

COUNTY COMMISSION

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Volume 55, Number 2



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Between a Rock and a
Hard Place



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in this issue

VOLUME 55, NUMBER 2



Go to www.acca-online.org and click on "Conferences and Events" to register for the 2011 ACCA Annual Convention, Aug. 16-18



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Hon. Ricky Burney
President

Legislative session marked by remarkable degree of partnership

For most of my career in county government I've heard our leadership talk about what can or what would be accomplished if we could find a way to present a unified voice for county government in our state.

This Association speaks clearly for the county governing body, which now includes a number of entities include emergency management, 9-1-1, engineering, administration, sales tax administration and others. But in years past there has not always been a unified voice or a unified set of goals advocated by the various elected officials at the county level.

Commissioners are charged with overseeing the county's operating budget, putting us in the unpopular position of often saying "no" to some of the wishes of other elected officials who believe they should not be constrained by a vote of the county commission. It is hard to imagine how government could function without one governing body having the responsibility for making the financial decisions, but the responsibility of making those decisions has, for decades, worked to promote distrust and conflict.

Honestly, there are those outside county government who have sought to encourage and promote this "disconnect" among the separate county elected officials. And, on occasion, they have been able to improve their positions – either by reducing county revenue or by shifting their duties down to some of us on the county level – by pitting one set of elected officials against another

These efforts have come in all sorts of disguises. Sometimes it has been

carefully worded legislation aimed at attacking the office of a single elected official (such as the sheriff) without directly impacting the remainder of county government. And, in years past, there has often been a conscious effort to "stay out" of those fights and to let the attacked officials sink or swim on their own.

Other attacks have come from state agency regulations that have shifted state responsibilities down to the county level. Responding to the agency regulations with only their single voice, these elected officials (such as the taxing officials) have often been forced to absorb these "mandates." In retrospect, a collective voice from the county level might have thwarted these kinds of regulations.

And then there are the legal efforts that have been initiated by those outside county government wishing to make it more difficult (or impossible) for us to do our jobs or those who have sought to second-guess the decisions of elected officials throughout the courthouse. The tendency has been to look the other direction and consider these issues as though they are "not my problem" when the exact opposite is really true.

Of course, the efforts of outside forces have been based on the general belief that all of us county officials cannot, and will not, get along well enough to work toward the collective good. Over the years this assumption has sometimes been correct, and some of the efforts to divide us have been successful. Most of you can easily think of examples to prove the point.

One can hope that 2011 is the start of something we've all talked about for a very long time.

When we started this journey together back in August, one of the things we discussed was the importance of county government being a "partner" with the administration of Gov. Robert Bentley and the new leadership in the House and Senate. We laid out our desires to promote a climate that would allow county government to be an important part of the process, rather than reacting to the changes established by the state's new leadership.

So far, we've certainly made progress on that effort. But the end of my year is fast approaching and our ultimate goals are simply well beyond the reach of anything that could be accomplished in a single year. As we look toward the future, we must continue to work in a positive way with the state's leaders and we must continue to call on those leaders to include us as they map out their plans for Alabama.

We've certainly seen this attitude displayed in the response to the horrible damage and loss of life from April 27. Weekly conference calls with Gov. Robert Bentley and constant contact with state agencies have made the response and recovery efforts more effective than any in our state's history. There is no question we've been "partners" in this effort.

And, despite the many challenges, this year's legislative session was one of the best in recent memory. We've established a "partnership" with the new legislative leaders that will benefit the local citizens for many years to come.

But there is more to a real "partnership" than simply working in concert with the state officials. We

need a more unified effort from the courthouse officials, as well.

During this year's legislative session we worked hand-in-hand with sheriffs to pass legislation aimed at restoring the liability protection previously extended to jailers and other employees of the sheriff. This accomplishment is significant in its own right, but it should serve as an example of what we can do when we focus our collective efforts.

We also worked in a more organized way with the tax officials throughout Alabama – again, providing a single, informed and unified front to oppose legislation that would hamper the efficient and effective collection of taxes in Alabama. This, too, is a significant first step toward what can

be a very positive relationship for all county officials and all taxpayers at the local level.

And our kinship with the probate judges on the local level was strengthened even more this year as we worked on common legislative goals and the establishment of a new law outlining the financial administration of elections in Alabama.

The real question is whether the events of this year have signaled a change or can those who wish to oppose us continue to assume that we cannot work together? Of course, the answer to that question must play out over the next several years – but one can hope that 2011 is the start of something we've all talked about for a very long time.



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Sonny Brasfield
Executive Director

A handwritten signature in black ink that reads "Sonny Brasfield". The signature is fluid and cursive, with the first name "Sonny" being more prominent.

New law about illegal aliens has costly consequences for counties

No one is really sure exactly how the mandates will be funded, and the new law doesn't give any consideration to the counties' financial plight

Some problems simply do not lend themselves to solutions – at least not solutions forged under the pressure of time and public opinion. And solutions formed under those circumstances almost always cry out for corrective measures.

Just a few days ago a new law was signed in Alabama to address the growing concerns over the existence of illegal aliens in our state. Some have said it is the strongest such law in the country. Not being an expert on those kinds of things, I'll leave that discussion to someone else. But having at least a small bit of knowledge about county government, we feel pretty well positioned to defend the serious concerns we have about how this new law will impact counties in Alabama.

