

COUNTY COMMISSION

Published by the Association of County Commissions of Alabama

Volume 55, Number 5
November/December 2011



What's Inside...
A network of leaders

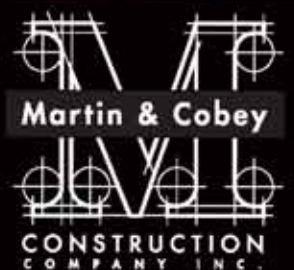


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in this issue

VOLUME 55, NUMBER 5



The Association of County Commissions of Alabama is led by a network of leaders from around the state.
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COUNTY COMMISSION is published bi-monthly by the Association of County Commissions of Alabama, Inc.; 100 N. Jackson Street; Montgomery, AL 36104. Subscription rates are \$20 per year, which is included in the dues of members. Additional copies, when available, are \$2 each to non-members. Periodicals postage paid at Montgomery, Alabama. Postmaster: Send address changes to COUNTY COMMISSION; 100 N. Jackson Street; Montgomery, AL 36104. USPS 985-380

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Hon. Tim Choate
President

A handwritten signature in black ink, appearing to read "Tim Choate".

Legislative program is tool for collecting county voice

Steering committees hard at work developing recommendations for Legislative Committee

One of the first responsibilities of the Association's new president is to appoint the subject-area steering committees that do the real work in establishing the content of the Legislative Program for the coming year.

Until you're sitting in the president's seat, you really don't understand the importance of these appointments or the significant part the committees play in the success of our work together over the next 12 months. This document – the Association's Legislative Program – is really the road map for the coming year and is not simply a list of legislative goals and priorities.

The program outlines the Association's official position and working parameters on a wide variety of issues ranging from the most significant – immigration reform, funding for road construction, the collection of taxes, overhaul of our ad valorem tax structure – to the more general, such as our opposition to unfunded mandates and our desire to see the state's economic conditions improve.

As issues arise unexpectedly over the year, the Board and staff use the printed policies of the Association as a guide for its daily activities. And for those outside our organization, the document provides tangible evidence that we are a unified, collective voice for the improvement of county government.

This year's steering committees, the ones whose members I appointed, began their work in late September and have been meeting over the last

six weeks. Later this fall the recommended new position statements and changes to the existing document will be considered by the elected Legislative Committee, the Board of Directors and then voted on by the membership at the ACCA Legislative Conference in December.

This step in the process – the membership's vote to establish its official policies – is one of the most significant things we do "together" as a unified body. Probably like most of you, over the years I have cast our county's vote in favor of adoption of the Legislative Program without much thought. There have been times, of course, when I didn't even read the program before voting. I didn't work very hard at providing input. And, honestly, I didn't consider how essential the program is for the Association's effort to reflect the wishes of the membership.

Of course, now that I sit as your president, I understand that the approval of the program is something that we should all take very seriously.

Once that vote is cast in December and the program is adopted, it is equally essential that we all support the positions of this Association. Even if an adopted position does not exactly match our personal wishes, we must pull together. The basis of our Association's ability to represent the best interests of "all" counties rests squarely on our willingness to support the Association's policies.

Allowing ourselves to be divided – either because we don't participate in

Once that vote is cast in December and the program is adopted, it is equally essential that we all support the positions of this Association.

the process or because we are willing to stand with the other counties only when it suits our local desires – will serve to weaken everything the Association does all year. If those seeking to oppose county governments are successful in dividing our ranks on one issue, it will be much easier to divide us on other issues over the coming months and years.

The strength of this Association has always been our willingness to pull together – even when a particular issue does not seem to hit our county as directly as it does our neighbor’s. We know that in another month or so there will be a new issue that does matter to our county; and we’ll be able to depend on our county “family” to stand with us at that time.

During the last legislative session we certainly saw the importance of working together on legislation that threatened all counties. And in the last few months, as we’ve faced issues such as the implementation of immigration reform, the aftermath of the April 27 storms and the challenges of dwindling revenue, our collective strength has served all of us very well.

