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ALABAMA 2040

SETTING THE STAGE FOR THE FUTURE

ASSOCIATION OF COUNTY COMMISSIONS OF ALABAMA
88TH ANNUAL CONVENTION // AUGUST 16-18, 2016



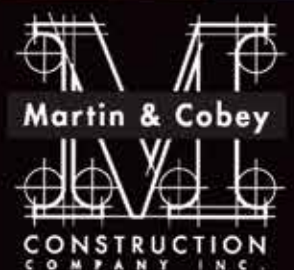


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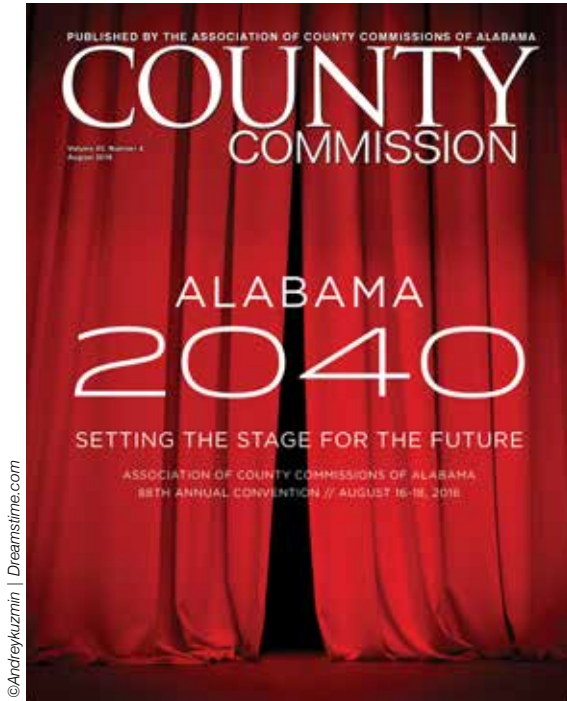
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VOLUME 60, NUMBER 4



What will the State of Alabama look like in the year 2040? Where will people live? What will our major areas of employment be? What social issues will affect our state? How do we begin to prepare county government today to take care of our citizens 20 years from now? Come to the 88th Annual Convention to find answers to these questions for your county.



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President's PERSPECTIVE



Hon. Ray Long
President

A handwritten signature of Ray Long in black ink.

The Association's commitment to advancing our abilities

**So that we can better
serve our constituents
and more effectively
lead our counties**

There is a running joke inside the ACCA Board of Directors...at least I thought it was a joke. But with my tenure as the Association's president quickly coming to an end, I've decided that it isn't so funny after all.

Many years ago – way back in 2000 to be exact – Houston County Commission Chairman Mark Culver served with distinction as the president of this Association. It was so long ago in fact, that only 55 of the currently-serving county commissioners were around when Mark took his turn as the leader of this organization.

He so enjoyed his tenure as president that every now and then he will whisper to other board members that it is about time for him to run for Association president again. His comments always bring a string of well-natured cuts from the more veteran members of the board – most of them usually centering around his age.

After everyone has had their fun, my friend from the other end of the state usually puts the wise-crackers in their place by reminding them of what the Association accomplished during his tenure as president and that, despite their remarks, he would do a very good job if they would just vote for him one more time.

As I turn my attention toward this year's convention, I've been forced to think about the end of my year as president of this organization and the fact that Mark's comments aren't all that funny anymore. After 12 short months as your president, I clearly understand why he would be so willing to serve as your leader once again.

It is true that in just a few weeks, one of the most rewarding – and challenging – years of my life will come to a close. And I'm really not sure that I am ready for it to end.

While I served in the advancing officer positions, I tried to observe the duties of the president. I was determined to properly prepare myself to represent county government and to be an agent for positive growth in our organization. And like most everyone who has ever served in this position, I felt I was ready.

But, just as our friend Bill Strickland will learn in a few weeks, I really didn't understand the enormous impact this organization has on the people who live in Morgan County – and really all across our great state. The chance to work alongside the board members and this outstanding staff has been a true honor. Almost every day this Association accepts a new role on behalf of county government – and it does so with a true commitment to advance our ability to better serve our constituents and be effective county leaders.

This year alone, the Association has spearheaded initiatives aimed at reducing our expenditures on juvenile detention and transportation as well as revamping the appointment and employment process for members of the Boards of Registrars. Not to mention the completion of our first-ever leadership program; the initiation of property insurance for our county buildings, vehicles and equipment; the adoption of our new strategic plan; the first full year of our Alabama Jail Training Academy and two separate task forces

looking toward the improvement to emergency management in Alabama.

And then there's a little matter of new revenue for road and bridge construction that is now one of the top issues facing our state, in part because of the dedication and efforts of this Association. We will very soon succeed in addressing our crumbling infrastructure; and when we do, it will be in large measure because of the dedicated leadership of this organization.

It is hard to imagine that any other Association leadership position in this state could present its elected leaders with so many opportunities to leave a positive mark on the state we know as "Sweet Home Alabama." I am truly grateful that this membership

”

But, just as our friend Bill Stricklend will learn in a few weeks, I really didn't understand the enormous impact this organization has on the people who live in Morgan County – and really all across our great state.

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was willing to entrust me with the president's gavel for 12 fulfilling months. It has truly been an honor.

This time next year, Bill Stricklend will have added to our list of major initiatives and,

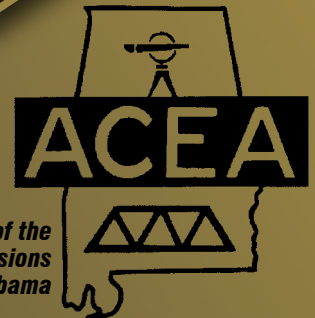
together, we will have finished the journey on many of the issues that face us today. He will do an outstanding job and, very likely, he will also feel that his time passed too quickly.

Like my friend Mark Culver, I will always look back on my year with both pride and disappointment. I will be sorry that the time passed so quickly and that I didn't more carefully record the details of the year. But I will forever be proud of what we accomplished, together.

And, for the record, I would be ready to officially announce my candidacy for vice president of the Association at this year's convention, if some old guy wasn't already ahead of me in line. ■

The Association of County Engineers of Alabama salutes its 2016 honorees!

**ACEA: An Affiliate of the
Association of County Commissions
of Alabama**



**Joseph Bridges &
Adam Harrison**
*Richard R. Spraggins
Scholarships*



Joe Ruffer, CEA | Mobile County
*John F. Courson Excellence in
County Engineering Award*



Richard Grace | Madison County
County Engineer of the Year



Sonny Brasfield
Executive Director

Sonny Brasfield

When counties refuse to be limited by traditional thinking

Reflecting on 25 years of the Association's awards program

The other day the Association's Awards Committee gathered for its annual session to ponder the recognition of county officials and employees. It was a meeting much like the 25 others we've watched over the years, but it got me thinking about the contributions counties make in the lives of so many.

