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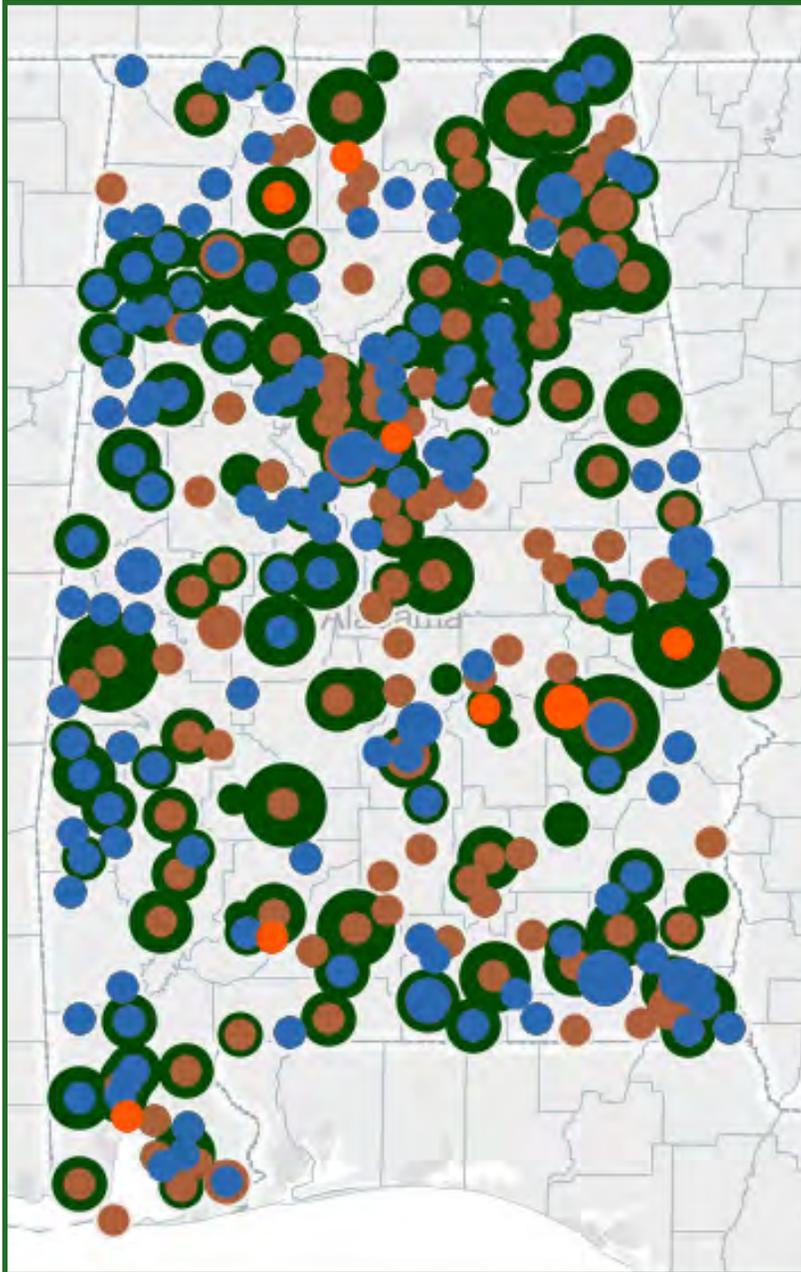
# COUNTY COMMISSION

Volume 61, Number 3  
June 2017

Picking the  
Right Tool  
for the Job  
Limited  
Self-Governance  
in Alabama



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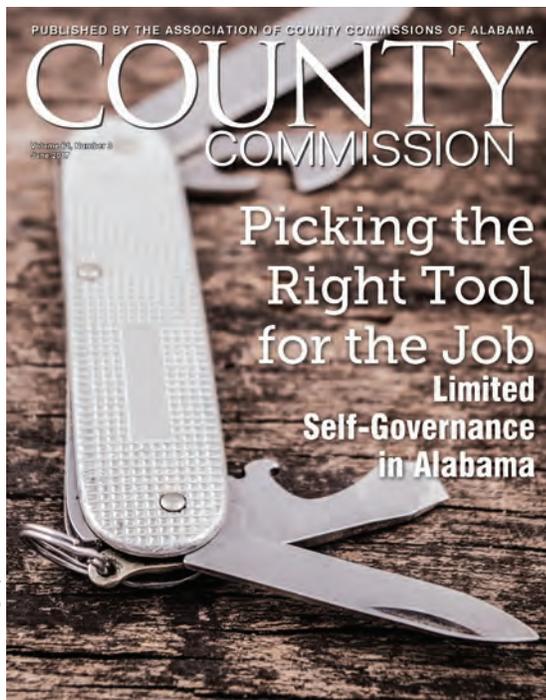
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# in this **issue**

VOLUME 61, NUMBER 3



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***The Alabama Limited Self-Governance Act has been helping counties solve their own problems for a dozen years now. That's right – solving a local problem at the local level in a manner best suited for the local community.***



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Hon. Bill Strickland  
President

A stylized, handwritten signature in black ink, appearing to read 'Bill Strickland'.

## What if we had our own Independence Day?

### Life, liberty and the pursuit of local decision-making

Independence Day is right around the corner and, very soon, our friends and neighbors will stock up on fireworks, light the grill and celebrate the many freedoms we enjoy each day. But at the same time, we all know freedom comes with a price tag.

It really is impossible to list the millions of Americans, from all walks of life, who have made countless sacrifices in the name of liberty. And their efforts, I imagine, were fueled by many desires, including the dream of actually controlling their own destiny.

When you think about it, our history has been defined by organizations and individuals who have been willing to walk through fire for the chance to make their own decisions and to solve problems on their own. One could easily argue that every war, every movement and every personal journey goes back to the fundamental human desire to exercise free will.

While the magnitude may not be quite as large, the same is true for us. The decisions we make as county leaders will set a course for the residents of our county – and our state – for years to come. And, I would like to believe, that each of us decided to seek election to the county commission because we believe, like our Founding Fathers, that the destinies of our own communities should be decided at the local level.

For more than a century, the power to make local decisions – the decisions that really impact the day-to-day lives of Alabamians – has largely rested in the halls of the state Legislature. What would happen if county leaders truly adopted the belief that local decisions are best made at the local level – where citizens have the best opportunity for input? And what if this Association,

and its 67 members, marched forward with that singular goal in mind?

We already know what we can achieve when county leaders speak in One Voice. The examples of our successes are many and have gained statewide, and even national, attention.

Look at Alabama's overwhelming support of the Amendment 4 initiative on the 2016 ballot. Counties now have the authority to make management and administrative decisions related to county personnel programs, community programs related to public properties, public transportation and safety promotion on public roadways, operation of county offices, and emergency assistance programs. Over one million Alabama voters said "YES" to county control – which speaks volumes about how much citizens trust their county leaders and their ability to make local decisions.

Before Amendment 4, there was the Alabama Limited Self-Governance Act – the 2005 law that allows local voters to authorize their county commissions to exercise certain health and safety powers. In the 21 counties where limited self-governance is effective today, county commissions can respond to citizen concerns and abate certain nuisances – like noise, unsanitary sewage, overgrown weeds, and junkyards – in unincorporated areas. If voters aren't happy, the law provides a way to repeal these health and safety powers at the local level.

Even 20 years ago, the very idea of county leaders having such authority would have gotten you laughed out of the Statehouse. Now, counties are using these authorities for the betterment of their communities. County governments have clearly made great strides towards controlling

their own destinies, but there are still major issues out there for counties to tackle.

Bottom line, the goal of local decision-making has still not yet been achieved.

Each legislative session, dozens of bills are introduced – in the name of economic development – to grant county abatements and tax credits to industries, without requiring the consent of the county commission. Even more pieces of legislation are introduced to exempt non-profit organizations from paying county sales and use taxes – again, without the consent of the county commission.

This issue is much larger than these two examples. Independence is more than the power to say “yes” to the good things; it is also solid footing to say “no” to things that will harm the community’s forward progress. As the state budgets continue to tighten, counties should expect to see more

and more of “state” responsibilities falling down to the local level.

And so, counties and this Association must continue to stand on our cornerstone principal: that decisions affecting citizens at the local level are best made at the local

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***We already know what we can achieve when county leaders speak in One Voice.***

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level – where citizens have the best opportunity for input. Whether it is prison reform, election laws, or infrastructure improvements, county leaders must continue to demand a seat at the table. And, I believe, we will have to present a more united demand that local decisions be made with the insight of local leaders – and be prepared to stand our ground.

Counties have an increasing number of tools at our disposal in our efforts to control our own destiny. This issue of the magazine is full of tips and guidelines for counties seeking to fully utilize Alabama’s limited self-governance laws, and the Association staff is preparing to provide county leaders with much more information on the Amendment 4 powers at the upcoming Annual Convention.