To those of you who have participated in this year’s process, I thank you for your insight and perspective. If you were appointed and you found something at home that kept you from the meeting, we are all a bit weaker because we didn’t hear your ideas and you didn’t hear the ideas of others. Next year, we trust you’ll make participation a priority on your schedule.

At the Legislative Conference we will also make public the first step in the Association’s new “branding” project to renew and refocus our role as a single voice for the improvement of services on the county level. This new vision for the Association will emphasize our collective strength and the importance for us to speak with a unified and strong voice on the major issues in our state and beyond.

You don’t want to miss this session as the Association moves toward a new public image and a revised commitment to be a unified force for the betterment of county government in Alabama.

Though I am proud of the new image you will see in December, it is certainly my hope that we will continue to reach beyond mere catch phrases or fancy, digital designs to focus on what it really means to be together, even when it isn’t easy.

That’s what the steering committee process is all about – county officials and employees coming together to focus their collective talents and perspectives to establish a collective solution to the issues that confront us all. And then, for the next 12 months, they all pull in one direction to ensure the betterment of all 67 counties.

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Sonny Brasfield
Executive Director

A handwritten signature in black ink that reads "Sonny Brasfield". The script is fluid and cursive.

Counties banded together in insurance fund 30 years ago

Workers' compensation fund takes care of county employees, insulates budgets from corporate whims

They say desperate times call for desperate measures.

More than 30 years ago there were desperate times in county government. As county officials worked to balance their budgets back then, counties were facing two very difficult decisions.

As traditional insurance carriers refused to provide reasonably priced coverage for county workers injured on the job, commissioners struggled with either exposing county budgets to unlimited financial obligations in paying for workers' compensation benefits and medical care for their employees or cutting government services in order to pay the ever-increasing premiums charged by companies with a monopoly on the market.

Times were, simply put, desperate.

The Association responded to county requests by securing legislative approval to create a self-funded program that would allow counties and county-related entities to budget for their workers' compensation costs and to avoid the financial whims of those who make corporate insurance decisions in Chicago, New York or Cincinnati. Over the years the fund has grown, provided significant refunds to participating counties and has insulated the local citizens from significant financial exposures.

Today, more than 80 entities participate in the fund – each relying on the power and the collective financial strength of their “partners” throughout the state. When a county faces serious expenditures after injury to its employees, the “partners” pool together

to ensure the financial stability of the fund. And, on another day, when it is a different county facing the same challenges; the members again stand by their “partners” and provide stability to every situation.

From time to time financial circumstances have changed over the years and the traditional insurance carriers – some of them inexperienced in such programs – have sought to secure investment capital by offering counties reduced workers' compensation premiums in order to lure them away from the fund. In almost every case, the counties have understood the long-term implications of such a short-term decision and have continued to be a part of this very successful partnership.

Today, as the world's financial markets are in upheaval, insurance companies are desperately in search of premium dollars.

Now, they understand that accidents in the workplace are inevitable. But they also know the financial benefits if a company gets “in” at the right time, rides the wave of good luck and then is willing to get “out” (by hiking premiums or actually cancelling service to a particular governmental entity) when injuries occur and times go bad.

The fund, of course, provides service to counties regardless of their “experience” and seeks to soften the spikes of large premium increases and decreases by emphasizing loss control, county-specific service and representation and a “long-term” view that ensures all counties and their

Today, more than 80 entities participate in the fund – each relying on the power and the collective financial strength of their “partners” throughout the state.

employees will be covered. The fund is not in search of investment capital. The fund’s formula clearly works.

Operated by a board of trustees composed of county officials and employees – Escambia County Commissioner Larry White serves as president, and Geneva County Probate Judge Fred Hamic is vice president – the fund exists only to assist the counties. For that reason, the trustees are able to make decisions in the best interest of county government – not of corporate executives or stock holders.