My favorite portion of the awards program is the recognition of the Award for Excellence in County Government that is presented at the Association's annual convention. The winning programs have spanned the entire state and have covered almost every subject and public service imaginable. The opportunity to read about the nominations always inspires us during the Dog Days of summer.

This year's winners will be revealed in just a few weeks, and they are again outstanding examples of what can be accomplished when officials and employees refuse to be limited by traditional thinking. Both programs are outstanding and should serve as motivation for everyone in county government to seek to really make a difference in their communities.

When the program began a quarter century ago, the Association honored officials in Coffee County for the establishment of one of the state's very first adult day care centers. In rural Alabama in the early 1990s, the program represented an oasis for those families struggling with the challenges of aging loved ones.

Such programs are not so rare today. But in 1992, few people gave thought to the stress families feel when facing the difficult choices that come with aging. The insight and

vision of those who put together the program still shine in my memory 25 years later – at least partly because the program in Coffee County arose from the most difficult of circumstances.

If you know much about the Coffee County seat of Elba, you probably remember the flood of 1990 when the Pea River crested at almost 50 feet. The raging waters breached the levee around the city, and the adjacent Whitewater Creek overflowed into the streets of downtown. The city was completely underwater for four days, with water standing in the second floor of the historic courthouse. Elba was – honestly – almost completely destroyed.

Those outside Coffee County shook their heads and wondered why the city would be rebuilt, why a new levee and pumping system would be installed, and why anyone would return.

The county leaders at that time had a vision extending beyond the damage left by the water. Not much time passed before the senior day care center was established in a building that was barely standing after the flood waters receded. But those in county government were not willing to allow the disaster to extinguish their resolve.

Those memories came roaring back during this year's Awards Committee meeting when current Coffee County Commissioner Jimmy Jones was elected chair of the committee for a second straight year.

Commissioner Jones will have the honor of being at the podium to recognize this year's award winners – county officials who have picked up a challenge that has been handed down from county to county.

It might be more than coincidence that a few months ago we made a timely drive south and toured Elba with our long-time friend, Sen. Jimmy Holley. After almost four decades of public service, there's no question the senator would say his brightest moment was his role in rebounding from that flood.

In early December of last year Sen. Holley proudly gave us a detailed look at the elementary, middle and high school that were relocated after the 1990 flood; the new pumping system that would ensure that such a flood would never happen again; and a new bypass under construction that will eventually sport a new bridge over the Pea River.

I smiled when he recounted the hard work of our colleagues, former county engineer Mark Pool and his then-assistant Randy Tindell, who is today himself one of the state's most respected and longest serving county engineers. Without those two, the

“
The insight and vision of those who put together the program still shine in my memory 25 years later – at least partly because the program in Coffee County arose from the most difficult of circumstances.
”

senator said, the county might have never recovered.

Three weeks after my visit, the Pea River rose again on Christmas Eve 2015. This time the levee in Elba repelled Whitewater Creek – at least enough to protect downtown. There was extensive damage from this round of flooding both in Coffee County and, honestly, all over Alabama. Property and, unfortunately, lives were again lost.

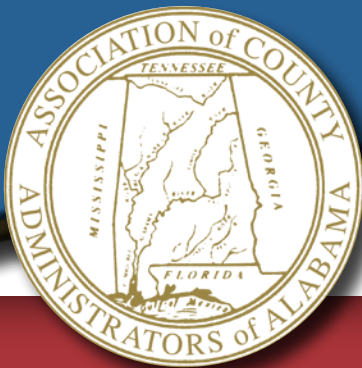
On that Christmas Eve, county employees left their loved ones and

responded to the needs of their neighbors. Emergency management personnel, 911 workers, county engineering workers, law enforcement personnel, volunteers and elected officials all answered the call on the most sacred day for being with family. Bridges and roads washed away by the rising waters were closed, and employees worked around the clock to protect public safety and property.

Since then, thanks to the dedication of public employees, most of the necessary rebuilding has taken place all over our state. There's little evidence that the floods happened, and we've returned to “business” as usual.

It does give one something to think about, though. Are there opportunities – like the one seized by Coffee County in the early 1990s – to turn this latest disaster into a memorable display of the best of county government? And is someone ready to pick up that challenge? ■

The Association of County Administrators of Alabama salutes its 2016 honorees!



*ACAA: An Affiliate of the Association
of County Commissions of Alabama*

Clarissa Dear (retired)
**WILCOX COUNTY
COUNTY ADMINISTRATOR
OF THE YEAR**



Service Awards

—15 years—
Susan B. Thomas, CCA
MACON COUNTY

—15 years—
Cheryl Bowles, CCA
PICKENS COUNTY

—10 years—
Tim Burgess
CHEROKEE COUNTY

LEGALLY SPEAKING



Morgan G. Arrington
Staff Attorney

Morgan G. Arrington

**Though I never
know what a new
day will bring ...**

**I do know that in
each local situation
we will together
find the correct and
appropriate way
forward**

If I've learned one thing in the last seven months, it's that you never know what the next day is going to bring.

The professional challenge of responding to such a wide range of issues, regulations, statutes, court opinions and personalities was, in the end, perhaps the thing that drew me to this new challenge in my life. So, over the last seven months, I've grown in my knowledge of counties and each of you has adjusted to my way of carrying forward the torch.

And just as our executive director picked up that torch seven years ago and carried forth with professionalism, but in his own style, it will be my intention to do the same. I'll face each new day without knowing exactly what it will bring, but content that we'll find the correct path together. So far, from my office, the first seven months have been just what I had hoped.

In this very first column, I thought long and hard about how to open our dialogue. I initially planned to write about some specific legal issue or to dissect one of those really difficult questions I have already been asked to tackle. And then I changed my mind and almost wrote about my first legislative session on the "county team" or my first experience as a presenter at one of our training programs.

Finally, while looking for a way to officially introduce myself to all of you in a little more personal way, I was reminded of my mother's rewarding career in education. She's had such a dramatic impact on my life and who I am today. In so many ways, the role I have assumed here has reminded me of the important part she has played in the lives of many children in Conecuh County.

She recently retired after nearly 30 years in education, devoting the last two decades of that time as a special education teacher serving children with severe disabilities. She struggled with her decision to leave the classroom because of both her love for her students and the personal fulfillment she gained being with the children every day.

Despite her remarkable dedication, the long tenure was certainly not without frustration and challenges. She faced federal regulations, state requirements, recordkeeping at the expense of time better spent teaching, pre-designed lessons that often missed the mark and the daily grind of the school year. I think my time with county government has helped me to better understand that at least some of the things that got in the way of her teaching were actually serving a productive public purpose.