In short, the new law will significantly impact the daily operation of county government and will provide financial challenges that have the potential to exceed the counties' collective or individual financial resources. As "creatures of the Legislature," Alabama counties are charged with carrying out those duties assigned by the Legislature.

So it will be with this new law – the legislative mandates will be carried out. But no one is really sure exactly how the mandates will be funded, and the new law doesn't give any consideration to the counties' financial plight.

A close look at one aspect of the new law will clearly illustrate the issues that must be addressed by county governments during the hot

summer months that follow and then, hopefully, by amendments in future legislative sessions.

The new law requires law enforcement personnel to attempt to verify the citizenship of each person who is subject to "any lawful stop, detention, or arrest made by a state, county or municipal law enforcement officer" in the enforcement of any state law or municipal ordinance. If the person does not have documents to verify his or her citizenship, the law creates the new crime of "Willful Failure to Complete or Carry an Alien Registration Document" and establishes the penalty as a Class C misdemeanor.

Further, the law requires that anyone "arrested and booked into custody" who does not have the proper documentation shall be transferred to the federal government, "if the federal government so requests." Should the federal government be unwilling to accept custody of the person, the law states that the person should be denied bail as a "flight risk" and "shall be detained until prosecution or until handed over to federal immigration authorities."

This provision will require counties to house illegal immigrants in the county jail from the date of arrest – even if it is something as simple as not having the proper documentation – until the date that the sentence is completed. As the court systems become more and more crowded, the cost of the wait between arrest and sentencing is almost certain to become longer and longer.

Supporters did recognize that corrective measures might be necessary and on several occasions committed to addressing major problems in a future legislative session.

And, of course, the costs are placed squarely on the county coffers.

The act also establishes at least a half dozen new crimes. These which are either misdemeanors or Class C felonies, crimes that traditionally result in the convicted serving all of his time in the county jail.

A Senate-passed amendment that would have “required” that the sentences be served in the custody of the Alabama Department of Corrections was removed by the House-Senate Conference Committee (even though the outline of the conference-version of the bill clearly showed that this provision was included) late in the legislative session. Without this provision, the courts are almost certain to require every person convicted of a crime under this law to serve their sentence exclusively in the county jail.

Again, the costs are placed squarely on the county coffers.

Some counties house inmates who are arrested by municipal officers under contracts that outline a per-diem payment for this housing and assurances that the city will provide liability protection for the county, the sheriff and those employees of the jail. Others that house such prisoners, unfortunately, do not have contracts or have contracts that do not adequately protect the county. The provisions of this law will dictate that counties take a very close look at the financial implications of those arrangements.

For example, a person arrested by a municipal officer on the violation of a municipal ordinance, such as Driving Under the Influence, and dropped off at the county jail will become subject to the provisions of this new law. The county (not the city) will be responsible for the verification. Of course, if the person has no verification this new law will require the county (not the city or the state) to house the person until the sentence is complete.

Although all these issues – and many others impacting county governments — were identified during the legislative debate on this

matter, the political push to address the growing problem outweighed the need for a close and detailed examination of the massive costs being imposed on county governments. Supporters did recognize that corrective measures might be necessary and on several occasions committed to addressing major problems in a future legislative session.

For counties facing the financial storm that’s likely to begin when the act’s major provisions are effective in September, that next legislative session cannot come soon enough.

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Mary E. Pons
Association Counsel

A handwritten signature in black ink, appearing to read 'Mary E. Pons', written over a light background.

Competitive bid law amended again

*Counties have new options for
cooperative bidding*

Alabama's competitive bid law may be one of the most frequently amended statutes in the Code of Alabama. And new changes were enacted during the recently-concluded 2011 Regular Session – at least the sixth time the law has been amended since I began working for county government.

The newest changes are found in Act No. 2011-530, establishing new exemptions from the requirement that local government competitively bid the purchase of tangible goods. Since I am big fan of the competitive bid law as an effective mechanism to ensure that counties and other governmental entities are making careful and unbiased decisions about purchases of supplies, equipment, and other items, I am generally leery of adding new exemptions to the law that allow for purchasing items without competitively bidding. However, the new exemptions do require that products to be purchased are competitively bid, basically allowing counties and other local governmental entities to “piggy back” on other governmentally-operated bid programs. Therefore, if counties carefully follow the procedures in the law, these new exemptions may allow counties the opportunity to purchase quality items at reasonable prices without having to expend the administrative time and costs in conducting a separate bid at the local level.

There are really two new provisions in the amended law. The first – and easier one for counties to use — authorizes county and municipal

governmental entities to purchase goods or services (except wireless communication services) from a “current and valid” Governmental Services Administration (GSA) contract under the terms and conditions of that contract. Honestly, counties have advocated for this ability for many years. Many of the items available on these contracts can be purchased through such contracts at much better prices than often available through a separate bidding process. And because many of the items available on a GSA contract require a special knowledge of the technical requirements needed for a product to “work properly”, there is a benefit to utilizing the process conducted by a governmental program with more expertise and better resources for developing a quality bid that will produce a quality award. In these instances, it makes good sense, and can allow counties to purchase certain items in the most efficient and cost-effective manner while preserving the impartiality resulting from a competitive bid process.