This fall the trustees will establish a new safety incentive program to reward counties for taking actions to reduce workplace injuries. They will also provide counties with even more significant reductions in premiums for renewing their long-term commitment to the fund. And they are again evaluating all costs paid by the fund in order to save as much money as possible while also not losing sight of the real mission of the fund – to take care of those injured county workers.

Just this year the fund will return \$500,000 in refunds to the 2011-12 participants, and it has provided refunds totaling more than \$22 million during its existence. The fund has joined with its sister programs throughout the country to establish a program to ensure the most cost-effective “reinsurance” to protect the fund from some catastrophic event.

The mere existence of the fund has served to ensure that all counties – even the few that do not participate – benefit from a financial resource that

is, truly, one of the shining examples of government problem solving. And, today, the fund is actually providing benefits and continuing medical care to several former county employees who continue to struggle with injuries incurred more than a decade ago

There have been attacks on the fund. And it has withstood those attacks because county officials and employees have understood that county government will again face impossible decisions if this fund does not continue to grow.

Today we face desperate times. The financial circumstances in some counties are as severe as any in the last 50 years. These circumstances could serve to make some counties

vulnerable to a private company that makes big promises while hoping to get “in” and “out” in a way that serves the best interest of the company – not the county.

More than 30 years ago county leaders faced similar circumstances and they made the right decision. They pooled their collective resources, they relied on each other and they established an outstanding program that has served the long-term benefit of all counties.

Today, it is important for counties to recognize that despite the desperate times it is never wise to turn away from a proven financial resource that has served the best long-term interest of counties – and their employees -- for more than three decades.

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Mary E. Pons
Association Counsel

A handwritten signature in black ink, appearing to read 'Mary E. Pons'.

Media misunderstands Open Meetings Law

Law allows some closed door
meetings in certain situations

I was recently chastised in an editorial for advising a county that a meeting with state elected officials and other local public officials to discuss the financial woes of the county and municipal governments was not a meeting under the Open Meetings Law. The county commission and its administrator were chastised as well. The purpose of the meeting was to brainstorm with state legislators about how the local governments could address some of their funding issues. And as will be explained in more detail below, I did advise the county that the proposed gathering was not a meeting under Alabama's law.

This was the second time in recent months that I had read an editorial attacking county commissioners for meeting with state officials "in private." In the earlier article, the county was accused of holding "serial meetings" with the governor and attorney general, meaning that one or two of the commissioners met in separate meetings to avoid having a quorum of the commission in the room at the same time. The editorial accused the county commission of circumventing the Open Meetings Law by holding several small meetings with a few commissioners rather than holding one meeting with notice to the public.

In both articles, the writer in essence accused the county commissioners of violating the Open Meetings Law and criticized them for not understanding and complying with the law. In truth, however, it was the editorialist in both instances and not the county

commission who showed a basic lack of understanding regarding at least certain aspects of the Open Meetings Law.

Code of Alabama 1975, § 36-25A-2(6) defines a "meeting" for the purposes of the law, and if a "gathering" does not fit this definition it does not have to be open. It is a complicated definition, carefully crafted to address circumstances where a governmental body must provide notice and meet in public. The key components of the definition address quorum, deliberation, and decision-making of the body, establishing three different sets of circumstances that are a "meeting" for purposes of the law. This definition also clearly sets out two types of "gatherings" that do not constitute a "meeting" under the act. The first of these addresses conferences and social gatherings where several members of a governing body may be in attendance, but they do not "deliberate specific matters that . . . the participating members expect to come before the governmental body at a later date" (Code of Alabama 1975, § 36-25A-2(6)(b)(1)). The second circumstance, found at Code of Alabama 1975, § 36-25A-2(6)(b)(2), states the term "meeting" shall not include:

Occasions when a quorum of a governmental body gathers, in person or by electronic communication, with state or federal officials for the purpose of reporting or obtaining information or seeking support for issues of importance to the governmental body.