Just like my mom had a principal, a superintendent, a local board of education and a state board of education surrounding her, so too does Joe Citizen who lives on County Road 62. Between the problem for the local taxpayer and its possible solution sits the county commission, the county administrator, the EMA director, revenue officers, the county engineer, E-911 boards and countless others. And between the local officials and the solution stands the appropriate regulation, statute, court order, local law or attorney general opinion.

As the Association's new staff attorney, I've learned that teachers in Conecuh County are not the only persons who search for answers when all they really want to do is provide the services that will help their neighbors. In these first months, I've talked to the

person who is casting the vote to appropriate funds to the volunteer fire department; the one who is responsible for explaining why the county can't just repair a crumbling road between a homeowner's house and his place of business; and the one who must wade through an endless mound of paperwork to qualify for FEMA reimbursement.

It's now my privilege – and responsibility – to help each of those persons find the correct and appropriate answer to their local situation. And when each of you calls the office, I'm going to begin by asking you questions. I need to know if you've called to discuss an employee's job performance, the appropriate ways for going into executive session or whether the county commission is responsible for maintaining city streets.

I am also going to silently run through a mental checklist – What

position do you hold? Who else sits in that seat? Have I answered this question before? Who may be a good resource on this issue? I will think through this list because not only do I respond to your specific question affecting your county, but I can also serve as a conduit to others facing the same problem in a neighboring area.

Sure, all lawyers get to ask questions. Most lawyers even get to provide opinions of what they think the law says today. But in this position, I get to do more than that; I get to help identify and troubleshoot the root of your problem. Together, we'll identify laws that are unworkable or that need change. We'll flag those for our next legislative agenda and, together, we'll work to make those changes. In other cases, we'll identify and discuss the existing answer and we'll agree on a path

forward that will, in education terms, help us do a better job of serving the needs of the students.

Just like my mom had a passion for working with children, I have a passion for solving problems. I like problems not because of the chaos or drama they bring, but because I naturally want to solve the dilemma that is holding you back from serving your citizens.

Policy work is a perfect demand for this passion. I'm just getting started working with county government but you've already made me feel right at home and the professional challenge helps get me up each morning with renewed commitment.

And, just like my mom, I can already tell that this is work that can make a difference in the lives of those who depend on this Association, even if you never know what is going to happen next. ■



The Alabama Association of Emergency Managers salutes its 2016 honorees!

AAEM: An Affiliate of the Association of County Commissions of Alabama

Sharon Jones
CLARKE COUNTY

**Alfred T. Moore Memorial
Volunteer Award**

Ward D. "Rob" Robertson, CLEM
DIRECTOR, TUSCALOOSA COUNTY EMA

Rookie of the Year

Jonathan Gaddy, CLEM
DIRECTOR, CALHOUN COUNTY EMA

AAEM President's Award

Jenni Guerry
LOGISTICS & OUTREACH COORDINATOR,
BALDWIN COUNTY EMA

Pat Neuhauser Spirit of EMA Award



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Pittman



Scott



Reed



Ainsworth



Williams



Lee



Dial

Session Success

Simplified Sellers Use Tax Remittance Act

Act 2016-110

Sen. Pittman and Rep. Scott

This act amends the Simplified Sellers Use Tax Remittance Act to allow an out-of-state company that is in the Simplified Use Tax Remittance Program to continue participating if it establishes a physical location in Alabama as long as the in-state business is not established for the purpose of making in-state retail sales and does not sell retail items from the location. The Department of Revenue anticipates this change will attract new participants that currently have no legal obligation to collect and remit state or local sales or use tax on sales made into the state. Effective April 4, 2016.

Retiring Department Heads

Act 2016-128

Sen. Reed and Rep. Ainsworth

The old ethics law prohibited a retiring department head from contracting with his or her former employer for a period of two years after he or she

ACCA Priority Legislation Enacted in 2016

left employment. This would have significantly hampered counties during the period of transition since the expertise of the retiring person would have significantly aided in training his or her replacement. Under this act, retiring department heads can now temporarily contract with their former employer to provide transitional assistance for a limited period of time. Effective April 11, 2016.

Appointing Outside Counsel for Litigation of Property Tax Cases

Act 2016-127

Sen. Williams and Rep. Lee

In the past, the local district attorney was required to handle all ad valorem tax cases within their respective circuit. Due to the need for specialized counsel with expertise in certain ad valorem tax cases, the newly passed law allows the county commission to contract with outside

counsel in property tax appeals and to appropriate funds for that representation to be paid from the county's reappraisal budget. The law will also allow for self-insurance liability funds (the ACCA Self-Insured Liability Fund) to provide a premium for coverage of these cases. Effective Oct. 1, 2016.

Alabama Transportation Safety Fund

Act 2016-150 | Sen. Dial

This measure establishes separate fund, distribution methodology and expenditure requirements for any additional road and bridge funds that are passed by the Legislature during the next two years. The measure is designed to ensure transparency in the expenditure of the funds and to provide the Legislature comfort in supporting additional revenue. Effective April 26, 2016.

Joint Resolution: Cost of Housing Juveniles

Act 2016-164 | Sen. Williams

The state's juvenile justice system is costly, inefficient and unfortunately in many instances, ineffective. This legislatively-created study commission will review Alabama's juvenile justice system and make recommendations for changes that ensure adequate funding and administration of juvenile care, detention, and custody. Through participation in this commission, counties will advocate for a juvenile justice system that includes state and municipal participation and properly limits the county's role in the care and detention of juveniles held pursuant to state or municipal laws or programs. Signed April 26, 2016. The commission will have its first meeting no later than Sept. 1, 2016.

Protecting County FIET Monies

Act 2016-280 | Rep. Blackshear

With special thanks to Sen. Orr

In an effort to ensure that counties do not inadvertently lose county revenues from any new credits of the financial institutions excise tax, this act prohibits any future FIET tax credits from being applied to the county-distributed portion of this state tax. Several bills are introduced each year to allow certain businesses a tax credit against income or financial institutions excise taxes, and with passage of this

legislation county revenues are now protected from being reduced as a result. Effective May 10, 2016.

Cooperative Purchasing for Services

Act 2016-298 | Rep. Patterson

This bill was originally drafted to allow boards of education to purchase items requiring service agreements through U.S. Communities and other government purchasing cooperatives. It was amended in the Senate Governmental Affairs Committee to include counties. As a result of this act, counties may now use U.S. Communities and other approved cooperatives for the purchase of items that come with a service agreement – such as a copier or printer. Effective May 10, 2016.

Omnibus Pay Act

Act 2016-335 | Rep. McMillan

With special thanks to Sen. Sanders

In an effort to simplify the process and availability for granting increases to local elected officials under the Omnibus Pay Act, this legislation removes the limitation that local elected officials only receive increases granted at the time the county budget is adopted and limits increases to any uniform cost of living adjustments granted to all county employees. It is the belief of the Association that this legislation will help to alleviate confusion and controversy related to proper application of this important law. Effective on Aug. 1, 2016.