The second new exemption must be considered a little more cautiously. The new law allows local governmental entities to purchase goods from a national or regional governmental cooperative purchasing program provided they are available as a result of a competitive bid process conducted by a governmental entity and all other conditions in the law are satisfied. This exemption is similar to the current exemption for purchases of goods through NACo's U.S. Communities program, and will allow for purchases from

Hopefully, there is also sufficient language to ensure the integrity of the process, which is as important as the savings in time or money.

similar programs provided all criteria set out in the law are met. The most important requirement in the law is approval from the Alabama Department of Examiners of Public Accounts. Act No. 2011-530 specifically provides that these purchases are authorized only once the entity purchasing goods has been notified by the Examiners' Office that the competitive bid process utilized by the cooperative program offering the goods complies with Alabama law.

Therefore, while counties may immediately begin purchasing items available on a GSA contract, purchases from other cooperative purchasing programs is not permissible until and unless the Examiners' Office has reviewed and approved the competitive bid process used by the program. Counties may recall that this same process was required before counties could purchase items available through U.S. Communities. Only once the Examiners' Office released a letter approving the bid process used were counties and other entities legally permitted to utilize the program (and the Examiners' Office recently reviewed the process again to make sure it was still in line with that required under Alabama law).

Based upon the strong lobbying efforts to include language allowing purchases from national and regional purchasing cooperatives in this law, I anticipate that counties will soon be approached to purchase goods available under some of these programs. While clearly some of

these programs will meet the criteria set out in the law, counties must be very cautious before agreeing to utilize any of these programs. Remember, no purchase is authorized until the Examiners have approved a program's competitive bid process in writing – and that process can only be approved if it is conducted by a government in a manner that complies with the requirements in Alabama law.

There are clearly benefits to cooperative bidding. Counties have certainly learned that over the last 10 years through the successes of the Alabama County Joint Bid Program. Jointly bidding heavy equipment and other items for all 67 counties has significantly

reduced the counties' administrative time and effort in conducting bids. And in many instances, the ability to bid on behalf of all counties has made prices much more competitive saving counties money on purchases made. However, the advantages to cooperative bidding are only in the best interests of the counties when, as in the case of the County Joint Bid Program, the county is confident that a legally-sufficient competitive bid process has been conducted. The newest changes in Alabama's bid law are designed to allow local government the benefits of cooperative bidding. Hopefully, there is also sufficient language to ensure the integrity of the process, which is as important as the