The big question remains: will Alabama county governments will ever see a “true” Independence Day? My guess is that I’ll be long gone from county service when that day comes. I do know one thing for sure, if we are to continue to make a difference then we must continue to stand together. Every additional inch of local decision-making we enjoy today has been won by the sacrifice of others who committed to ONE unified message and ONE unified voice. ■

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**Sonny Brasfield**  
Executive Director

*Sonny Brasfield*

## Regrouping after a hauntingly thin margin of defeat

**Unequal elections could have been averted with one more vote**

I have personally known three commissioners over the years who won their seats by a single vote, and I know another who was defeated by that same margin. When it was over, all of those candidates shared the same post-vote analysis.

Bottom line, they all had to live with the fact that there were dozens of other votes out there that should have gone their way. But, simply because they didn't do a little something extra when they had the chance, the margin between victory and defeat was so thin that it haunted them for many, many years.

During the last week of the 2017 legislative session, I made a quick trip to Ohio to carry out the Association's duties with the national reinsurance provider that assists our insurance funds. While in the air between Atlanta and Cleveland, the Association joined that one-vote crowd when a county-led effort was defeated on the House floor by that same thin margin.

When I hit the ground in Ohio, I turned on my iPhone only to learn the frustrating details. I was quickly reminded of those close elections, and the regret expressed by each candidate who wished they had done just one more thing to influence the outcome of the vote.

In this case, the lost floor vote has given me time for reflection and, I hope, it generates reflection on the part of county officials and employees all over the state. Reflection on the bigger picture is necessary in this case because it was not the kind of issue that should have gone against the wishes of counties. We were not facing the

strongest of legislative foes and, honestly, the Association's position was the most rational and efficient one for taxpayers.

From my chair, however, you could see something like this coming. With the significant level of turnover we have seen in the last several elections, I am not certain the Association has done a great job of growing the necessary sense of "ownership" in its legislative efforts.

Now, before you get ready to remind me of the enormous amount of work that was generated statewide on our ATRIP-2 infrastructure project, it is important to note that counties face hundreds of policy changes each year and any one of those can do harm to our ability to serve the citizens. As we learned last month, each issue has the potential to go against our better judgment, unless everyone does his or her part. And each issue is important in its own way.

The specific matter that was lost by one vote came to the attention of the staff with little warning. Secretary of State John Merrill, who has long pushed for the use of electronic poll books at county expense, was able to convince a House committee to add his desired language to a bill that was otherwise unrelated. The staff was unaware of his actions until after the fact – and that's another story for another day.

But as quickly as we learned of that maneuver, counties were called into action and asked to convince their representatives to defeat the amendment on the House floor. The Association staff worked the issue very aggressively. And, the executive

director actually worked the phones as effectively as possible, while also dodging Atlanta traffic on the way to the airport.

Here's the honest truth. On the last week of the legislative session everyone in county government should have been focused on what was going on in Montgomery. Everyone should have been ready to react when called upon. And all county staff members should have given priority to any calls for action that came from the Association.

The amendment drew the Association's opposition for two reasons. First, the amendment was poorly drawn and would not allow for the costs of the electronic poll books to qualify as a reimbursable expense, meaning the county commission would be responsible for all costs. And, secondly, because many rural counties will not be able to afford the electronic tablets (software alone will be about \$300

per tablet), the amendment will produce unequal resources during statewide elections.

In the end, the list of legislators who voted **against** the Association's position looks like a "who's who" of county supporters. And, because our effort failed by only one vote, any one of our usual supporters could have changed the outcome if he or she had received a personal request to stand alongside the Association.

All of this is not written in an effort to "second guess" or to assign blame. The hope is that this loss, relatively small in the grand scheme of things, will serve as motivation for this Association to re-energize its advocacy efforts. And, perhaps, we'll be better prepared to defeat the other, more serious efforts that are clearly on the horizon.

Now that the session has concluded, the staff will closely re-evaluate how, when and through what methods we communicate with

you during a legislative session. We'll look at the tools we are giving you to aid your communication efforts with state and federal officials. At the convention in August, we'll ask you to give us some input, while also doing some self-evaluation of our own. And between now and then, we welcome your input and advice.

And, at the county level, we hope you'll take a few minutes to evaluate your involvement in the Association's unified policy efforts. These efforts are not confined to the short three months of the Legislature's annual work session. Real involvement translates into an acceptance of your individual role in protecting and enhancing counties, even if there is short notice on the last week of a long and tiring session.

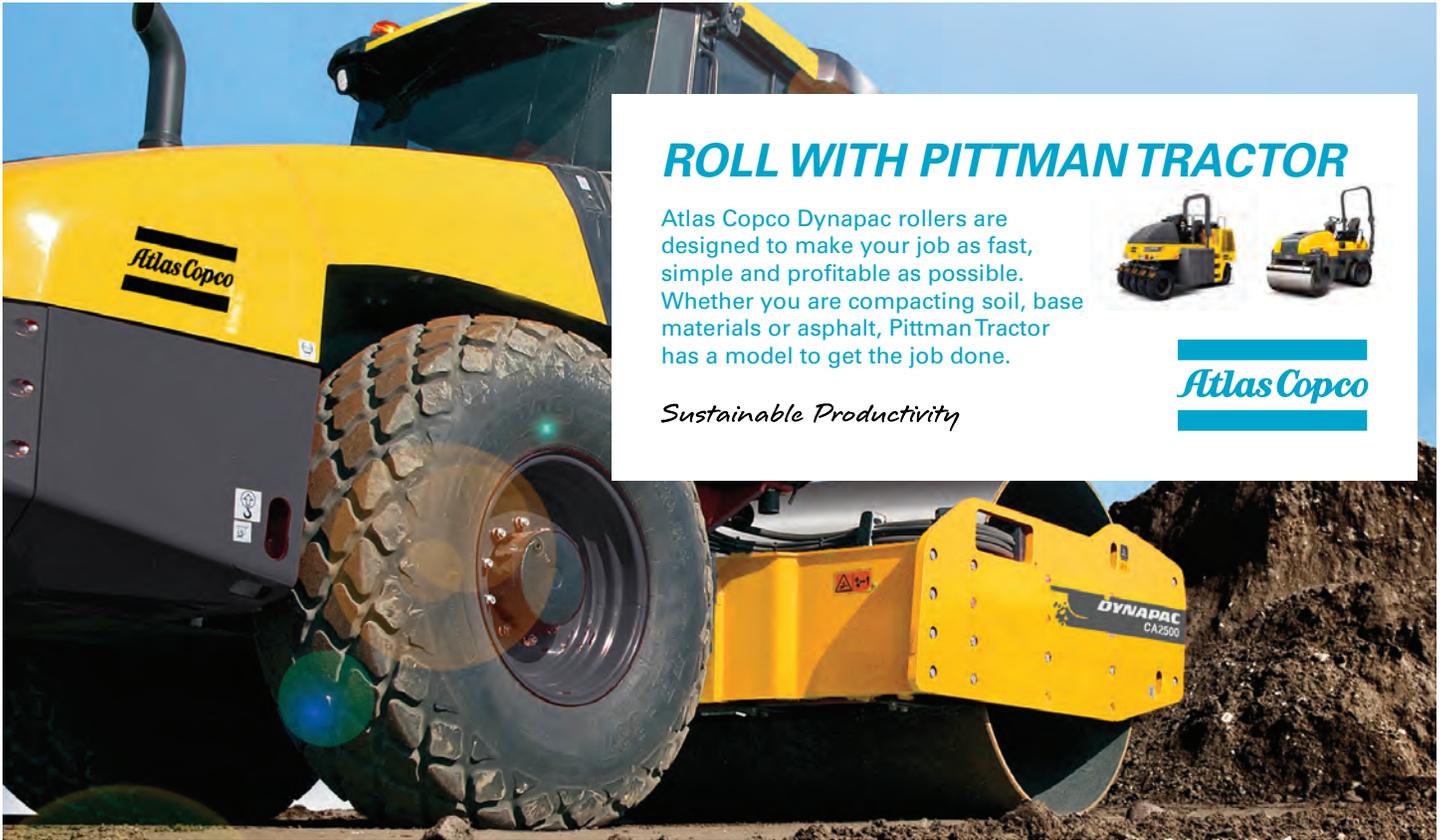
Losing by any margin is not in our nature. Losing by one vote, as some of my old friends can attest, is especially frustrating. ■

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# Picking the Right Tool for the Job

## Limited Self-Governance in Alabama

*The Alabama Limited Self-Governance Act has been helping counties solve their own problems for a dozen years now.*

*That's right – solving a local problem at the local level in a manner best suited for the local community. Paddling your own canoe.*

*Solving problems without drafting legislation, advertising in a newspaper for weeks and then steering the proposal through both chambers of the state legislature, which at times might as well be Class V whitewater rapids.*

*No, it's not magic. It's limited self-governance, and the following pages will help you learn more and answer the question, "how do I get there from here?"*

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What is the Alabama Limited Self-Governance Act?