Police Jurisdiction Reform

Act 2016-391 | Sen. Cam Ward

With special thanks

to Rep. Mike Hill

As passed by the Legislature, this act requires the affirmative vote of a municipality to extend the police jurisdiction following an annexation and would prohibit a city from exercising any police jurisdiction outside the corporate limits where noncontiguous property has been annexed into the municipality. The new law also allows those cities with a police jurisdiction of 3 miles to reduce the jurisdiction to 1.5 miles by duly adopted ordinance. Effective May 10, 2016.

Abatement of County Taxes

Act 2016-405

Rep. Fincher and Sen. Brewbaker

This new act makes it clear that a municipality or municipal public industrial authority can only abate a county tax if there is a corresponding municipal tax that is abated as well and provides that any abatement granted by a municipality or municipal public industrial authority can only be in the same amount or percentage as the abatement of the corresponding municipal tax. Effective May 13, 2016. ■



Blackshear



Patterson



McMillan



Ward



Fincher



Brewbaker



2016

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HUGE 2-Day Contractors' Equipment & Truck Auction

Wednesday, May 25th & Thursday, May 26th

HUGE 2-Day Contractors' Equipment & Truck Auction

Wednesday, July 13th & Thursday, July 14th

HUGE 2-Day Contractors' Equipment & Truck Auction

Wednesday, September 14th & Thursday, Sept. 15th

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Wednesday, November 16th & Thursday, Nov. 17th

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ALABAMA 2040

SETTING THE STAGE FOR THE FUTURE



Alabama 2040

Setting the stage for the future of counties

What will the State of Alabama look like in the year 2040?

Where will people live? What will our major areas of employment be? What social issues will affect our state?

How do we begin to prepare county government today to take care of our citizens 20 years from now?

It's one thing to know that a particular bridge will be at the end of its 50-year life, but it's another thing entirely to be make an informed prediction of the daily traffic count that bridge will see in 2040.

And what about the economy? Just 20 years ago, the number of automobiles manufactured in Alabama was zero. (The first M-Class didn't roll off the line in Vance until 1997.) There were about 40,000 textile jobs in the state then too.

Don't forget that two decades ago, cell phones were a luxury item. Internet connections were dial-up ... using a landline.

ACCA's 88th Annual Convention is

focusing on "Alabama 2040: Setting the Stage for the Future." The opening general session kicks off Wednesday, Aug. 17, with a high-powered line-up:

- **"Setting the Stage for the Future: Alabama in 2040"** | Ted Abernathy, Economic Leadership LLC
- **"Technology and the Future of Employment in Alabama"**
- **"Economic Development and the Future of Our State"** | Dennis Leonard, Innovation Team, Alabama Power Co.
- **"Generational Insights in the Workplace"** | Kristin Scroggin, Communications Professor, University of Alabama in Huntsville
- **"How We Attract Companies to Alabama"** | Ted Abernathy, Economic Leadership LLC

Despite the dizzying changes in recent years, some things haven't changed. Then and now, citizens depend on county government for essential public services. And there's no reason to believe that will be any less true a couple decades from now.

That's where the unified voice of county government comes in.

"Alabama counties were setting the stage for the future way back in 1929 when commissioners founded this Association," said ACCA Executive Director Sonny Brasfield. "I hear experts speak of trends toward regional collaboration and partnership, and I know that is already in our DNA because of the many things counties have accomplished together as '67 counties, One voice.'" ■



Talking Points

Getting questions about the
ACCA Annual Convention?

31

Convention sessions are approved for a total of 31 **education credits** for commissioners and county employees.

Alabama Local Government Training Institute • County Government Education Institute • Certified County Administrator • Certificate in County Engineering Administration • Certificate in Emergency Communication Administration • Certified County Revenue Officers • Certified Local Emergency Manager

4

Legal guidance about at least 4 **new state laws with significant impact on counties**

Alabama Transportation Safety Fund • Police Jurisdictions • Simplified Sellers Use Tax Remittance • Appointing Outside Counsel for Litigation of Property Tax Cases

1

Alabama counties operate within a **one-of-a-kind legal framework**.

This is 1 unique opportunity to problem-solve, network and troubleshoot with **the only other people in the world who do what you do**.

Here are a few talking points to help convey the impact and value

82

Some 82 exhibitors – representing almost 20 types of goods and services – will be under one roof. That means county leaders have an unparalleled opportunity to comparison shop for anything from road materials to financial services to inmate medical care – all for the purpose of providing taxpayers with the **best services at the best value**.

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The Future of Emergency Management

Delicate balance: Federal, state & local EMAs

The weather forecast for 2040 may be a bit murky, but it is clear that Alabamians will still be counting on government – at all levels – to work together when emergencies arise.

And there are efforts underway right now that will impact Alabama's readiness for disasters of all types next year and in the next decades.

Convention-goers can look forward to several sessions focused on emergency management:

- **“FEMA Deductibles and the Alabama Disaster Recovery and Resiliency Task Force”** | Art Faulkner, Director, Alabama Emergency Management Agency | Afternoon General Session, Wednesday, Aug. 17
- **“Minimum Guidelines Update”** | Art Faulkner, Director, Alabama Emergency Management Agency | AAEM First Breakout Session, Thursday, Aug. 18

- **“FirstNet”** | Ryan Brushnell, Alabama Law Enforcement Agency | AAEM First Breakout Session, Thursday, Aug. 18
- **For County Engineers: “Alabama Disaster Recovery and Resiliency Task Force”** | Art Faulkner, Director, Alabama Emergency Management Agency | Engineers First Breakout Session, Thursday, Aug. 18

FEMA Deductibles

Emergency management brings together county, state and federal government in close partnership, but a proposal on the table could put a heavier burden on states and counties in years to come.

The Federal Emergency Management Agency (FEMA) has taken first steps toward creating a disaster deductible for public assistance, meaning that counties would have to make a certain level of financial commitment before federal disaster funding could be accessed.

This possibility has been a top priority for the Alabama Disaster Recovery and Resiliency Task Force, which the governor created during a visit to Marion County to mark the five-year anniversary of the deadly tornado outbreak of 2011. Art Faulkner, director of the Alabama Emergency Management Agency, chairs the panel that is tasked with identifying solutions to address the growing funding pressure on both local and statewide emergency management.

The county voice is an integral part of these ongoing discussions, and three county representatives



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are at the table: Coffee County Commissioner Dean Smith, Elmore County Engineer Richie Beyer and Lee County EMA Director Kathrine Carson.

Minimum Guidelines for Local EMAs

Another group has been working for more than a year to identify ways to improve the delivery of EMA services at the state and county level. The county government representatives on the EMA Advisory Committee have been working with Faulkner and AEMA senior staff to develop a program for local EMA certification in Alabama.