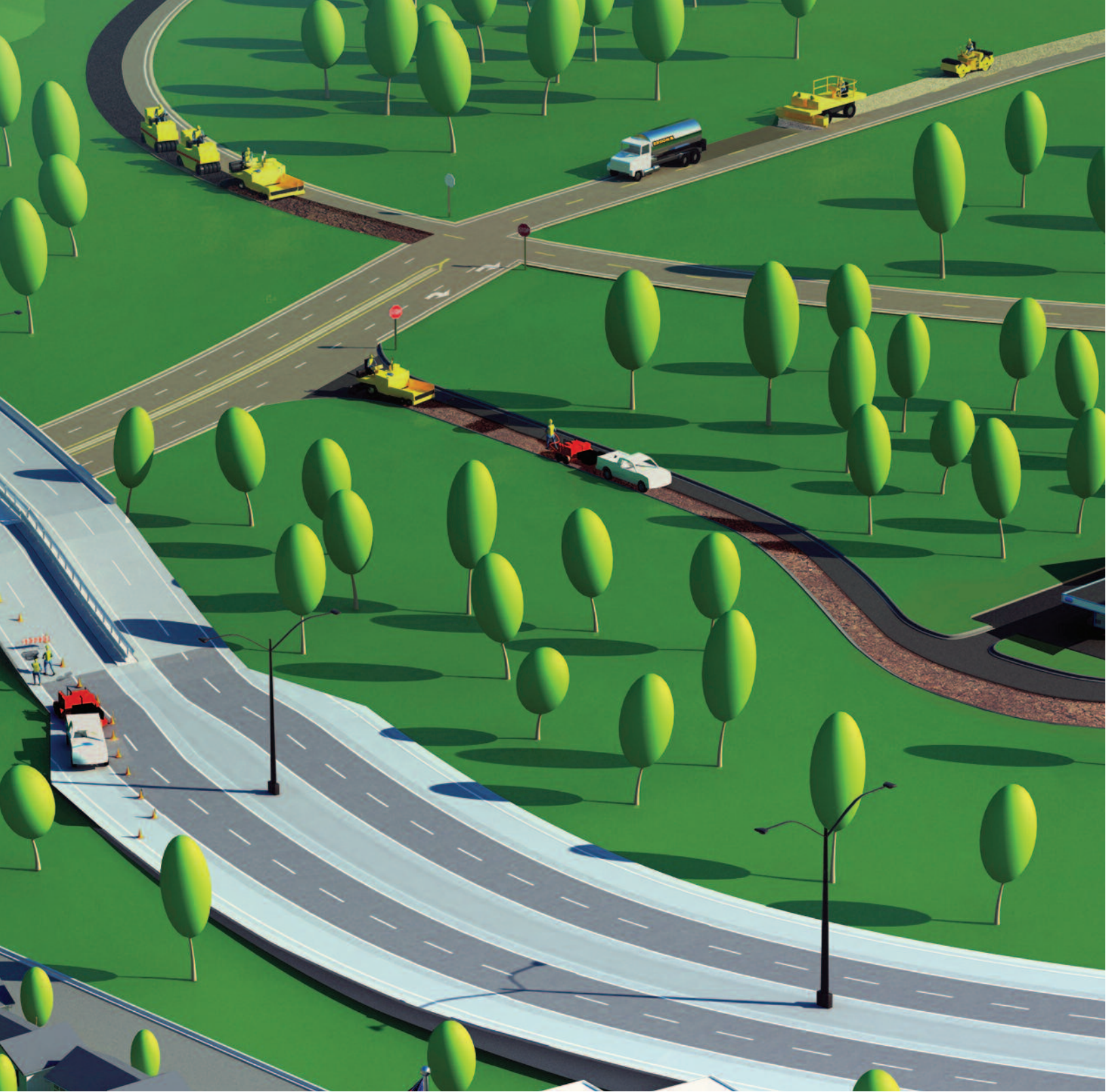


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4 priority bills pass Legislature

The Association of County Commissions of Alabama passed four pieces of legislation during the 2011 Regular Session of the Alabama Legislature, including the Association's No. 1 priority – jailer liability protection.

Other successes included tax at the rack, the Streamlined Sales and Use Tax Commission and election expenses, all of which will be discussed in detail below.

"This was a challenging session because of the new leadership and large numbers of new legislators," said Sonny Brasfield, executive director of the Association, "and I am absolutely delighted about both the number of bills we passed and which bills we passed. These bills will protect counties from frivolous lawsuits, save counties money on elections and potentially generate new revenue for road and bridge projects."

Brasfield noted that the Association tracked more than 600 pieces of legislation, amended numerous bills to protect county interests and stopped dozens of danger bills from passing.

"None of this would have been possible without the hard work of

county officials and employees, who made countless and repeated contacts with legislators," Brasfield said. "Whether by phone call, email, text or old-fashioned face-to-face meetings, they made the case for counties in a compelling and personal way. That is the secret to our success."

A more detailed legislative report, covering all bills affecting county government and including local bills, is available at http://www.acca-online.org/legis_news/weekly_rpts.html

Here are descriptions of the four Association bills that have been signed into law:



Sen. Taylor



Rep. Merrill

Jailer liability protection

Act 2011-685

(SB 90 by Sen. Taylor/Rep. Merrill)

The law gives county jailers limited liability protection, as long as jailers

are acting within the line and scope of their duty and in compliance with the law. Basically, it will protect them from lawsuits stemming from on-the-job incidents. It will not protect jailers acting outside the line and scope of their duty. That means it will not protect illegal or abusive actions. It is effective immediately.

Tax at the Rack

Act 2011-563

(HB 399 by Rep. McCutcheon/Sen. Williams)



Rep. McCutcheon

This law changes the point at which gasoline and diesel fuel taxes are collected. It also shifts enforcement to the Alabama

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Department of Transportation. As has been reported, this new law should improve collection and enforcement of these taxes, resulting in increased revenues for highway projects. It will become effective on Oct. 1, 2012.



Sen. Williams

Streamlined Sales & Use Tax Commission

*Act 2011-565
(HB 355 by Rep. Hill/Sen. Ward)*

The law creates a commission to develop the programs and

procedures necessary to bring Alabama into compliance with the Streamlined Sales & Use Tax Agreement, in the event federal legislation adopting the agreement becomes law. Local government will be represented on this commission and play an important role in development of these programs and procedures. It is effective immediately.



Rep. Hill



Sen. Ward

Election expenses

*Act 2011-147
(SB 139 by Sen. Pittman/Rep. Wood)*

This law more properly and completely defines which election expenses are to be reimbursed to the county by the state following a primary, runoff, or general election. It creates a commission to determine which expenses are eligible for reimbursement. It is effective immediately.