# Making more decisions at the local level

Back in 2005, the Alabama Legislature passed a single bill that put a set of additional powers within reach of local citizens all across the state.

It was as though the Alabama Limited Self-Governance Act handed out Swiss army knives with seven different features, each one designed to remedy a specific nuisance.

The “limited” part meant that it could only be used for those seven specific things. In case there was any confusion, the law’s list of what it couldn’t do is actually longer than the list of what it could.

The “self-governance” part meant that the choice to do any of this – to pick up the knife and then whether to open a particular blade – could be made inside the county. Decision-making authority rested with citizens in unincorporated areas and the county commission instead of with the Alabama Legislature.

Counties had been working more than 15 years to increase the options for making local decisions at the local level. “Right now, the operation of county government is hamstrung because your county commission depends on the Legislature to adopt bills to address local problems,” wrote then ACCA President Hardy McCollum way back in 1989.

Over the years, the unified voice of county government had made the case that local decisions were inherently better because people were better informed on the issues and because accountability was stronger.

In addition, problem-solving authorities available through Limited Self-Governance, often grouped under the heading “health and safety powers,” were already available to municipal governments.

“Inside the state’s largest cities, these government powers are taken for granted,” wrote Sonny Brasfield, who at the time was ACCA’s



assistant executive director. “But in rural Alabama, such discussions have been off limits since about the time assembly lines began to produce a curious invention called the automobile.”

McCollum still serves as probate judge and chairman in Tuscaloosa County, but most commissioners in office today have joined county government since 2005.

A dozen years in, Limited Self-Governance is activated in 21 counties, and junkyard abatement has been the most-used ordinance,

followed by animal regulation and litter/rubbish.

“When the Limited Self-Governance Act came along, it was an opportunity to address old issues that we had not previously had a lot of success with,” said Administrator Tony Sanks of Escambia County, which adopted ordinances regarding junkyards and litter/rubbish.

Some referendums have not succeeded. At least once, rural residents rejected it at the ballot box only to seek the county commission’s help with an unsanitary sewage problem a short time later.

The process for voters to repeal Limited Self-Governance has worked when citizens were dissatisfied, once again a decision made at the local level.

Other local decisions have had a profound impact on health and safety in rural areas, often protecting property values of landowners who view their neighbor’s collection of broken down boats as not just an eyesore but also a breeding ground for mosquitoes.

No doubt there’s economic benefit for the larger community as well. Take Cherokee County, where fishing guides can still tout Weiss Lake as the “Crappie Capital of the World” and “The Striper Capital of the South.” At one time, there were toilets around the lake’s rim that flushed directly into the pristine waters, but the Cherokee County Commission was able to intervene because of the Limited Self-Governance Act. ■





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# When You Have the Right Tool for the Job

*Can you guess what counties did when they got additional authority to make local decisions at the local level?*

*They cleaned up.*

The rusted-out bread truck disappearing under a tangle of kudzu. Stacks of old tires. Broken down appliances. Even regular household trash spilled in illegal dumps.

Establishing a junkyard ordinance, sometimes in combination with a litter/rubbish ordinance, has been the most used element of Limited Self-Governance.

“It has had a huge, positive effect on the appearance of neighborhoods throughout the unincorporated areas of the county,” said Jim Patrie, director of solid waste management for Tuscaloosa County. “We have received hundreds of signed complaints over the years and, fortunately, brought each one into compliance.”

What Tuscaloosa County refers to as a “Junk Law” is the county’s locally-drafted ordinance that since 2010 has implemented regulatory authority over



Photo credit: Tuscaloosa County

junkyards, as defined in state law, in unincorporated areas. There is an enforcement mechanism, though it is worth noting that junkyard ordinances adopted under Limited Self-Governance do not affect farming operations or businesses.

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If necessary, the county can issue a formal citation and assess fines. In cases where someone is unwilling to abate the nuisance, there's a procedure for the county to handle cleanup and then seek reimbursement from the resident or owner for the cost.

But it sounds like those provisions are used about as often as the bullet Barney Fife carries around in his shirt pocket "just in case."

Patrie said enforcement officers routinely work closely with residents, who are usually eager to get into compliance when the issue is brought to their attention.

***Not everyone is so cooperative.***

In one instance in Madison County, 96 neighbors signed a petition asking for help. For a decade, they had watched the owner of a half-acre parcel surround his barn with a vast junk collection including a crumbling horse wagon and several tractor-trailer rigs, not to mention surplus military and police vehicles. It was more than unsightly; it was a breeding ground for squirrel-size rats, poisonous snakes and feral cats.

So many times, when citizens turn to the county for help, they hear "I'd really like to help but our hands are tied." Because of a Limited Self-Governance junk ordinance, Madison County was in position to notify the owner that the property was in violation and eventually file civil action in circuit court after he ignored repeated citations.

Another beauty of local decision-making is that officials can target exactly what their community needs – no more and no less.

Mobile County adopted a junk ordinance in 2007, but a few years later concerns emerged about a provision some found overly broad. The ordinance restricted

NAME **PROTECTING RURAL PETS** No

## CASE STUDIES

**LOCATION:** Autauga County

**PROBLEM:** Extremely limited ability to enforce an existing ban on animals running at large in unincorporated areas.

**BACKGROUND:** Skye, a miniature Shetland pony that was expecting a foal, had to be euthanized because of injuries suffered when she was attacked by roaming dogs. Present for the attack, the pony's owner shot the three pit bulls, killing two of them.

**SOLUTION:** Voters had previously authorized Limited Self-Governance in Autauga County to improve enforcement of mandatory garbage collection, so the county commission was able to respond quickly to the community's outcry. The Animal Control Ordinance, adopted in 2009, clarified that animals could not run at large and that they must also be restrained. The county's animal control officer, based in the sheriff's department, gained the ability to assess fines and fees as well as impound animals in violation of the ordinance.

all "dismantled or wrecked" automobiles. A 2011 revision struck a balance between preventing proliferation of junk cars and allowing residents to work on cars on their property.

The revised ordinance stipulated:

- Owners of inoperable cars have six months to restore them.
- During this restoration period, the vehicle cannot be used as storage and vegetation cannot be allowed to grow up in or around the vehicle.

- After six months, any vehicle that is still inoperable must be moved to either an enclosed space or a location that is not visible from the road or adjoining properties.

All in all, it was a common-sense solution to an unintended consequence. Because of Limited Self-Governance, commissioners were able to quickly address the problem – at the local level – without involving the Legislature. ■



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## CASE STUDIES

**LOCATION:** Cherokee County

**PROBLEM:** Human waste flowing from RVs into the once-pristine waters of Weiss Lake (aka The Crappie Capital of the World), the primary source of drinking water in the area and a major economic engine.

**BACKGROUND:** Numbering in the thousands, recreational vehicles parked in the lake's flood easement are supposed to collect sewage in approved holding tanks that are pumped out at regular intervals. In reality, the famous fishing waters were soaking up a steady stream of human waste from unpermitted and inadequate holding tanks, some with drainage lines dumping right into the lake.

**SOLUTION:** To protect water quality and by extension public health, in 2012 the Cherokee County Commission adopted a Sewage Disposal Ordinance using authority granted by Limited Self-Governance. The county and local health department are working together to combat improper disposal of sewage in unincorporated areas surrounding the lake.

**IMPACT:** Within the first two years, more than a thousand holding tank systems were approved. More than 1,700 notices of violation were issued, and, in all but a handful of situations, the nuisances were abated without the need for a formal citation.

Probate Judge and Chairman Kirk Day called it a success. "The county has to be willing to be flexible and have variances available, but at the end of the day, the commission has a responsibility to residents to keep the lake clean," he said. "I applaud the commission for taking a step in the right direction."



Photo credit: Cherokee County

## Comparing and Contrasting: Limited Self-Governance and Administrative Powers

Even commissioners who have only been in office a few years will find the origin story of Limited Self-Governance familiar.

A mechanism to increase decision-making authority at the local level, thereby reducing reliance on costly, time-consuming legislative solutions that apply to a single jurisdiction? Yep, that describes Limited Self-Governance. And it was also a talking point last fall when counties successfully advocated for passage of County Commission Administrative Powers.

More than 70 percent of Alabama voters approved Administrative Powers, which appeared as proposed Amendment

4 in last year's general election. The ratified amendment has now been officially added to the Alabama Constitution of 1901 and renamed Amendment 909. (*Note: Like Limited Self-Governance, Amendment 909 does not apply to Jefferson County.*)

County officials wanting to know more about how to utilize Administrative Powers will want to make plans to attend the ACCA Annual Convention in August. Information and resources that will be provided include a detailed overview of the amendment's provisions, implementation procedures and sample documents.

In the meantime, here's a brief look at some of the commonalities

and differences of Limited Self-Governance and Administrative Powers.

They are similar in purpose, since both are avenues for county commissions to make additional decisions at the local level. Problems can be solved at home rather than needing permission from Montgomery. And both come with clearly-defined boundaries, with detailed lists of what is and what is not permissible.

