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STATE OF ALABAMA  
OFFICE OF THE ATTORNEY GENERAL

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Honorable Broox G. Garrett, Jr.  
Chairman, Escambia County Soil and  
Water Conservation District  
Thompson, Garrett & Hines  
218 Belleville Avenue  
Post Office Box 387  
Brewton, Alabama 36427-0387

Soil and Water Conservation  
Districts – Expenditures – Real  
Property - Contracts

The Escambia County Soil and Water Conservation District (“District”) is authorized to expend funds to pay part of the cost of building a storage facility for storing district-owned equipment at the Auburn University Agricultural Experiment Station in Brewton, Alabama.

Dear Mr. Garrett:

This opinion of the Attorney General is issued in response to your request on behalf of the Escambia County Soil and Water Conservation District.

QUESTION

Is the Escambia County Soil and Water Conservation District authorized to expend \$10,000 to pay part of the cost of building a storage facility for storing district-owned equipment at the Auburn University Agricultural Experiment Station in Brewton, Alabama?

FACTS AND ANALYSIS

Water and soil conservation districts are established pursuant to sections 9-8-20 through 9-8-32 of the Code of Alabama. Section 9-8-25 of the Code sets forth the powers of these districts. In particular, subsections (a)(5) and (a)(7) of section 9-8-25 state as follows:

(5) To obtain options upon and to acquire by purchase, exchange, lease, gift, grant, bequest, devise or otherwise, any property, real or personal, or rights or interests therein; to maintain, administer and improve any properties acquired, to receive income from such properties and to expend such income in carrying out the purposes and provisions of this article; and to sell, lease or otherwise dispose of any of its property or interests therein in furtherance of the purposes and the provisions of this article;

.....

(7) To construct, improve and maintain such structures as may be necessary or convenient for the performance of any of the operations authorized in this article including, but not limited to, plants and equipment appropriate for the processing of materials necessary for conditioning the land[.]

ALA. CODE § 9-8-25(a)(5) & (a)(7) (2001).

Under the established rules of statutory construction, words used in a statute must be given their natural, plain, ordinary, and commonly understood meaning, and where plain language is used, a court is bound to interpret that language to mean exactly what it says. *Ex parte Cove Properties, Inc.*, 796 So. 2d 331, 333-34 (Ala. 2000). Based upon the plain language used in section 9-8-25(a)(5) and (a)(7), it is the opinion of this Office that the Escambia County Soil and Water Conservation District may expend funds to help pay for the cost of building a storage facility that will be used to store equipment owned by the District.

This Office recommends that the agreement between the parties concerning this transaction be in writing. *See, generally*, opinion to

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Honorable Ralph A. Bradley, Chairman, Cherokee County Healthcare Authority, dated August 24, 2005, A.G. No. 2005-188 at 4 (stating that, to accomplish its goal, the Cherokee County Healthcare Authority should contract with Gadsden State Community College).

CONCLUSION

The Escambia County Soil and Water Conservation District is authorized to expend funds to pay part of the cost of building a storage facility for storing district-owned equipment at the Auburn University Agricultural Experiment Station in Brewton, Alabama.

I hope this opinion answers your question. If this Office can be of further assistance, please contact Monet Gaines of my staff.

Sincerely,

TROY KING  
Attorney General

By:



BRENDA F. SMITH  
Chief, Opinions Division

TK/MMG  
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