Rep. Wood



Sen. Pittman



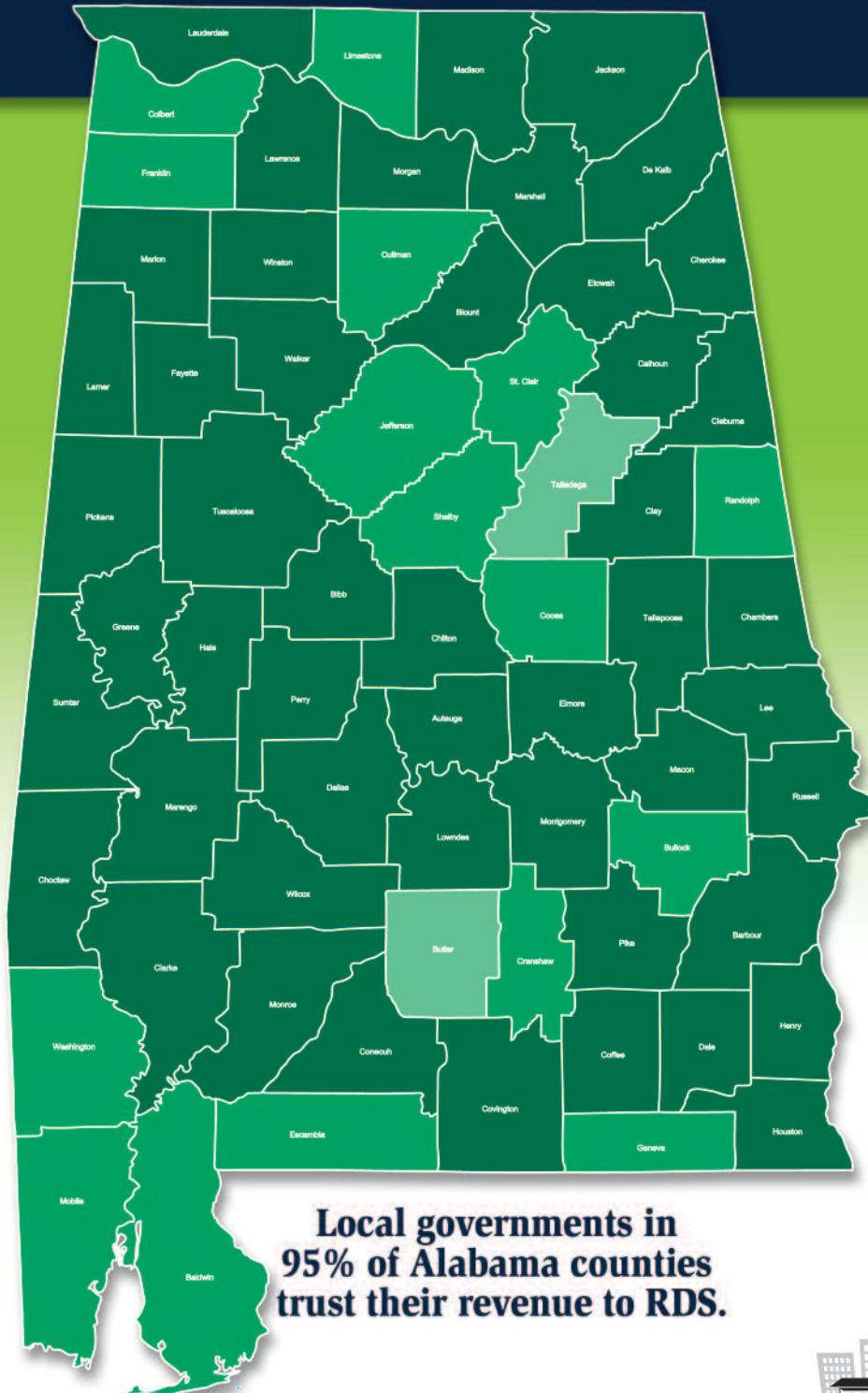
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Between a

Rock & a HARD PLACE

Counties face difficult decisions

That's exactly where many county officials and employees find themselves these days – between a rock and a hard place. They face difficult decisions at every turn, revenue that is, at best, stagnant and, at worst, declining. Growing demands for essential services. Competing needs.

The Association of County Commissions of Alabama knows that counties are staring at hard choices, and that's where the 2011 Annual Convention comes in. "This convention is designed to provide critical information that will help county leaders make smart decisions," said Sonny Brasfield, executive director of the Association.

The conference is scheduled for Aug. 16-18 at the Perdido Beach Resort in Orange Beach, Ala. Online registration is available through www.acca-online.org. Please note the deadline for early convention registration is July 22. Early registration costs \$185, and late registration costs \$210. Also, July 15 is the last day to get the convention rate of \$150 on rooms at the resort. If you have any questions, please contact Donna Key or Jennifer Datcher in the ACCA office at (334) 263-7594.

A full agenda is available on pages 16-17 of this magazine.

Between a Rock and a Hard Place: Economic Projections for the Coming Year

Anchoring the opening general session on Wednesday morning, Aug. 17, is economist Keivan Deravi, Ph.D.



From the Cover

‘We are experiencing a fragile recovery that is very different from past recoveries in every aspect.’ -Deravi

He is special assistant to the chancellor for economic affairs at Auburn University at Montgomery. Deravi is perhaps best known in Alabama for his economic impact and feasibility research for economic development projects including Hyundai, Toyota, Honda and Mercedes.

Deravi said he will give an overview of the current economic climate. “The economy is in the re-set mode. We are experiencing a fragile recovery that is very different from past recoveries in every aspect,”

Deravi said. “Globalization and technology are changing factory investment patterns and their employment creation. The recovery seems to be stuck and that will have consequences for the state and local government finances.”

He does not sugar coat the hard realities of the coming year. “The outlook for tax revenues will be less than rosy. Many local governments will have to find new and innovative solutions to financial challenges they will be facing,” he said. “Governments’ financial obligations need to be adjusted to reflect the reality of the time. In a nutshell, ‘this is not your father’s economy and not your father’s recovery.’”

Implementing the New Immigration Reform Legislation

Lawyer Randy Hillman, executive director of the Alabama District Attorneys Association, will answer your questions about the new immigration law and what it means for counties during the afternoon on Wednesday, Aug. 17.

Hillman said the law is going to have a “pretty



Keivan Deravi

significant impact” on counties, both in terms of civil and criminal liabilities and in the county jail. The sheriff’s budget is going to have to be increased to cope with the increased population in the jail, he said.