Looking even more closely, county officials and staff leaders will find some areas of overlap. For example, both programs speak to aspects of litter control and animal control, but from different

approaches. Counties wanting to address those issues should review the options carefully.

There are, however, significant differences between Limited Self-Governance and Administrative Powers, both in what they authorize counties to do and in the steps required to access the additional authority.

Limited Self-Governance applies to these seven nuisances, with a focus on how to handle complaints about the issues and abate nuisances.

1. animal control
2. junkyards
3. litter/rubbish
4. noise
5. pollution
6. unsanitary sewage
7. weeds

The most popular application of Limited Self-Governance has been establishing an ordinance

to deal with nuisance junkyards. In Tuscaloosa County, there is a complaint process and a solid waste officer to handle investigations and enforcement. Many times problems have been cleaned up – and complaints resolved – without a formal citation being issued.

On the other hand, Administrative Powers address programs, policies and procedures in six categories:

1. county personnel programs
2. community programs for litter control
3. animal control
4. public transportation and public road safety
5. operation of county offices
6. emergency assistance programs

For example, a county might use Administrative Powers to establish a personnel system or

create an employee incentive program designed to improve safety or attendance.

In many ways, the biggest difference between the two is process.

Authority granted by the Administrative Powers amendment can be utilized by a majority vote of the commission during a regularly scheduled meeting, provided requirements for notice and public hearings are satisfied.

On the other hand, Limited Self-Governance requires a local referendum before commissions can access the available authority. That is to say that a majority of voters in unincorporated areas of the county would have to vote in favor of Limited Self-Governance before the commission could establish an ordinance addressing, for example, nuisance junkyards. ■

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# How to Get Limited Self-Governance

Limited Self-Governance is all about local decision-making, so it follows that the choice to access it can be made entirely within county lines. That's right, you can leave the Statehouse out of it.

Voters in unincorporated areas of the county can turn Limited Self-Governance "on" or switch it "off," and they express their will by referendum.

The act, codified at Ala. Code § 11-3A-1 et seq., established a framework for this process. Right off the bat, the act limits costs, because the referendum can only be conducted at the same time as a primary election, a general election

or a special election that has already been called for another purpose.

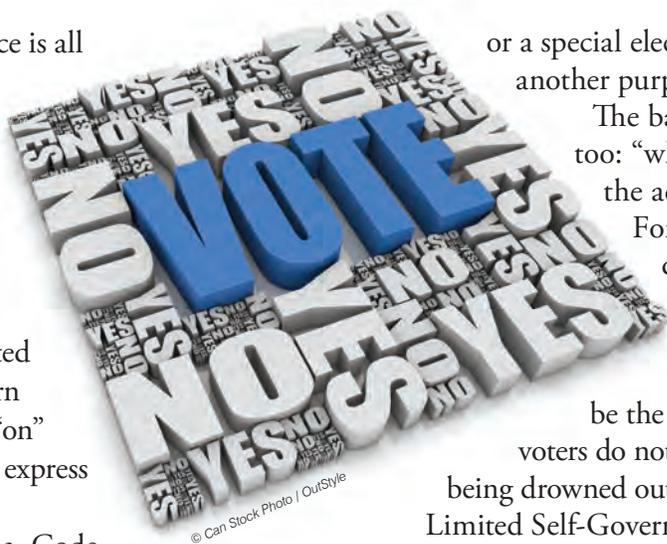
The ballot question is straightforward too: "whether the powers authorized under the act shall be effective in the county."

For citizens, it is an all-or-nothing decision. Separate votes are not taken on each one of the powers granted in the act.

Limited Self-Governance cannot be the only thing on a ballot, and rural voters do not have to worry about their voice being drowned out by large precincts of townfolk.

Limited Self-Governance only allows counties to abate nuisances in unincorporated areas, unless a county reaches a special agreement with a municipality. For this reason, the referendum is limited to voters living in areas that would be subject to any ordinances. Residents of unincorporated areas are the only voters to say "yay" or "nay" on this question.

As for calling the referendum, there are two routes to get there – a citizen petition or a vote by the county commission. As noted previously, neither of



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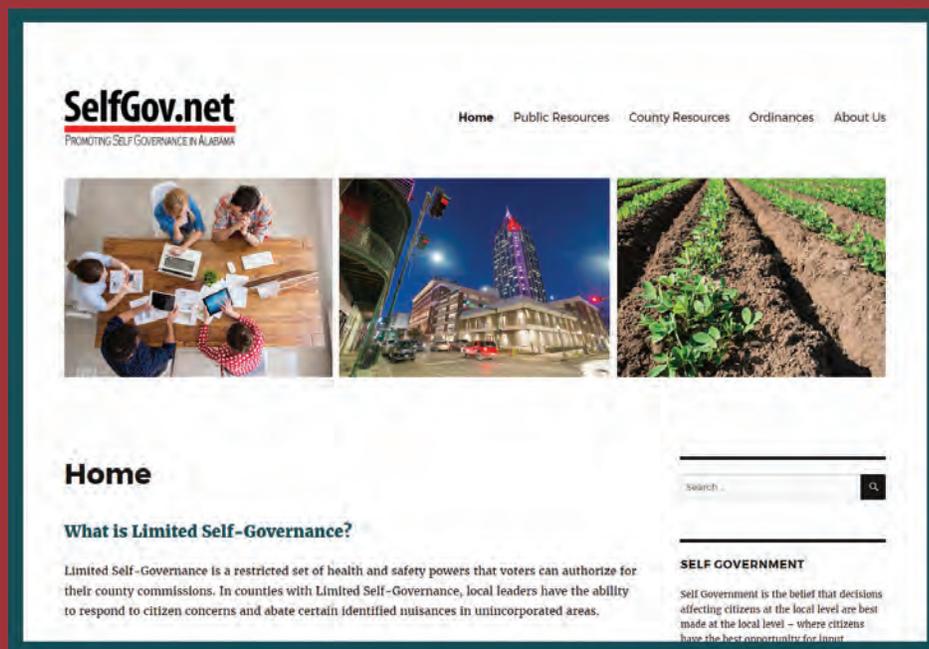


## Limited Self-Gov Online

[www.Selfgov.net](http://www.Selfgov.net) is a special website devoted to limited self-governance in Alabama, with information and communication tools for county leaders and interested citizens.

### What you can find:

- Definitions of terms such as "nuisance" and "junkyard" as established in Alabama law
- Full text of the Alabama Limited Self-Governance Act
- Overview of the Act (PowerPoint presentation)
- Listing of counties where limited self-governance is in effect
- A sample animal control ordinance drafted by ACCA
- Actual county ordinances regarding animal control, junkyards, litter/rubbish and sewage





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these options involves the Alabama Legislature.

The petition route is a means for citizens to initiate a referendum. If 10 percent of the registered voters in a county's unincorporated areas sign a petition seeking a Limited Self-Governance referendum, the county commission must make preparations at its next regularly scheduled meeting for the public to vote on the question. The probate judge is charged with responsibility for verifying signatures and certifying that the minimum requirement has been met.

Secondly, the county commission may pass a resolution calling for a Limited Self-Governance referendum. The resolution must pass by a majority of the members of the commission at a regularly scheduled commission meeting, not a special meeting.

Regardless of the route, the referendum request must be received by the probate judge not later than 74 days before an election, which is the same timeline as for candidates. All other aspects of the Limited Self-Governance

referendum follow state election law.

The act also specifies that a county can only have a referendum on Limited Self-Governance once every 48 months. If it fails at the ballot box, it cannot come back up for a vote for a minimum of four years.

The referendum process is the same to turn Limited Self-Governance "on" or "off." So, in a county where the act is in effect, a referendum to repeal it can be called by citizen petition or the county commission. ■

## Putting Limited Self-Governance to Work

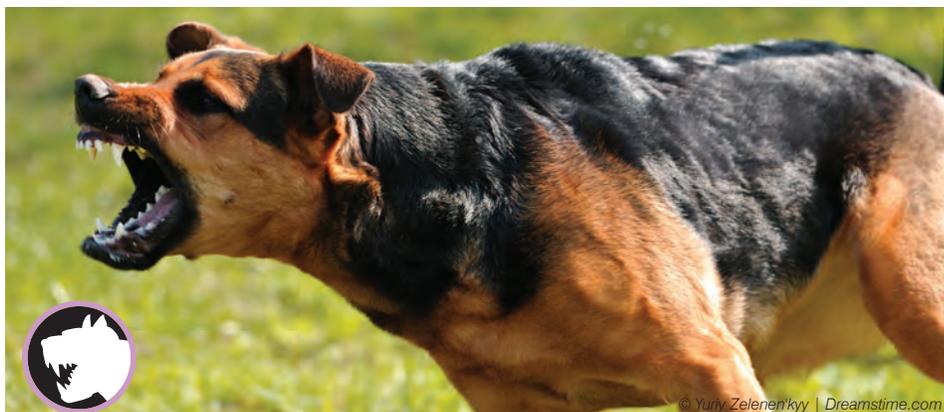
Implementation of Limited Self-Governance is handled through ordinances, and detailed work is necessary to get a proposed ordinance ready.