Members of the media should be held to same standard they expect of public officials regarding knowledge of and compliance with the law.

In other words, if the county commission wants to meet with its state legislators to seek support for legislation that might assist the body in addressing funding needs, that gathering of officials is not a meeting under Alabama's Open Meetings Law and need not be conducted in a public arena. This certainly is not intended to keep the public in the dark, and should the outcome of this meeting result in local legislation aimed at providing some source of revenue for the county and/or other local governments, the citizens will receive adequate notice of the proposed legislation since it will be advertised in the local newspaper for four weeks before being introduced – and chances are very good that the legislation will be discussed at some point during a county commission meeting.

Likewise, a county commission which needs to discuss litigation settlement possibilities with the governor and attorney general is authorized to hold these discussions in private under § 36-25A-2(6)(b)(2). Therefore, the “serial meeting” complained of in the above-referenced editorial was really not necessary. All five commissioners could have met together with these state officials. Again, the outcome of the meeting would surely become public at some point in the future, since the county commission would be required to deliberate and make a decision on what action to take in a public meeting, but the sensitive details of a possible settlement – which could be

dangerously compromised if discussed in an open forum – could have been discussed in a private setting.

I certainly agree with both of the above-mentioned editorialists that county commissioners and their staff must strive to understand and comply with Alabama's Open Meetings Law. To this end, the Association conducts regular trainings on the law and Association staff is available on an as-needed basis to address questions to aid counties in complying with every aspect of the law. We advocate strongly that county commissions at all times follow both the letter and the spirit of the law to satisfy “the policy of the state that the deliberative process of governmental bodies shall be open to the public during meetings as defined [under the law]” (Code of Alabama 1975, § 36-25A-1(a)). However, we also recognize – and where appropriate advise – that the law does include circumstances where meetings can be held “behind closed doors,” such as where executive session is authorized under Code of Alabama 1975, § 36-25A-7. And we recognize – and advise where appropriate – that not all gatherings of members of a governing body constitute a meeting.

By the same token, it is incumbent on members of the media to have a good working knowledge of the Open Meetings Law and to strive to understand its specific requirements and exceptions. I am the first to support and defend the concept of

open government and transparency – and I strongly believe that all county commissions should comply with the law at all times and in all respects. When there are violations of that law, I cannot fault those in the media for pointing out violations and chastising those who have not complied. However, members of the media should be held to same standard they expect of public officials regarding knowledge of and compliance with the law, and while they are welcome to write about aspects of the law that they do not like or they believe hampers open government, it does not seem right that they would accuse public officials of violating the law when they have not.

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AAEM honors excellence in profession

The Alabama Association of Emergency Managers gave out a number of awards at its annual meeting in September.

The Alabama Association of Emergency Managers is an affiliate group of the Association of County Commissions of Alabama.



Daun King

Daun King of the Jefferson County Emergency Management Agency received the Pat Neuhauser Spirit of EMA Award, the highest honor given by AAEM. King is the agency's administrative coordinator and grants manager, and she has worked there 17 years.

"Daun King's attitude and passion for emergency management are contagious, and her dedication to emergency management is second to none," said AAEM President Eric Jones, director of Elmore County's Emergency Management Agency and Homeland Security Office. "In fact,



Jim McIlwain

one of her coworkers described her as the 'backbone' of the Jefferson County Emergency Management Agency."

Jim McIlwain of Talladega received the Alfred T. Moore Memorial Volunteer Award.

McIlwain, a retiree, is a leading ham radio operator who has volunteered with the Talladega County Emergency Management Agency for more than 35 years. The award is designed to recognize a volunteer who has demonstrated loyalty and a willingness to serve at a moment's notice in any emergency over a period of at least five years.

Morgan County Emergency Management Agency Director Eddie Hicks received the Career Achievement in Emergency Management Award. The annual award recognizes actively employed or retired emergency managers with more than 10 years experience

who have distinguished themselves through outstanding service to their community and the state by exhibiting an exceptionally high standard of leadership and professionalism.

