the surrounding woods. The structure was located off the road on the south side of CR 14 (Womack Hill Road) just past the Okatappa Creek bridge. Volunteer fire fighters from Gilbertown, Silas and Lusk responded to the call. The building was reportedly owned by Devin Lolley, of Mobile. Fire Chief David Dunn told the Sun that a cause of the fire has not been determined.

## Schools

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Choctaw County was allotted \$352 per unit for its 133.62 units — for a total of \$47,015.

According to the Governor's press release, the funds can be used to help schools pay for a variety of needs, "from utilities to toiletries" — any basic expenses not otherwise earmarked in the budget. Although the additional funding had been included in this year's state education budget — under the category of "Other Current Expenses" — as a 'conditional appropriation' based

upon revenues coming into the Education Trust Fund, it was not known whether revenues would reach the level necessary in order for the funds to be released. The Governor's announcement last Friday revealed that the Education Trust Fund had, in fact, reached that level of revenue.

"Because our economy is strong, we're experiencing record growth in the Education Trust Fund and can help schools all across Alabama," said Governor Riley. "We must always remember that more funding for education isn't possible unless we have a growing economy. And the economic growth plan we'll consider in special session next week

and the tax incentives I'll be proposing in the regular session will help sustain our economy and result in additional funding for schools."

Choctaw Co. Supt. of Education Sue Moore told the Sun on Monday that it is unclear how the system will use any funds received through the allotment.

Other systems throughout the state will be receiving their share of the funds, with some receiving at or above \$1 million. Washington County will receive \$83,488; Sumter will be gaining just over \$57,000; Marengo will be awarded \$37,708; and Clarke will garner \$81,602. The Mobile County system will garner \$1.5 million.

## Jury

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he does not want any money from Weakley personally.

"He doesn't owe me a dime, I forgive his debt," Ruffin said. "I told the jury that I have no animosity in my heart toward anyone and that I still feel that it is the Choctaw Co. Board of Education that should have been responsible for this. I asked the jury, 'where are my accusers? Why are they not here?'"

The school board — who was named as a defendant in a lawsuit filed by Ruffin in December, 2001 — was dismissed from the case in 2006, leaving only Weakley as the sole remaining defendant.

Ruffin, a former janitor at CCHS, had claimed in his lawsuit that Weakley assaulted him in the principal's office at the school in an alleged clash that occurred in August of that year.

In the bizarre incident, Ruffin was initially suspended from his job pending an investigation of the Aug. 1, 2001 incident in which Weakley alleged that it was Ruffin who assaulted him.

Ruffin was arrested by the Butler Police Department but when the case went to Butler Municipal Court in September, Weakley himself petitioned the court for dismissal of the charges.

Even though the charges were dropped, the Board of Education did not reinstate Ruffin to his janitorial position at CCHS, but opted to offer him similar employment at either Butler Elementary Lisman Jr. High School. (Both of those schools have since closed, having been merged into the new Choctaw

Co. Elementary School.)

Ruffin declined to accept the board's offer, and on Dec. 13, 2001, filed a "general negligence" lawsuit, claiming that it was Weakley who assaulted him during the alleged incident, and sought damages from both the Board of Education and Weakley.

In that complaint, which presents only one side of the legal argument, Ruffin contended that Weakley assaulted and battered him, without any just cause or provocation. Ruffin claims that Weakley hit, choked, beat and bruised him, and asked for a monetary judgment against Weakley to include court costs, interest, and fees.

He also alleged that the Board of Education breached its duty to "exercise reasonable care and acted negligently, wantonly and carelessly in the hiring and training of its employee ... ." (Weakley) in that the board failed to fully investigate what Ruffin said was Weakley's "propensity to commit and his commission of violent acts."

Ruffin claimed that, as a result of the board's failure to perform a full background check on Weakley, that he (Ruffin) was "caused to suffer injuries and damage", including medical expenses, lost wages, disability, and pain and suffering and asks that the Court award him a monetary judgment.