Careful work at this stage really pays off though, because each ordinance can be customized to suit the particular needs and resources of a given county.

The process for the county governing body to adopt an ordinance is pretty straightforward. The biggest requirements are minimum public notice of 30 days and the commission can only vote on these ordinances in a regularly-scheduled meeting.

Unfortunately, an ordinance is not as simple as a resolution stating that "animal nuisances, as defined in such-and-such state law, are hereby prohibited in Jones County."

Rather, the ordinance must address each and every detail of the prohibition, enforcement, penalties and due process. Here are a few major points and how they might apply to preparation of an animal control ordinance. ■



- What activities will be regulated and how? Will it apply only to animals running loose? What about loud barking?
- Who is responsible for enforcement? Animal control officer? Also approach the sheriff?
- What are the consequences for violations? The LSG law authorizes fees and civil penalties. What activities result in consequences? How and when are penalties assessed?
- Who is responsible for compliance? Need to define animal owner and speak to situations where someone other than the owner is caring for the animal.
- Who collects penalties and fees? How are they collected?
- How are violations addressed? Can a loose animal be impounded? Can boarding costs be recouped?
- How to address a violator's right to appeal?
- In what circumstances will the county take the matter to circuit court? i.e. failure to pay for a certain length of time? three citations for the same violation?

*A sample animal control ordinance, drafted by the Association, is available online at [www.selfgov.net/county-resources](http://www.selfgov.net/county-resources). In addition, a few examples of county-adopted ordinances are available there as well.*

# ORDINANCE TIPS

- STAY IN THE LIMITED SELF-GOVERNANCE LANE! BE EXTRA CAREFUL THAT YOUR PROPOSED ORDINANCE DOES NOT EXCEED THE COUNTY'S AUTHORITY, ESPECIALLY AS REVISIONS ARE MADE IN THE DRAFTING PROCESS.
- BE SURE TO INCLUDE INPUT FROM COUNTY PERSONNEL THAT CAN HELP WITH SETTING UP THE ORDINANCE (I. E. COUNTY LICENSE INSPECTOR CAN ADVISE ON CITATIONS AND PROCEDURES REGARDING FINES).
- CONSULT OTHER COUNTIES THAT HAVE ADOPTED THE SAME TYPE OF LIMITED SELF-GOVERNANCE ORDINANCE UNDER CONSIDERATION.
- WHERE POSSIBLE, CONSIDER REDUCING CONFUSION FOR CITIZENS BY DRAFTING A COUNTY ORDINANCE THAT ALIGNS WITH LOCAL MUNICIPAL ORDINANCES.
- CONSIDER ESTABLISHING A SINGLE SET OF NOTICE AND APPEAL PROCEDURES THAT APPLY FOR ALL ORDINANCE ADOPTED UNDER LIMITED SELF-GOVERNANCE.
- MAKE SURE LEGAL RESEARCH INCLUDES A REVIEW OF RELATED STATE LAWS.

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# What is the Alabama Limited Self-Governance Act?

The Alabama Limited Self-Governance Act (Ala. Code § 11-3A-1 et seq.) deals with nuisance abatement in the unincorporated portion of a county in the following defined areas only:

*Weeds, Junkyards, Litter and rubbish, Noise, Pollution, Unsanitary sewage, Animal control*

## I THOUGHT “HOME RULE” INCLUDED TAXING AUTHORITY.

This law does not include any authority in the two areas usually associated with the term “home rule” – the authority to levy taxes or the authority to establish a planning and zoning program. In fact, the law specifically prohibits this authority in two separate places:

- ☞ Ala. Code § 11-3A-2(d)(1) states the powers granted to a county commission under this law shall not include “The authority of a county to levy or collect any tax, to levy or collect any fee except an administrative fee as provided in this chapter, or to implement a county land use plan or to establish and enforce planning and zoning.” (emphasis added)
- ☞ Ala. Code § 11-3A-2(f) states, “Nothing in this chapter shall be construed to grant the county commission of a county any general authority to establish or adopt a comprehensive plan for zoning or land use regulation in the unincorporated areas of the county or to grant any taxing authority except as otherwise provided for by law.”

## WHAT HAPPENS IF THE REFERENDUM PASSES?

If the referendum passes, the commission will then enter into a process of adopting “ordinances” to implement the act.

- ☞ Any proposed ordinance must be advertised and subject to public hearings before passage.
- ☞ All proposed ordinances must be voted on at a regularly scheduled county commission meeting.

## HOW DO THE ORDINANCES WORK?

The law sets out specific requirements for what must be included in ordinances and how ordinances can be enforced.

- ☞ All ordinances must include provisions for notice to those accused of violating the ordinances.
- ☞ All ordinances must include an appeals process allowing review by the county commission before a matter goes to any court of law.
- ☞ Once a violation has been established, the commission will take steps to respond to any nuisances as set out in the ordinance.

## WHERE DOES THE COMMISSION HAVE AUTHORITY TO TAKE ACTION?

The law specifically prohibits the county from taking any actions inside a city’s limits, without permission of city leaders. The concept of this law is that the commission should only exercise these powers in the unincorporated areas of the county.

## IS THERE PROTECTION FOR FARMS, CITIES OR INDUSTRY?

The list of actions the commission cannot take under the law is actually much longer than the list of powers that can be exercised. Ala. Code § 11-3A-2(d) prohibits the county commission from taking actions against any of the following:

Any business activity that is regulated by:

- ① Alabama Public Service Commission;
- ② Alabama Department of Environment Management;
- ③ Department of Agriculture and Industries.

Any action affecting:

- ① Public schools
- ② Courts
- ③ Gambling
- ④ Municipalities
- ⑤ “Private or civil relationships”
- ⑥ Utilities
- ⑦ Existing agricultural, manufacturing, or industrial operations
- ⑧ Property Rights
- ⑨ Mining operations

## WHAT ABOUT THE FEES?

Pursuant to Ala. Code § 11-3A-3(d), the county commission cannot charge a fee that is more than the “actual” cost of providing a service. The law also clearly states that the fee cannot be charged against a property or person to which the service is not made available.

**WHAT ABOUT THE FINES?**

Ala. Code § 11-3A-3(e) limits fines to \$150 per offense. Each day a person remains in violation of the ordinance is a separate offense. The law caps the fine at \$5,000.

No fines can be assessed without notice to all those who are violating an ordinance and an opportunity for those affected to appeal to the commission.

**WHAT IF THE VOTERS AREN'T HAPPY?**

The law provides a process for the voters to petition to call for a vote on repealing the powers. As with the passage of the referendum to authorize the powers, the referendum on repeal can only be held in conjunction with a primary, general, or special election called for another purpose.

- ☞ And Ala. Code § 11-3A-5 provides that an election authorized by this law cannot be held more often than once every 48 months.
- ☞ This means that a referendum for repeal cannot be held until the powers have been in place for at least four years.

**OTHER ISSUES OR CONCERNS?**

Other issues will depend, in part, on the health and safety power that the commission is considering.

- ☞ If the county wanted an animal control program which included monitoring for proper immunization, it would need to establish procedures which included requiring any animal owner to register his or her animal with the office of animal control and provide proof of immunization. This could include setting fees to cover the cost of administering that portion of the program.

- ☞ If the county is considering the regulation of junkyards, it will very likely want to impose a license or permit to operate a junkyard and will need to consider every aspect of the licensing.
- ☞ If the county proposes an ordinance for the abatement of weeds or litter, it will likely want

a program similar to those found in municipalities, where the county will, after proper notice to the owner, mow the grass or clean up the litter pile, and then proceed against the owner to recoup the cost of abating the nuisance in addition to assessing fines and penalties for violating the ordinance. ■

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# ACEA begins training for equipment operators

June means summer vacation for a lot of people, but for many county equipment operators it's the first day of school.

The Association of County Engineers of Alabama (ACEA) is launching a series of Motor Grader Operator Training courses this month, with sessions in eight host counties across the state. These classes, taught by seven County Field Instructors and nine County Engineers, were created with the goal of using existing county resources to provide critical, cost-saving training.

The project, led by Chris Champion, John Bedford, Randy Cole, and Justin Hardee, has been in the works for two years, and is a perfect example of county leaders speaking with the unified voice to develop county government's answer to a pressing and expensive problem. Skilled motor grader operators are in short supply, and training is usually expensive and can only be found out of state. Leaders of this project have aimed at keeping travel and expenses low for the trainees, as counties will register for the class in the host county that is within a 1-2 hour drive.