A great deal of attention has gone into drafting minimum standards for local emergency management agencies, and proposed standards have been circulated and comments collected.

“These standards are intended to be a foundation to further strengthen, promote, lend additional credibility to and further enhance the professionalism of the outstanding local EMA programs throughout this state,” Faulkner wrote to county EMA directors earlier this summer.



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The timeline for this project calls for a final draft of the standards to be discussed during the ACCA convention.

In many cases, proposed guidelines are aligned with standards set by the national Emergency Management Accreditation Program, an approach recommended by many emergency managers at the local level. ■

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The Future of County Jails

Lockups of 2040 shaped by today's decisions

When leaders set the stage for a county's future, they must give ample consideration to the subject of jails and prisons.

The current wave of reforms is sweeping, with the Prison Reinvestment Act enacted in 2015 and now a construction plan on the horizon. No doubt there are further changes ahead in the 2020s and 2030s, but public safety will clearly remain a top priority in the decades ahead.

For that reason, convention-goers can look forward to three presentations focused on this very issue:

- **“What Your County Can Expect from ‘Dips and Dunks’”** | Bennet Wright, Alabama Sentencing Commission | Afternoon General Session, Wednesday, Aug. 17
- **“Building New Prisons in Alabama”** | Commissioner Jeff Dunn, Alabama Department of Corrections | Afternoon General Session, Wednesday, Aug. 17
- **“Jail Operations: What's Really Going on in Your County Jails”** | John Harville, Baldwin County Sheriff's Office | County Administrators Breakout Session, Thursday, Aug. 18

‘Dips’ and ‘Dunks’

Counties were highly engaged in the legislative process when prison reforms were passed last year, and interest has not waned during the implementation phase. “Dips” and “dunks,” which together form a new method of responding to probation and parole violations, have



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been a particular concern.

As executive director of the Alabama Sentencing Commission, Bennet Wright will bring a statewide perspective on the issue. "The policy framework of dips and dunks

was a key component to the Justice Reinvestment Act (prison reform legislation)," he said. "Its continued implementation is vital to better protecting public safety and reducing expenditures on incarceration in the state."

With these policies, someone who violates the terms of their probation or parole can be locked up again – often in county jails – for a limited time. By law, dips can be no longer than three days, all served in the county jail.

Offenders ordered to a 45-day dunk come through the county jail en route to a state facility. Their stay in the local lockup can generally last up to 20 business days during the hearing process.

“
***Its continued implementation
is vital to better protecting
public safety and
reducing expenditures on
incarceration in the state.***

Bennet Wright
Alabama Sentencing
Commission

”

Many counties have approached implementation with great caution. Jail overcrowding due to excessive numbers of state inmates is an ever-present threat, and this change can be seen as a new pipeline of state inmates coming into an already flooded system. Counties also incur costs to transport people to state facilities.

Prison Construction

Counties are closely monitoring another major element of reform: Gov. Robert Bentley's \$800 million prison construction proposal designed to address Alabama's worst-in-the-nation overcrowding. The plan calls for building four massive new prisons and closing 14 existing state facilities, all funded by dollars expected to be saved on operational expenses.

Earlier this year, the Alabama Senate approved the plan, known as the Alabama Prison Transformation Initiative, but the legislation died in the House of Representatives. It is expected to be introduced the next time state lawmakers convene, whether that is a special session this year or the 2017 Regular Session.

While the Association has no official position on the plan, counties that stand to lose a large employer when existing prisons shut down have been vocal. Big job losses would be especially difficult for rural counties to weather, and impact on county jail populations is again a concern.

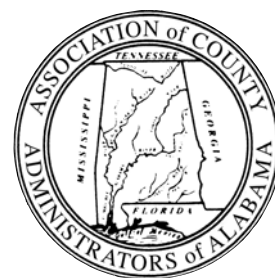
Jails and County Administrators

County administrators may not come into their jobs with a background in criminal justice or corrections. Even so, there are still countless important issues related to the county jail that come across an administrator's desk.

For starters, the jail, a critical part of the public safety services that counties provide citizens every day, is a major item in the county's budget. And jail operations also pose a tremendous liability risk.

John Harville from the Baldwin County Sheriff's Office is one of the original instructors for the Alabama Jail Training Academy (AJTA), which provides jail staff with custom-tailored training taught by highly-effective, veteran county correctional officers from around the state.

AJTA is a joint effort of the Alabama Sheriffs Association and Association of County Commissions of Alabama with the National Institute for Jail Operations. ■



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2016 Convention Agenda

ACCA 88th Annual Convention

August 16-18, 2016

Perdido Beach Resort, Orange Beach, Ala.



ALABAMA 2040

SETTING THE STAGE FOR THE FUTURE

Tuesday, August 16

9 a.m. - 5 p.m.

Affiliate Meetings

- 9:30 a.m.
ACEA Membership Meeting
- 1 p.m.
ACAA Membership Meeting
- 3 p.m.
AAND Membership Meeting
- 4 p.m.
AAEM Membership Meeting

11 a.m. - 5 p.m.

Registration Desk Open

11 a.m. - 7 p.m.

Exhibit Showcase

11 a.m. - Noon

ACCA Board of Directors Meeting

12 - 1 p.m.

Strolling Lunch in the Exhibit Hall

1 - 5 p.m.

CROAA Education Meeting

- **Casual Sales**, *William Jamar, Mobile Taxpayer Service Center, Alabama Department of Revenue*
- **Expanding NEXUS and Dark Store Litigation**, *Joe Garrett, Alabama Department of Revenue*

- **Simplified Sellers Use Tax**, *Mike Gamble, Alabama Department of Revenue*
- **Digital Delivery of Tangible Personal Property**, *Rouen Reynolds, Alabama Department of Revenue*
- **Business Session**

2 - 3 p.m.

ACCA Workers Compensation and Liability Insurance Funds Meeting

3 - 4 p.m.

Minority Issues Committee Meeting

5 - 6:30 p.m.

Opening Reception in the Exhibit Hall

Wednesday, August 17

7:30 - 8:30 a.m.

Convention Breakfast

7:45 - 8:30 a.m.

Nominating Committee Meeting
Resolutions Committee Meeting

8 - 11:30 a.m.

Registration Desk Open

8:30 a.m. - 12 p.m.

Opening General Session

- **Setting the Stage for the Future: Alabama in 2040**, *Ted Abernathy, Managing Partner, Economic Leadership, LLC*
- **Technology and the Future of Employment in Alabama**, *Speaker TBA*
- **Economic Development and the Future of our State**, *Dennis Leonard, Innovation Team, Alabama Power Company*

- **Generational Insights in the Workplace**, *Kristin Scroggin, Communications Professor, University of Alabama in Huntsville*
- **How We Attract Companies to Alabama**, *Ted Abernathy, Managing Partner, Economic Leadership, LLC*
- **Report of the ACCA Nominating Committee**, *Merceria Ludgood, Chair*

12 - 1:15 p.m.