The law, designed to fill a gap in federal enforcement, creates multiple new crimes. “It’s going to open up a can of worms for the county and the district attorney,” he said, noting that district attorneys in some areas will have to have additional staff to deal with the increased caseload.

“It’s going to be like arm wrestling an octopus,” Hillman said, referring to the complex, multi-faceted law. But he said the biggest impact will be on the county jails, because there is no procedure to release on bond those charged with being in the state illegally. “What are we going to do with these people once they’re arrested?” he asked.

Rural Road Safety Training

This session is a joint effort of the National Association of Counties, the National Association of County Engineers, the Alabama Department of Transportation and the Federal Highway Administration. It is a combined breakout session for commissioners and engineers on the morning of Thursday, Aug. 18.

Since 2008, NACo has had a formal partnership with the Federal Highway Administration to engage county officials in rural road safety and provide information to help counties reduce fatalities on rural and isolated roadways. More information on the program is available from www.naco.org/programs/csd/Pages/RuralRoadSafety.aspx.

Continued on page 19

83rd ANNUAL Convention

August 16 - 18, 2011 • Perdido Beach Resort • Orange Beach, Ala. • TENTATIVE AGENDA

Monday, August 15

12:00 p.m.

Golf Tournament Lunch

Glenlakes Golf Club in Foley, Ala.

1:00 p.m.

Golf Tournament Shotgun Start

Glenlakes Golf Club in Foley, Ala.

1:00 - 7:00 p.m.

Fishing Expedition

Reel Surprise Charter Docks

Tuesday, August 16

9 - 10 a.m.

ACEA Board Meeting

10 a.m. - 5 p.m.

Affiliate Membership Meetings

ACEA - 10 a.m.

ACAA - 1 p.m.

AAND - 3 p.m.

AAEM Board Meeting - 4 p.m.

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 Breakout Session

- Legal Requirements for Archiving

Records, *Tom Turley, Alabama*

Department of Archives and History

- Legislative Update on Sales Tax Issues, *Mary Pons, ACCA Association Counsel*
- CROAA Business Session

2 - 3 p.m.

ACCA Workers Compensation & Liability Insurance Fund 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

- Between a Rock and a Hard Place: Economic Projections for the Coming Year, *Dr. Keivan Deravi, Special Assistant to the Chancellor for Economic Affairs, Auburn Montgomery*
- Between a Rock and a Hard Place: The Role of Counties in Economic Development, *Seth Hammett, Director, Alabama Development Office (Invited)*
- Between a Rock and a Hard Place: Corrections Update, *Kim Thomas,*

Commissioner, Alabama Department of Corrections

- Between a Rock and a Hard Place: Effectively Communicating with ALDOT, *John Cooper, Director, Alabama Department of Transportation*
- Between a Rock and a Hard Place: How Will the Federal Budget Impact Local Funding, *Jim Byard, Director Alabama Department of Economic and Community Affairs*
- Remarks and Update from NACo President, *Lenny Eliason, Commissioner, Athens County, Ohio*
- Report of the Nominating Committee

12 - 1:15 p.m.

County Agents Kitchen Lunch

1:30 - 4:45 p.m.

Concurrent Sessions

- Implementing the New Immigration Reform Legislation, *Randy Hillman, Executive Director, Alabama District Attorneys Association*
- Health Care Reimbursement for State Inmates, *Ruth Naglich, Associate Commissioner of Health Services, Alabama Department of Corrections*
- How Alabama's "Current Use" Tax Compares to Other States, *John Paradise, ADOR*
- Franklin County Census Initiative *David Palmer, Franklin County Engineer, and Franklin County Commissioners*

83rd ANNUAL Convention

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- Communicating in a Crisis, *Yasamie August, Public Information Manager, Alabama Emergency Management Agency*
- Top 10 Law Enforcement and Employment Practice Claims Costing Counties Money, *Mark Macon, Meadowbrook Insurance*
- What Makes a Good Leader, *Stan Windham and Chris McClendon, Ala. Cooperative Extension System*

4:45 p.m.

ALGTI Board Meeting

Thursday, August 18

7:45 - 8:45 a.m.

County Agents Kitchen Breakfast

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

Breakout Sessions:

Commissioners and Engineers Combined Breakout Session

- Debris Removal on County Roads, *Alabama Emergency Management Agency*
- Rural Road Safety Training
-*Stan Batemon, St. Clair County Commission Chairman, moderator*
-*James Davenport, Program Manager, Community Services, NACo*
-*Ed Phillips, Chief, County Transportation Bureau, ALDOT*
-*Tim Barnett, ALDOT Safety Operations Engineer*
-*Mark Bartlett, Director, FHWA, Alabama Division*
-*Linda Guin, Safety and Technology*

Engineer, FHWA, Alabama Division
-*Richie Beyer, Elmore County Engineer*
-*Dan Daklke, St. Clair County Engineer*
-*Gordon Dunagan, Cullman County Engineering Department*

ACAA Breakout Session

- Examiners Report, *Teresa Durrett, Dept. of Examiners of Public Accounts*
- Municipal Inmates in County Jails, *Ken Webb, Webb & Eley, P.C.*
- Open Meetings Update, *Mary Pons, ACCA Association Counsel*
- Reimbursement of Election Expenses, *Mary Pons, ACCA Association Counsel*
- Retirement and Other Legislative Changes, *Mary Pons, ACCA Association Counsel*