Just this spring, there was a three-day mock training in Elmore County to test the format, which combines classroom training taught by experienced County Engineers, and field training that gets class attendees in the seat of a motor grader, working on real road projects. Each class is kept small as to ensure that every trainee gets the maximum amount of time behind the wheel of the motor grader, operating the machine on a jobsite. Training modules were developed by 11 expert motor grader operators – with a combined 188 years of experience – and Dr. Susan Fillippeli, a faculty member in Communication at Auburn University with expertise in developing training programs. Each trainee will receive a training notebook with developed classroom modules, in addition to field training in the following seven areas: Initial walk around and safety inspection, basic machine operations, operational and personal safety, blade and crown, pulling ditches and pushing tail ditches/turnouts, spreading material, and handling debris.



*The seven modules of field training include initial walk around and safety inspection (above), blade and crown (below) and spreading material (right).*

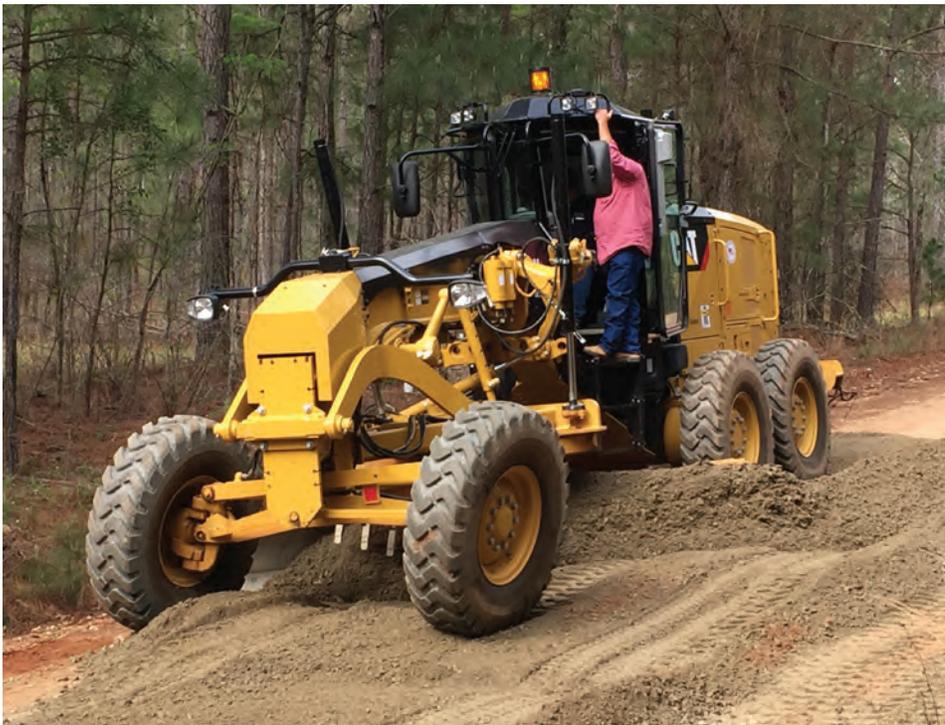


*Photos contributed by Chris Champion*

The first training session runs June 13-15 at three sites: Butler, Chambers and Pike counties. Round two is June 20-22 in Elmore and Perry counties, followed by June 27-29 in Chilton,

Lee and Monroe counties. Once these June classes are completed, the Motor Grader Training Committee will evaluate the program in order to make necessary changes to improve

the classes that are scheduled for the fall. Fall training class dates will be announced in August. ■



**Motor Grader Training Committee**

Chris Champion, Henry (chairman)  
John Bedford, Colbert; Justin Hardee, Lee  
Randy Cole, Shelby

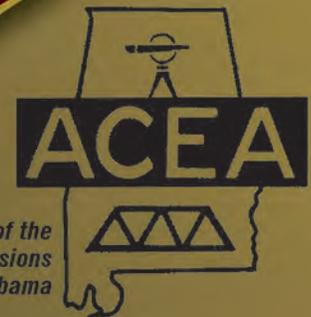
**Motor Grader Field Instructors**

Matt Edwards, Chilton; John Holderfield, Chambers; Barry Smith and Chris Welch, Elmore; Bill Yarbrough, Lee; Milton Pepper, Limestone; Ronald Fikes and Jim Herring, Perry; Dwight Senn, Pike

**Host Counties**

Butler, Chambers, Pike, Elmore, Perry, Monroe, Chilton, Lee

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# Get in the Game

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In 2017, the State of Alabama has faced challenges unlike any in recent memory, with a newly sworn in governor succeeding a chief executive who resigned from office midterm.

During this tumultuous time, the people of Alabama are looking for leadership and consistency, and they will find it at the local level. County officials and employees will remain in the courthouse every day fighting to keep the people of Alabama confident in our ability to lead.

The best way for us to show citizens they can depend on county leaders is to "Get in the Game." Take the lead on economic development, healthcare needs in the state, prison reform, disaster planning, and road and bridge funding just to name a few.

These topics and many others will be addressed at this year's ACCA

Annual Convention, set for August 22-24, 2017, at the Perdido Beach Resort in Orange Beach, Ala.

County officials and staff leaders will once again find the ACCA Annual Convention to be a smart investment that will pay dividends for their home county and all Alabama counties.

Here are a few reasons it is worth your time:

- Continuing education credits for county staff members to maintain professional certifications.
- Education credits for commissioners in the Alabama Local Government Training Institute's graduate program
- Legal advice and guidelines for implementing 2017's new laws properly and effectively
- Saving taxpayer money and improving county services with information gathered in the Exhibit Showcase. (Compare products, services and costs with 80+ vendors under one roof.)
- Face-to-face conversations with representatives of as many as a dozen state and federal government agencies that interact with counties every day.
- Best practices from other counties in Alabama
- Invaluable informal networking with colleagues who are working for the betterment of county government

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### Key Dates leading up to the 2017 ACCA Annual Convention

- June 30, 2017 – Deadline to submit awards nominations/applications (*Excellence in County Government Rural/Urban, Outstanding Contribution to County Government, Tenure in Office, Memorials*)
- July 31, 2017 – Last day of early registration (\$200 per person for county officials and staff)
- Aug. 1, 2017 – Late registration begins (\$225 per person for county officials and staff)
- Aug. 7, 2017 – Last day to cancel convention registration and receive a refund
- 11 a.m., Aug. 22, 2017 – Exhibit Showcase Opens

Note: One non-county spouse or guest may attend the convention at no additional charge

# Association Elections: *Leading the Unified Voice of County Government*

One of the most important elements of the ACCA Annual Convention is electing the county commissioners who lead the unified voice of county government – the Association’s Officers, Board of Directors and Legislative Committee.

It is an honor and a responsibility because their decisions shape and guide the organization’s activities, from member services to the legislation that counties work to pass or defeat at the Statehouse.

Candidates for these positions must be willing to actively and

regularly participate in ACCA endeavors. Board and legislative committee members are called upon



to meet several times a year and travel to Montgomery on short notice during the legislative session.

ACCA’s bylaws also specify that board members must be

in full compliance with statutory requirements for the Alabama Local Government Training Institute’s commissioner education program. Act 94-598 requires commissioners to complete the 50-hour, Level I course within two years of each commissioners’ initial election date. ■

**Additional details, forms and other information are available online at [www.alabamacounties.org/candidates](http://www.alabamacounties.org/candidates)**

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## Key Dates for Electing ACCA Vice President & Minority Director

*Elected by ACCA's Statewide Membership*

- July 10, 2017 – Last day candidates for these positions (vice president and minority director) can submit form to be considered by the Nominating Committee
- Aug. 8, 2017 – Nominating Committee interviews candidates for vice president and minority director at ACCA headquarters.
- Aug. 23, 2017 – Nominating Committee meets
- Aug. 25, 2017 – Membership votes during ACCA Business Session.

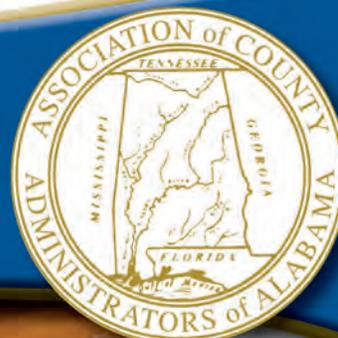
## Key Dates for Electing ACCA Board of Directors & Legislative Committee

*Elected by the 12 ACCA Districts*

- Aug. 11, 2017 – Last day candidates for these positions (board of directors and legislative committee) can submit form to be listed on their district's official ballot.
- Aug. 24, 2017 – Voting in District Caucuses during ACCA Business Session.

## The Association of County Administrators of Alabama salutes its 2017 honorees!

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**Pam Ball, CCA**  
LIMESTONE COUNTY

—10 years—  
**David Smyth, CCA**  
CRENSHAW COUNTY

# Houston County takes home engineering excellence award



Counties excel at finding – or inventing – a way forward when others see only roadblocks, and Houston County's recent project for the local airport epitomizes this ability.

In fact, the Association of County Engineers of Alabama (ACEA) recognized the county's Road and Bridge Department, under the leadership of engineer Barkley Kirkland, with its 2017 John F. Courson Excellence in County Engineering Award.