County Agents Kitchen Lunch

1:30 - 4:45 p.m.

Afternoon General Session

- **The Future of Pension Reform in Alabama**, *Bill Kelley, Director of Employee Benefits, Retirement Systems of Alabama*
- **What Your County Can Expect from "Dips and Dunks"**, *Bennett Wright, Alabama Sentencing Commission*
- **Building New Prisons in Alabama**, *Jeff Dunn, Commissioner, Alabama Department of Corrections*
- **FEMA Deductibles and the Alabama Disaster Recovery and Resiliency Task Force**, *Art Faulkner, Director, Alabama Emergency Management Agency*
- **NACo President Bryan Deslodge**
- **Alabama's Bicentennial**, *Jay Lamar, Alabama Bicentennial Commission*
- **Report from North Jackson**, *Sonny Brasfield, ACCA Executive Director*

2016 Convention Agenda

ACCA 88th Annual Convention

August 16-18, 2016

Perdido Beach Resort, Orange Beach, Ala.



Thursday, August 18

7:45 - 8:45 a.m.

County Agents Kitchen Breakfast

8:45 a.m. - 12 p.m.

Breakout Sessions

**Commissioners and Administrators
Breakout Session**

- **County Constitutional Reform and Administrative Powers,** *Sonny Brasfield, ACCA Executive Director*
- **Update on Current Issues** (Overtime, Exemption to Bid Law for Purchasing, Juvenile Costs Study Commission, Police Jurisdictions)
Sonny Brasfield, ACCA Executive Director and Morgan Arrington, ACCA Staff Attorney
- **ADOR Update,** *Julie Magee, Commissioner, Alabama Department of Revenue*

**Commissioners and Engineers Breakout
Session**

- **Understanding the Politics Behind the Gas Tax,** *Sonny Brasfield, ACCA Executive Director*
- **Using the Media to Our Advantage,** *Terri Reynolds, ACCA Director of Public Affairs*
- **Creating a 10-Year Plan**
- **DRIVE Alabama: Keeping the Momentum Going,** *Sonny Brasfield, ACCA Executive Director and Terri Reynolds, ACCA Director of Public Affairs*

Engineers Breakout Session

- **GIS and Mapping,** *Houston Matthews, Madison county Assistant Engineer*
- **Pavement Preservation,** *Mel Monk, Alabama Asphalt Pavement Assoc.*
- **Alabama Disaster Recovery and Resiliency Task Force,** *Art Faulkner, Director, Alabama Emergency Management Agency*

Administrators Breakout Session

- **Jail Operations: What's Really Going on in Your County Jails,** *John Harville, Baldwin County Sheriffs Office*
- **Prepping for New Commissioners,** *Morgan Arrington, ACCA Staff Attorney and Donna Key, ACCA Director of Events and Education*

AAEM Breakout Session

- **Minimum Guidelines Update,** *Art Faulkner, Director, Alabama Emergency Management Agency*
- **FirstNet,** *Ryan Brushnell, ALEA*
- **Colors—Enhancing Personal, Management and Leadership Skills,** *Margaret Odom, Alabama Cooperative Extension System, Auburn University*

AAND Breakout Session

- **Organizing Our GIS Efforts for ANGEN,** *Philip Henderson, Chairman, GIS Alabama*
- **ANGEN Update,** *Alan Campbell, Shelby County 9-1-1 Director*
- **Legislative Update and the Climate in Montgomery,** *Chase Cobb, ACCA*
- **Colors—Enhancing Personal, Management and Leadership Skills,** *Margaret Odom, Alabama Cooperative Extension System, Auburn University*

CROAA Breakout Session

- **ADOR Update,** *Julie Magee, Commissioner, Alabama Department of Revenue*
- **Debt Setoff for Delinquent Taxes,** *Morgan Arrington, ACCA Staff Attorney*
- **Legislative Update,** *Morgan Arrington, ACCA Staff Attorney*
- **Colors—Enhancing Personal, Management and Leadership Skills,** *Margaret Odom, Alabama Cooperative Extension System, Auburn University*

12 - 1:15 p.m.

Convention Luncheon Honoring
2015-2016 President Ray Long

1:30 - 5:00 p.m.

Afternoon General Session

- Leadership and Passion: PLAN 2016
- Awards Ceremony
- ACCA Business Session
- ACCA Affiliate Reports
- District Caucuses

6:00 p.m.

Reception Honoring Mary Pons, the
Association Counsel who retired after 20
years of service

7:00 p.m.

President's Banquet Honoring
2016-2017 President-Elect Bill Strickland

8:30 p.m.

President's Inaugural Celebration Dance,
Featuring The Emily Joseph Band

The Future of County Transportation

DRIVE Alabama: The Battle Continues for New Infrastructure Investments

By Terri Sharpley Reynolds
ACCA Director of Public Affairs

During the 2016 Regular Session, Alabama legislators set the stage for more transparency and accountability in how transportation dollars are spent by passing SB 180, which created the Alabama Transportation Safety Fund. The language in SB 180, now more properly known as Act 2016-150, will dictate the distribution of any new revenue for roads and bridges that might be raised in the coming months.

The passage of SB 180 was a big win for transportation advocates. But still, one of the major unresolved issues of this session is the overwhelming need for additional revenue to address Alabama's crumbling roads and bridges. Despite the efforts of county leaders from across the state and the host of organizations and associations that were part of the alliance supporting new infrastructure investments, the Legislature ultimately decided not to vote on the bill proposing a modest gas tax increase of six-cents per gallon.

Here is where it gets interesting, because few, if any, legislators actually disputed the need for new resources for transportation infrastructure. However, many expressed concern about voter reaction, and that concern clearly hampered their ability to have serious debate about new revenue before the session concluded.

But that's not shocking. Passing a new revenue measure is never easy, particularly in a state where conservative values are as strong as they are in Alabama. In fact, for several years no state in the country would approve a gas tax increase for road and bridge improvements. But in 2013, a shift began to occur as more states started to feel the pressure of declining federal infrastructure investments.

Seven state legislatures passed a gas tax increase or its equivalent heading into the 2014 election cycle, and three of those states (Pennsylvania, Virginia, and Wyoming) had a Republican governor as well as a Republican-controlled legislature. Of the Republican legislators who voted to support a gas tax increase

>>> **MORE** details on presentations | page 30



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- When asked how important it is for lawmakers to pass a transportation funding plan within the next year, **80 percent of respondents said it was important.**

- **75 percent of respondents said they supported** their House member taking a leadership role in addressing Alabama's deteriorating roads and bridges.