AAEM Breakout Session

- Update from State EMA, *Art Faulkner, Director*
- Safe Room Storm Shelter Funding
- Funding for Meth Lab Cleanup, *Bruce Freeman, Alabama Department of Environmental Management (Invited)*

AAND Breakout Session

- 9-1-1 Director's Relationship to the County Commission, *Rhondel Rhone, Clarke County Commission and Stanley Batemon, St. Clair County Chairman*
- The Future of 9-1-1 Revenue in Alabama, *Jim Sasser, Attorney, Alabama Wireless Board*
- ANGEN Report, *Rod Coleman,*

Tuscaloosa County 9-1-1 Director and Roger Wilson, Walker County 9-1-1 Director

- Cost Saving Methods

CROAA Breakout Session

- ADOR Update with the new Commissioner, *Julie P. Magee*
- Bankruptcies, *Lionel Williams, Attorney, Alabama Department of Revenue*
- Update on the CROAA Education Program and Taxpayer Personalities: Understanding the Differences, *Belinda Blackburn, Jacksonville State University*

12 - 1:15 p.m.

Convention Luncheon Honoring 2010-2011 President Ricky Burney

1:30 - 4:45 p.m.

Afternoon General Session

- Enforcing the New Ethics Laws, *Hugh Evans, General Counsel, Alabama Ethics Commission*
- Awards Ceremony
- ACCA Business Session
- Executive Directors Report
- District Caucuses

6:30 p.m.

President's Banquet Honoring 2011 - 2012 President-Elect Tim Choate (*Etowah County*)

8 p.m.

President's Inaugural Celebration featuring **The Maxx Band**

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From the Cover

Convention continued from page 15

Dan Dahlke, county engineer in St. Clair County, has been participating in the program and will be one of the presenters. The big thing that commissioners will learn is the importance of analyzing and keeping up with accident data, he said.

He said the Alabama Department of Transportation annually sends out reports on every accident that occurs on county roads. Using that data can help pinpoint the trouble spots, helping prioritize road improvements. It can even help you obtain grant money to pay for the improvements, he said.

Ultimately, it's about saving lives and preventing lawsuits, Dahlke said.

You can get ideas for cheap countermeasures from the online resources NACo has collected and the information-sharing conference calls that NACo organizes periodically, he said.

There are challenges that get in the way of doing this kind of data analysis. Dahlke said he has had to work with his local municipalities to make sure they report all accidents to the state.

Richie Beyer, county engineer in Elmore County who is also president-elect of the National Association of County Engineers, said it can be difficult to find time to focus on the data. It's time consuming to take all the accident reports and physically map each one, he said, noting that engineers are talking to the state about a geographic information system (GIS) solution that would eliminate the need for counties to do that.

"A picture is a whole lot easier to interpret," said Beyer.

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News You Can Use

Running for ACCA office for 2011-12? Deadlines near

One of the most important parts of the ACCA Annual Convention is the election of officers, board of directors and legislative committee.

Traditionally, the current first vice president advances to president, and the second vice president advances to first vice president. Nominations are being accepted for positions of

second vice president and minority director. Nominees must be available to meet with the Nominating Committee on Aug. 2 in Montgomery. Nomination forms, available at www.acca-online.org, must be returned no later than July 15.

There is a separate form, also available at www.acca-online.org, for those wishing to run for either the board of directors or legislative committee. These positions are elected by district. Forms for these positions must be received in the Association office no later than Aug. 5.

Leadership positions within the Association carry with them a commitment of time and effort. Candidates should not seek these offices unless they are willing to make a commitment to be an active and regular participant in Association activities and endeavors. Those in leadership positions are called upon to meet several times a year, and they often make unexpected trips to Montgomery to represent the best interests of counties. Those willing to serve as an officer must be willing and able to make these trips to Montgomery.

If you have questions, please contact Donna Key at 334-263-7594 or dkey@acca-online.org.

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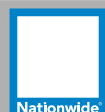
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Calhoun sweeps ACAA awards

Joiner named 2011

Administrator of the Year

ORANGE BEACH – Calhoun County's Kenneth L. Joiner has been named County Administrator of the Year by his peers in the Association of County Administrators of Alabama. The award was announced at the association's summer conference May 18-19 in Orange Beach, Ala.

In their letter of nomination, the members of the Calhoun County Commission praised Joiner's ability to forge consensus. "We find ourselves

Continued on page 24



Brian Conary, left, and Ken Joiner accept the Excellence in County Government Award from Gwen Richardson.

Calhoun wins first-ever Excellence award from ACAA

ORANGE BEACH – Calhoun County's "Stove Top to Road Top" Biodiesel Program won the first Excellence in County Government Award presented by the Association of County Administrators of Alabama. The award was announced at the association's summer conference May 18-19 in Orange Beach, Ala.

The award was designed to recognize programs that are outstanding in quality and innovative in approach that is initiated by the county administrative staff for the direct benefit of county citizens.