The Dothan Regional Airport had what was effectively a natural retention pond just off the runway and very much in the way of a new \$75-million flight training facility slated to create 100 jobs.

Grant monies would cover only half the cost of necessary drainage improvements, leaving the airport authority and chamber of commerce in a holding pattern. In turn, they attempted a "hail mary," asking if the county could get the job done for the available \$600,000.

The answer to that question was "no," but it was not the end of the conversation.

"County engineering staff sat down and scrutinized the original estimate, looking at the needed equipment, labor and materials that it would take to do the job. They sharpened their pencils and 'value engineered' the project down to a cost of \$900,000 from the original estimate of \$1.2 million," the award nomination stated.

How does "value engineering" shave 25 percent off the project's cost? Here are some examples:

- Adjusting grades and adding junction boxes to allow for shallower pipe depths and open ditches;
- Swapping double lines of 36" pipe for a single line of 48" pipe, which also made drop boxes and inlets less costly.

Grant dollars were still short, but the chamber went back to the governor, who kicked in an additional \$300,000 so work could begin.

In the end, the county delivered the project "on time, within estimated budget and to the high standards of the airport authority," according to the nomination. And, CAE USA moved forward with its simulator-based training facility for U.S. Army aviators. The grand opening ceremony was in March of this year.



*All members of the county crew had to earn certification from the Federal Aviation Administration to work on airport property, and they accessed the job site via a secure entry/exit point staffed by the Transportation Security Administration.*

The 12-person county crew had:

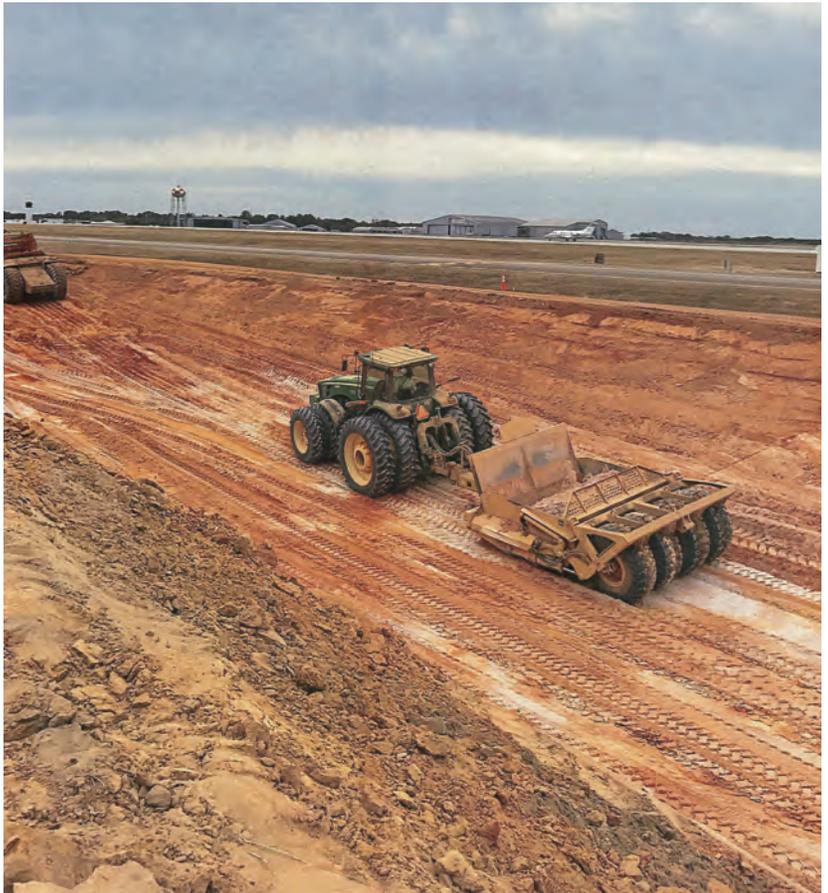
- Moved more than 100,000 cubic yards of dirt and 900 tons of rip rap;
- Laid 3,400 linear feet of reinforced concrete pipe at an average depth of 15 feet, interspersed with 10 prefabricated junction boxes.

"All of this while working 50 feet from an airport taxiway and with an active runway just 500 feet away," the nomination stated.

One showpiece of the project is an energy dissipating headwall at the drainage pipe's discharge point. Working from an engineering firm's drawings, Houston County employees built the headwall using 1,800 linear feet of rebar and 46 yards of concrete.

Evidently, they did high-quality work. Later a private sector concrete contractor was so impressed by the end product that he asked which of his competitors had framed and poured the headwall. ■

*The \$900,000 storm water drainage project for the Dothan-Houston County Airport Authority was essential to a company bringing 100 jobs to the area, and it improves prospects for further economic growth.*



Photos contributed by Houston County

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# Recycling is just the beginning

Mobile County took home the 2017 Excellence in County Administration Award presented by the Association of County Administrators of Alabama at its annual conference.

The winning program was dubbed “Three-in-One: Recycling, Job Training, Education,” with all goals accomplished through the development of the Mobile County Recycling Center.

For starters, the center’s first objective is to provide voluntary recycling services to all 412,992 residents of Mobile County to reduce the flow of recyclable materials that are dumped illegally or sent to a landfill.



From the beginning, the community response has exceeded expectations. Seven days a week, an average of 300 cars a day move through the dropoff line as residents deposit recyclables. Since its opening in late 2014, the center has received more than five million pounds of material.

Any recycling program would be proud of those numbers, but the Mobile County program goes substantially further. The second objective – to provide job training and retraining for adults, especially those with disabilities – would likely not be possible without the county’s close partnership with Goodwill Easterseals of the Gulf Coast Inc., a nonprofit with expertise in recycling, job training and education.

The center accepts paper, cardboard, glass, plastics, aluminum, steel and computers. These incoming materials pass through a sorting line that accommodates workers using wheelchairs. In fact, the entire facility, located near the county fairgrounds, was designed to meet or exceed Americans with Disabilities Act requirements.

Altogether, students and adults with special needs have received more than 1,450 hours of training.

While K-12 schools are part of job training efforts, they are the heart of the third objective, education.

More than 900 students from Mobile County public schools have visited the center for educational field trips, and the facility also offers opportunities for students to complete community service hours.

Mobile’s multi-faceted recycling program was initiated and implemented by county staff under the leadership of John Pafenbach, county administrator. Essential support and commitment have come from the commission, which dedicated \$2.5 million of its Coastal Impact Assistance Project



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grant funds. Further startup funds came from the state, with \$274,236 in grants for equipment from the Alabama Department of Environmental Management.

The program's reach continues to expand as well, with recently added service to the combined 24,000 students at the University of South Alabama and Springhill College. Future options under consideration include additional locations for dropoff receptacles and recycling at special events and other large gatherings.

The Mobile County Recycling Center (MCRC) "protects groundwater, coastal waters and wetlands from illegal dumping and littering in the nation's second-largest delta system," stated the nomination. "Prior to late 2014, residents of Mobile County had no easy way to recycle. The MCRC provides all these services without cost to local residents or participants – and without cost to Mobile County taxpayers." ■



*The National Association of Counties has taken notice of the Mobile County Recycling Center too, bestowing a 2017 Achievement Award in County Resiliency: Infrastructure, Energy & Sustainability.*



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# COUNTY FAMILY FEATURE



L to R: Dustin, Donna, Steve and Dylan Haraway • Photos: Contributed by Donna Haraway

## Crimson Tide fans say ‘Go Tigers!’

As you would expect, Steve and Donna Haraway were all but overcome with pride when their older son started playing college football and then his younger brother followed him onto the team the next year.

But college ball came along with this one thing that was a really difficult adjustment for the Haraways, even more so than the long road trips on fall Saturdays.

Their sons were Tigers who donned uniforms



accented with orange, and Steve and Donna were lifelong Alabama fans through and through.

All the scholarship money in the world could not smooth that over.

Fortunately for this family, the sons take the field for Kentucky's Georgetown College, not the Crimson Tide's arch rival, Auburn, or even Clemson.

“That first year, there was a lot of black and gray and ‘Go Georgetown,’” Steve said. “But my wife, after four years she’s kind of

come around to saying ‘Go Tigers’ and wearing orange.

“Matter of fact, at homecoming last year she had on an orange shirt – but she put a houndstooth jacket over it.”

### On the strong side

Dustin Haraway is just 18 months older than Dylan, and the brothers have been playing organized football since age 5. A grade apart in school, they had lined up for the Bob Jones High School Patriots, just like their dad.

The 2017 season is their final year of eligibility because Dustin was redshirted as a freshman after an injury. They have roomed together

for three years, and the togetherness continues on the field as well, with Dylan at strong safety and Dustin at strong side linebacker.



**On Georgetown College Homecoming 2016, Dylan, Donna and Dustin Haraway pose at midfield. The Tigers' team colors are orange and black, so Donna – a proud Alabama fan – works in some black-and-white houndstooth to temper the orange.**

The Tigers finished the 2016 season 7-4 with a top 25 ranking, and hopes are high that they will build on that success. In the spring coaches' poll, Georgetown made the biggest advancement in the NAIA, up two notches to No. 23.