- And when asked directly if they would support or oppose a fixed, six-cents per gallon gas tax increase, **more than 50 percent of the respondents said they would support the increase.**

in those states, 95 percent were re-elected in the November 2014 elections – which is a higher winning rate than those Republicans who opposed an increase. Of Democratic state legislators who supported a gas tax increase, 88 percent were reelected while 86 percent were reelected who voted against this increase.

A recent poll of 300 registered voters in a House district held by a Republican for the last 25 years, found that Alabama is not far behind this trend. The results speak for themselves:

This session, Alabama legislators had their first serious discussion about generating new revenue for Alabama's transportation infrastructure since 1992. It is clear from these polling results and the current conversation surrounding transportation investments, that Alabamians will not allow their leaders to continue ignoring this issue. The cost of inaction is far too great.



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Alabama's county engineers are in the process of developing 10-year plans that outline the impact a six-cents increase at the gas pump could have on Alabama's county road and bridge programs. These plans will be further discussed at the 2016 ACCA Annual Convention, and will most certainly be shared with legislators ahead of the next session of the Legislature.

So while the battle for new infrastructure investments was not won in the 2016 Regular Session, the battle is far from over. ■

Commissioners and Engineers Breakout Session

10:15 -11:45 a.m., Thursday, Aug. 18

Location: Grand Point (Downstairs/Beach Level)

"Understanding the Politics Behind the Gas Tax"

Sonny Brasfield, ACCA Executive Director

"Using the Media to Our Advantage"

Terri Reynolds, ACCA Director of Public Affairs

"Creating a 10-Year Plan"

Terri Reynolds, ACCA Director of Public Affairs

"DRIVE Alabama: Keeping the Momentum Going"

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Important Constitutional Amendments on November Ballot

On November 8, Alabamians will cast their votes for elected officials at the federal and county levels. While the news media will focus on the race for the White House and contested local races, Alabama voters will also have another important decision to make – whether to support several proposed constitutional amendments.

Two of the proposed amendments on the ballot, Acts 2015-220 (Administrative Decision-Making) and 2015-44 (Local Constitutional Amendments), were priority items for the Association during the 2015 regular session. The subject matter of both of these proposed constitutional amendments was initially raised by the Alabama Constitutional Revision Commission, a policy team created by the 2011 Legislature to make recommendations on revisions to Alabama's constitution.

Too often, county officials are forced to delay administrative and management-related action because the law requires them to first get approval from Montgomery. In the same vein, the process for passing a local constitutional amendment frequently leads to local issues being decided by a statewide vote, rather than by the people directly affected by it. Both occurrences ultimately halt progress in the county, and negatively impact citizens' ability to shape their communities.

Acts 2015-220 and 2015-44 are designed to address these issues by allowing county governments to act more promptly and efficiently on behalf of the public. County officials and employees will play a critical role in making sure these important measures pass in November, by educating friends and neighbors about the impacts these revisions could have at the county level. ■

ADMINISTRATIVE DECISION-MAKING

Act No. 2015-220 would give county governments limited authority to carry out management and administrative activities without the need for the passage of future local laws. Specifically, it would provide county commission the ability to carry out activities only in the following areas:

1. County personnel programs, policies, and procedures,
2. Community programs for litter-free roadways, public facilities, and public property,
3. Public transportation,
4. Operation of county offices, and
5. Emergency assistance programs.



This act would not supersede general or local laws, and the county commission cannot use these powers to change the salary of other elected officials, or in any way alter or interfere with the duties of other elected officials.

Ballot Language

Proposing an amendment to the Constitution of Alabama of 1901, to authorize each county commission in the state to establish, subject to certain limitations, certain programs related to the administration of the affairs of the county. Proposed by Act 2015-220

Yes X No

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LOCAL CONSTITUTIONAL AMENDMENTS

Act 2015-44 creates a two-step process for passing local constitutional amendments that would make it more likely that proposed local constitutional amendments would not face a statewide referendum. Currently, if a constitutional amendment applying to only one county receives a single dissenting vote in the legislature, it is subject to a statewide vote – often creating situations where voters outside a county effectively trump the voice of citizens within the affected county. The two-step process proposed by this act sets up a separate vote in both the House and Senate on the question of whether the proposed amendment will face “local only” or a statewide referendum. In addition,



should the amendment be subject to a statewide referendum, the measure would automatically fail if local voters failed to provide approval.

Ballot Language: Proposing an amendment to the Constitution of Alabama of 1901, to revise the procedure for adoption of local constitutional amendments to provide that a proposed constitutional amendment the Legislature determines without a dissenting vote applies to only one county or a political subdivision within one or more counties shall be adopted as a valid part of the constitution by a favorable vote of a majority of the qualified electors of the affected county or the political subdivision and county or counties in which the political subdivision is located, who vote on the amendment. Proposed by Act 2015-44 Yes X No

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New leadership steps up for Association

The unified voice of county government depends on individual county officials who give their time and energies to leading the Association of County Commissioners of Alabama (ACCA), and the annual convention is a special time to honor them and choose leaders for the upcoming year.

Morgan County Commission Chairman Ray Long has served as the Association's president for the 2015-16 year, and he will preside over large portions of the convention.

Marshall County Commissioner Bill Stricklend currently serves as president-elect, and he is scheduled to take the gavel as president on Thursday, August 18, during the Business Session. That evening during the President's Banquet,



Bill Stricklend

Stricklend will present his priorities for the coming year.

Long will be recognized for his distinguished service to all 67

counties, and he will rotate into the position of immediate past president for 2016-17.

This will be the second Association election conducted using the revised procedures, which specify a number of deadlines leading up to the convention.

To allow time for advance interviews with the Nominating Committee, candidates for vice president and minority director were required to notify the ACCA office no later than July 5. During the convention, the Nominating Committee will meet on Wednesday, August 17, to make a recommendation to the membership for these two positions.

The Board of Directors and Legislative Committee are elected to represent each of the 12

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Association districts. To be listed on their respective district's official ballot, candidates for the Board or Legislative Committee must submit their form to the ACCA office no later than Friday, August 5.

Counties will cast their votes for the Board and Legislative Committee during District Caucuses, which occur during the ACCA Business Session at 3:30 p.m. on Thursday, August 18. Every county will want to be represented during the caucuses, and each county has one vote.

Anyone with questions about election procedures is encouraged to contact Donna Key, ACCA Director of Events and Education, at 334-263-7594 or dkey@alabamacounties.org.

Additional details, forms and other information are available online at www.alabamacounties.org/candidates. ■



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A voice from Alabama's 67 counties...

Donnie Mims
*Montgomery County Administrator
2016-17 President,
Association of County
Administrators of Alabama (ACAA)*



Q How long have you worked in county government?

A In June 2016, I completed 30 years of service with the Montgomery County Commission.