The "Stove Top to Road Top"

Continued on page 27

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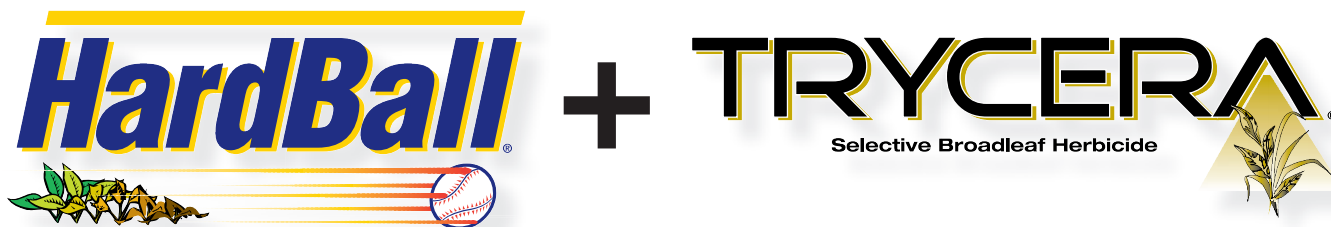


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News You Can Use

Joiner continued from page 22

sitting around a conference table, trading points of view that range from one spectrum to another,” they wrote. “After listening to the discussion and without effort, it appears that Ken almost always puts a solution on the table that meets with a consensus approval from the commission.”



Ken Joiner

Joiner has served as administrator in Calhoun County since 1972. He is a frequent lecturer at educational conferences for newly elected and appointed county officials. For two years he served as the court-appointed

receiver for \$900 million in property of the former Fort McClellan.

“I know him to be an extremely competent and responsible individual,” wrote U.S. Rep. Mike Rogers in another letter of recommendation. “In my opinion, Ken is the model of what a county administrator should be.”

Past honors and awards for Joiner include two Association of County Commissions of Alabama’s Outstanding Contribution to County Government Awards, 2009 Anniston Star Citizen of the Year and the Anniston Rotary Club’s Paul Harris Fellow.

He currently serves on the National Association of Counties’ Justice

and Public Safety Steering Committee, the Calhoun County Economic Development Council and the McClellan Development Authority.

He has chaired committees that wrote the Alabama County Finance Manual and the Code of Ethical Conduct for County Commissions in Alabama, and he was the first chairman of the board of the Association of County Commissions of Alabama’s Self-Insurance Liability Fund.

The Association of County Administrators of Alabama, an affiliate group of the Association of County Commissions of Alabama, represents professionals serving in administrative-related capacities in county government.

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Also, place an insulating blanket around your electric water heater to decrease heat loss from the surrounding air.

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Draining a quart of water from your water tank every three months removes residue build-up and can help your water heater work better.

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News You Can Use

Calhoun continued from page 22

program, a partnership between Calhoun County and the Anniston Water Works and Sewer Board, collects used cooking oil and converts it to biodiesel fuel for powering county vehicles.

The process saves on fuel expenses for the county and helps the water board prevent clogged sewer drains. Oil collection drums are placed at restaurants around the county, and citizens can participate using gallon jugs for home collection.

"This is an outstanding example of smart government at work," said Sonny Brasfield, executive director of the Association of County Commissions of Alabama. "Calhoun County should be congratulated for this innovative program."

The biggest expense in starting the program was the biodiesel processor, which cost about \$27,900. At present, it costs about \$2.50 to produce a gallon of biodiesel, but those costs are projected to drop to \$2 per gallon as the program grows.

Glycerin is a byproduct of the process, and it is used by a local carwash business.

The program has also received positive press in the Anniston Star.

The Association of County Administrators of Alabama, an affiliate group of the Association of County Commissions of Alabama, represents professionals serving in administrative-related capacities in county government.

'This is an outstanding example of smart government at work.'
-Sonny Brasfield

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Pafenbach wants to follow footsteps

Mobile County Administrator John Pafenbach is the new president of the Association of County Administrators of Alabama for 2011-2012.

"I hope to be as good a president as all those who have come before me," he said.

The 57-year-old Pafenbach has been county administrator for 8 years. He has accumulated 30 years with Mobile County, where he says the best part of the job is "helping the commission carry out its policies and seeing the effects of those policies on people's lives."

Like many in his position around the state, he feels the pinch of tight budgets, saying that finding ways to more effectively utilize existing resources is the biggest challenge facing county administrators. "We are trying to meet the requests for services with very limited resources," he said.

His goals for his term in office include strengthening the education program, sharing ideas among counties and spotlighting the successes of his peers. "I'd like to see more county



John Pafenbach

administrators recognized for the work they do," he said.

"John brings tremendous experience and expertise to this position, and his leadership will make this a great year for the Association of County Administrators of Alabama," said Mary Pons, association counsel for the

Association of County Commissions of Alabama.

Pafenbach, a native Mobilian, holds a bachelor's degree in history and a master's degree in public administration, both from the University of South Alabama. In addition, he has earned the certified county administrator designation from the Alabama Local Government Training Institute and the Association of County Commissions of Alabama.

In his spare time, he enjoys spending time with his family. He and his wife have four grandchildren, all of whom live within a few blocks. "I see my grandchildren 5 or 6 days of the week," he said with a grin.

The Association of County Administrators of Alabama represents professionals serving in administrative related capacities in county government. Other ACAA officers are 1st Vice President Diane Kilpatrick of Butler County and 2nd Vice President Pam Ball of Limestone County.

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