"The overwhelming majority of the defense is returning," said Steve, a second-term commissioner in Madison County. "But on offense, we lost a lot of talent."

The season begins in Montgomery Sept. 2 against Faulkner. "A lot of our family gets to go to that one," Steve said. Home base for the Tigers is near Lexington, about a five-hour drive from Madison, and the parents have logged quite a few miles for road games in West Virginia, Indiana, Ohio and all over Kentucky.

### Bittersweet beginning

Georgetown has been a good fit for the Haraways on the field and in the classroom.

There's been ample playing time during football season, and Dustin earned all-conference recognition at his position. The 2015 Tigers won their division, so the brothers have championship rings too.

The brothers have earned Academic All-American honors two years running, Dustin with a double major in economics and communications/media studies and Dylan in math and education. The younger brother has chosen a career path in teaching and coaching, so he may have the easiest transition in the whole family.

"We're disappointed that this is coming to an end," Steve said. "We've had fun for four years; it's been exciting. But they've got to go on and move on."

As an elected official who has served on both municipal and county governing bodies, Steve knows firsthand about opportunities that come in four-year increments.

*"Being able to compete on game day is because of what you do during the offseason."*

*"Get after it wide open while you're there, because when it's over, I don't want you to look back and say 'I wish I'd done this instead.'"*



**Dustin Haraway (47) plays strong side linebacker.**



**Dylan Haraway (21) lined up at strong safety.**

His most frequent advice to the football-loving brothers seems as though it could apply equally to father and sons, though Steve has much less risk of bodily injury.

And, when the 2018 college football season eventually rolls around, one thing will return to normal for mom and dad. "We'll get back to pulling for the Tide," Steve said, and back to gameday wardrobes of crimson, white and houndstooth. ■



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# FAMILY ALBUM



Photos from Alabama Counties



*At the Statehouse in April, Commissioner Steve Turner met with members of Limestone County's delegation in the state House of Representatives. Discussion focused on needed infrastructure improvements so that quarry traffic can avoid a residential area. From left: Reps. Danny Crawford and Phil Williams, Turner, Speaker Mac McCutcheon and Rep. Lynn Greer.*



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*Alabama was ably represented at the National Association of County Engineers (NACE) Annual Meeting/Management & Technical Conference in April. The group included engineers from the Alabama Department of Transportation as well as Chambers, Elmore, Mobile, St. Clair, Henry, Shelby, Madison and Butler counties.*



*On May 4, two groups of students marked the National Day of Prayer on the front steps of the Crenshaw County Courthouse in Luverne.*



@CRENSHAWCOUNTY

*Please send your photos to ACCA for the Family Album!* County Commission magazine wants to publish a selection of member photos in every issue to showcase the many ways county government touches the lives of Alabamians and to recognize the dedicated men and women who make counties work. Please send photos (large file sizes preferred) to Jeannie Gaines, ACCA Public Relations Manager, [jgaines@alabamacounties.org](mailto:jgaines@alabamacounties.org).



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NRM-10021AL (4/2016)



# A voice from Alabama's 67 counties

## Jonathan Gaddy, MA, CLEM

*EMA Director, Calhoun County  
President, Alabama Association of  
Emergency Managers (AAEM)*

### Q What are some of the key issues facing

emergency managers and local officials in Alabama?

**A** It has been six years since April 27, 2011, and twice that long since the last hurricane in Alabama. We have many new elected officials and department heads in our counties and cities as well as new leadership in a lot of our private sector partners. We absolutely must have strong trust and partnership between emergency managers and the decision-makers and leaders in our communities. Emergency management cannot be successful if it is an afterthought or if it is buried within a bureaucracy.

Getting a community ready takes years. Emergencies and disasters will occur regardless of how prepared we are for them. Overcoming them also involves a

lot more than just the police, fire, EMS, and 9-1-1 agencies' response – it takes the whole community. That is why it is crucial for officials at all levels – local, state, and federal – to work closely with their county emergency managers. The time to get ready is right now.

### Q What actions need to be taken to ensure Alabama is prepared for the next disaster?

**A** We need to make sure that state and local government are on the same page. The majority of infrastructure impacted by a disaster is local, so we need to make smart investments in mitigation, insurance and planning. For their part, the state has generously helped us pay the cost share on FEMA-declared disasters, but we must fund the state disaster recovery program because FEMA assistance is going to be harder to get. And we have to get away from the old-school mindset that sees EMA as folks who sit around writing plans. Plans don't save lives; people do.

Along the same lines, we need

to move toward a position where all public servants are public servants all the time. We need to train all personnel in a few basics traditionally done by volunteers, because it is getting harder to keep trained, dependable volunteers.

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**Q** Where do things stand on developing the Alabama Emergency Management Accreditation Program?

**A** By necessity, local EMA programs are tailored to the unique needs of their communities, but we also need a way to show the community that their EMA is working on the core tasks that are common to all EMA programs. The local EMA accreditation program will be a formal, organized process that will give citizens confidence that our local programs are on the right footing. A large group of local EMA representatives has worked on this in conjunction with our state partners over the last few years, and we're hopeful to have it up and running within the next year.

**Q** Transportation infrastructure has been getting a lot of attention, especially from President Trump. From an EMA perspective, what are some consequences of inadequate and poorly maintained roads and bridges?

**A** At a certain point, you have to ask yourself whether any public infrastructure can be patched or repaired again. Bridges, pipelines, water lines and buildings which are old and simply past their prime can be more susceptible to losses during a disaster.

We have seen some good progress with up-sizing some of our culverts, for instance. But that takes money. What is the best way to educate the public that the under-sized cross-pipe they drive over every day is really a giant hole in the road waiting to happen? I don't know.

But we need to figure it out before the giant hole shows up in a flood.

**Q** How can we balance learning the lessons of past disasters with looking ahead?

**A** I was pleased to see Governor Ivey recognizing the victims and survivors of the 2011 storms on the anniversary of April 27, and we are looking forward to working with her administration.

As bad as it was – and as much as we need to keep learning from it – April 27, 2011, was not the only disaster to occur in this state. There have been many other storms and there are many stories that we need to listen to. But, we can't keep preparing to fight the last war. We have to keep moving and evolving. We face many other threats like hazardous materials, pandemics and animal disease, cyber security and terrorism. For some things, we will need to look to the Legislature for solutions, such as with the dam safety problem (Alabama is the only state in the country without a dam program) and with regard to the state disaster fund (we have a disaster fund on the books, but it has a \$0 balance).

**Q** What do you see as priorities for AAEM?

**A** My biggest push as president of our association – and something I hope will continue – is opening doors. We have to build relationships with other associations and with our partners

in local and state government, in the private sector, in healthcare, in education and in allied public safety disciplines. Emergency management is changing. Public safety is changing. And, local government is changing. The baseline performance metric of an emergency manager is to make other people successful in the worst of times. If we aren't talking to them and learning from them, then we can't meet that goal.

We also need to take a hard look at how we are investing in preparedness at the local level. Capabilities vary widely from county to county. There may be opportunities for better cooperation in planning, procurement, and operations by taking a broader look at things.

The AAEM will be working over the next year to get the ball rolling on a few of these projects, such as taking a look at how we handle severe weather preparedness and what public alerting systems are in use across the state.

**Q** ACCA President Bill Strickland has led an effort to re-energize the affiliate groups for county professionals. What impact are you seeing?

**A** I often tell people Calhoun County has the best commission in the state. Without the support and leadership of my commissioners, I absolutely could not do my job. I know many EMA directors who enjoy the same type of relationships with their own officials. I am glad to see other county



commissioners reaching out and spending time with their emergency managers as well as the other departments and professional groups that keep local government running.

The days of local officials taking a back seat are over and the ticket to success in the future will be continuous learning and active engagement with all branches and departments.

**Q** What does “67 counties, ONE voice” mean to you?

**A** Consensus. We cannot pay attention only to the things that affect us personally or in our own jobs. We must also show genuine interest in – and learn about – the issues that affect our peers, our leaders and other areas of county government. We are all in it together and for the same reason: to serve the people of Alabama.



## SPEED DRILL with Jonathan Gaddy

**Favorite college football team:** *I'm a baseball fan, but my wife went to Bama.* | **Cats or dogs?** *Dogs, definitely.*  
**Favorite holiday:** *Easter* | **No. 1 quality you look for in colleagues?** *Authenticity.* | **First paying job?** *Web design and computer repair.* | **Dine in or eat out?** *Dine in.* | **As a child, I wanted to be \_\_\_\_\_ when I grew up.** *I never wanted to grow up.* | **The next thing I want to binge-watch is** *Justin Wilson, the Cajun chef.* | **If I had a whole day completely free of commitments and obligations, I would spend it** *biking, kayaking or camping.* ■

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