Q What positions have you held?

A I joined the Montgomery County Commission in 1986, as an accountant and was promoted to Finance Director in 1993. After serving in that department for 10 years, I was promoted Deputy Administrator and served in this position for two years. For the last 18 years, I have served as the County Administrator.

Q How do you describe your job to people unfamiliar with counties?

A The county administrator reports to the county commission and is responsible for implementing policy enacted by the commission. This position manages the day-to-day operation of county government, which includes development and oversight of an annual budget over \$100 million, financial reporting, building construction and maintenance, and litigation management.

Q Any common misconceptions about county government?

A The public confuses the authority of the County Commission with that of the City of Montgomery and Public Schools. The City has much more authority in the area of zoning and services. The County Commission has no oversight authority regarding public education.

Q What is your biggest challenge as a county administrator?

A The biggest challenge is to provide sufficient and accurate information regarding complex issues that the Commission has to consider. We work issues that include bond financing, expansion and maintenance of facilities, and policy development.

Q What is your best advice for establishing and maintaining good working relationships with county commissioners?



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A Good communication and the development of trust is critical. The County Commission meets twice a month and the staff helps me prepare a briefing packet for each meeting which provides detailed information concerning issues and upcoming agenda items. This tool helps the commissioners stay informed so they can feel comfortable in understanding the issues they have to vote upon. After reviewing the briefing packet, Commissioners talk to me for clarification and additional research.

Q How can the Association of County Administrators of Alabama be of assistance to county administrators who are relatively new to the job?

A The Association offers new county administrators an

0:00

SPEED DRILL with Donnie Mims

Favorite football team? Alabama | Cats or dogs? Dogs | Favorite holiday? Christmas | No. 1 quality you look for in co-workers? Honesty | How do you take your coffee? Sugar and cream | Dine in or eat out? Eat Out | Is the glass half full or half empty? Half full | I wanted to be an elected official when I grew up | What's the next thing you want to binge watch? Indiana Jones movies

opportunity to attend meetings in which they can develop relationships with other administrators. By discussing common issues and solutions with other administrators, new administrators can develop their skills in serving their county commission.

Q What are some of the Association of County Administrators of Alabama's priorities for the coming year?

A Priorities include conducting regional meetings throughout the state in which there would be a roundtable discussion on various topics. These

meetings would start in the morning and end after a luncheon. Also, we want to increase the participation of new county administrators in our association.

Q What's one big way your county benefits from being part of the ACCA?

A The ACCA training courses for commissioners and administrative staff. These courses improve the management of county governments and help governmental officials understand and comply with the state and federal laws and regulations.

Q What are you looking forward to about the ACCA Convention this year?

A The theme this year is "Alabama 2040: Setting the Stage for the Future." I am looking forward to hearing how to prepare county government today in order to take care of our citizens over the next two decades. Also, I am looking forward to the Administrator's breakout sessions which will cover local constitutional amendments and county modernization. ■

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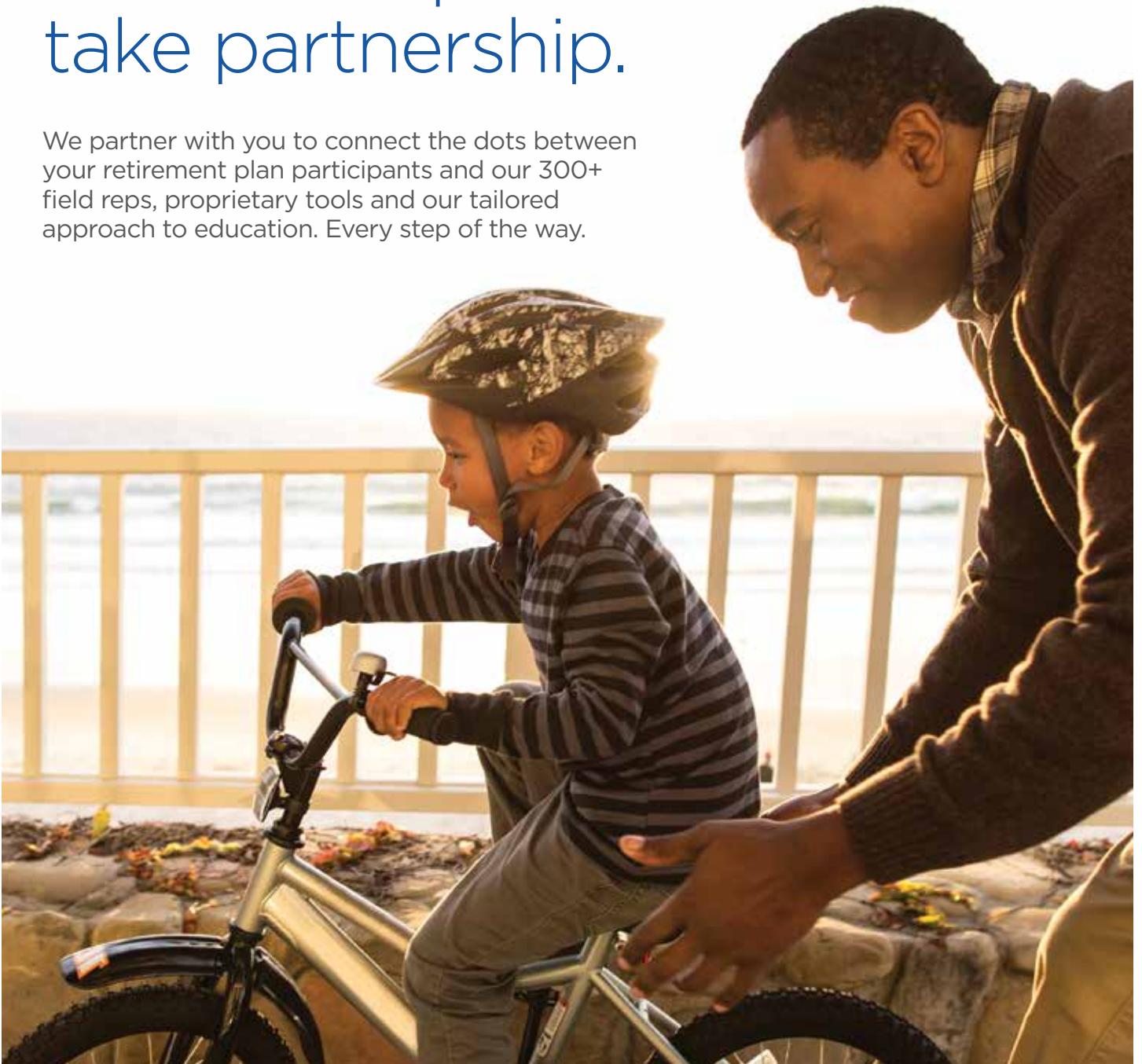
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