On Dec. 19th, 2001 — less than a week after Ruffin's lawsuit was filed — Weakley was fired as principal of the school.

Three weeks later, Weakley filed his response to the lawsuit, denying the allegations made by Ruffin.

In early 2006, the Court granted a motion by the BOE to dismiss the

school board from the proceedings, leaving Weakley as the only remaining defendant.

Weakley's last known address was somewhere in north Alabama. The Sun made several unsuccessful attempts to contact Weakley to give him an opportunity to tell his side of the story.

Ruffin's lawsuit had been set for trial and rescheduled a number of times over the past six years, including three separate occasions in the past year alone.

"I don't know Judge Stuart Dubose personally, but I am pleased that he listened to what I had to say, and that the jury listened to the 'janitor's story,'" Ruffin told the Sun. "I wish that Judge Dubose had been in that position five years ago, maybe my case would have been heard before the former regime allowed the Board of Education to be dismissed from the case. Maybe then I would still have had a lawyer to represent me."

Ruffin said that just to be able to present his case in court was a relief.

"I also want to thank *The Choctaw Sun* for printing my story and listening to me when no other newspaper would," Ruffin said. "I am pleased that we have a judge in Choctaw County who will listen to people, no matter how small they are, what color they are or whether they have a big-time lawyer," Ruffin said. Ruffin said to this day, he has never been formally notified by the Board of Education that he was fired from his job, or was not being "re-hired".

The minister said he wanted to thank all of the citizens, businesses, churches and others who stood with him during the long ordeal.

gearing up for the change, it may not be the financial windfall for local governments that state officials think it will be.

"I honestly don't think it will make that much difference in the overall amount of our collections," Graham said. "I mean, let's be realistic. Choctaw County has more than 24,000 parcels of property, and if we have to reappraise every single one of those parcels every year it's going to take more personnel than what I've got now."

As a result, he said, any increase in revenues would likely be cancelled out by the added cost of salaries for new employees and additional expenses for travel, office needs, postage, and other items.

Graham said that existing parcels of property don't change that much from one reappraisal to another.

"If you build a new house, we assess it the year it us built," he said. "We stay on top of all new transactions, so those don't have to wait for the four year cycle to come around before they get on the tax rolls."

Choctaw County is in the last group of counties to implement the annual reappraisals, and the

Appraisal Office will start reviewing for that change this year, he said.

"This will be our fourth year anyway, unless the state tells us to do things differently," Graham said. "If they revoke it, we'll do whatever. If it stays as it is now, then we will go to annual reappraisals next year with those tax bills being due in 2009."

In the AP survey, 64 percent of House members and 81 percent of Senators said they favor going back to the old four-year reappraisal schedule.

Those numbers show a stark increase from last year's survey, when the AP found that 55 percent of State Representatives and 53 percent of Senators favored going reverting to a four-year reappraisal schedule.

Gov. Riley has said that he cannot undo the change without violating state law, which requires all real property to be assessed annually on Oct. 1 based on the property's "fair market value."

Riley said the only way to make it legal is for Legislators to pass a bill returning to a four-year reappraisal schedule. The governor has indicated that if such a bill is passed he will sign it.

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## Flip-flop

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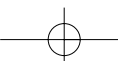
March of 2003, when the state's revenue commissioner approved new regulations that moved Alabama's reappraisal schedule from every four years to once a year, as he said is required by state law.

The move, it was said at the time — after subtracting the expense of making the necessary bookkeeping and collection changes — would bring in an additional \$448 million in tax revenues through the year 2010.

Of that amount, the state estimated that \$138.8 million would go to local county governments; \$171.5 million to public schools; \$83.3 million to municipal governments; and \$54.4 million to the state.

Officials said that the increase in funds comes from a person's real estate (ad valorem) taxes going up by a smaller margin each year rather than a larger amount every four years.

However, Jimmy Graham, Appraiser of real property for Choctaw County, told the Sun that while his department is even now



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