Hicks served three terms as president of AAEM, and he currently serves as president of the International Association of Emergency Managers – USA Council.

Elmore County Emergency Management Agency Director

Eric Jones was honored with the President's Award. Clarke County EMA Director Roy Waite, who was AAEM president in 2010-2011, chose Jones as recipient of the President's Award because of all he had done to help AAEM during the past year.

The Mobile County Emergency Management Agency received the 2011 Preparedness Program of the Year Award from the Alabama Association of Emergency Managers. The agency is recognized for an all-hazards disaster preparedness program run by Kent Landsberg.

Over a one-year period, Landsberg made more than 400 presentations to an estimated 30,000 Mobile-area residents, primarily targeting schoolchildren. He uses a mechanical talking Toucan named Emma and an inflatable Safety House to teach children how to recognize and prepare for disasters as well as to operate

Continued on page 12

News You Can Use

a safe shelter. He also teaches the importance of a disaster supply kit.



Anita McBurnett

The Preparedness Program of the Year Award recognizes a program that has developed a structure in preparing for disasters. Mobile won in the large county category.

The **Marshall County Emergency Management Agency** received the Recovery Program of the Year Award.

Marshall County EMA, led by Director **Anita McBurnett**, was recognized for its response to a devastating EF-3 tornado that struck Albertville on April 10, 2010.

The award is designed to recognize a program that has developed a

structure in responding to disasters. Marshall County won in the medium county category.

The **Fayette County Emergency Management Agency** received the Mitigation Program of the Year Award. The agency, under the leadership of Director Scott Porter, was recognized for establishing 14 storm shelters in the community.

The award is designed to recognize a program focused on long-term strategies to protect lives and reduce the impact of disasters. Fayette County won in the small county category.

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ACCA District Meetings scheduled for 2012

Legislative issues usually mean road trips to Montgomery for ACCA members – to serve on a steering committee or to lobby lawmakers at the State House. But once a year Montgomery – or at least the Capital City-based ACCA staff – takes a turn and fans out across the state.

The occasion is the annual slate of District Meetings, which have been scheduled for January of next year. Six meetings have been set in different areas. No one is assigned to attend any particular meeting. Rather, members are encouraged to attend the one that best fits their schedule.

“District meetings are a great opportunity for us to get out and visit our members in their home counties and to help put our legislative priorities into focus,” said ACCA Executive Director Sonny Brasfield. “Many times we are able to visit with members we may not see any other time of the year. But, more importantly, we can discuss important issues and can prepare ourselves to respond on behalf of counties during the legislative session.”

2012 District Meetings Pick the date and location that work best for your schedule.

Tuesday, Jan. 10

Pike County

Tuesday, Jan. 17

Sumter County

Wednesday, Jan. 18

Tallapoosa County

Thursday, Jan. 19

Conecuh County

Monday, Jan. 23

Lawrence County

Tuesday, Jan. 24

Blount County

The meetings are the last big phase of preparation for the annual regular session of the Alabama Legislature. This year the session begins on Tuesday, Feb. 7. It must end no later than Monday, May 21.

The format is simple. County commissioners and key county staff members gather in the evening for supper

and presentations from the ACCA staff. Brasfield will go over the Association’s legislative priorities in detail, sharing his insights about specific challenges to moving each item through the legislative process. Association Counsel Mary Pons will review the highest-impact ways that county officials and employees can affect the process. Time is usually reserved to allow for question-and-answer sessions with those in attendance.

“The Alabama Legislature passed four of the Association’s priority bills during the 2011 session, and, once again, that success was due to the hard work of our members,” Brasfield said. “Mary, Sallie or I can tell a legislator how a specific bill would affect county government, but nothing gets that legislator’s attention better than when someone from ‘back home’ calls his cell phone and explains what it will really mean for that particular county.”

Specific locations will be announced when online registration opens in early November. Registration will again cost \$20 per person.

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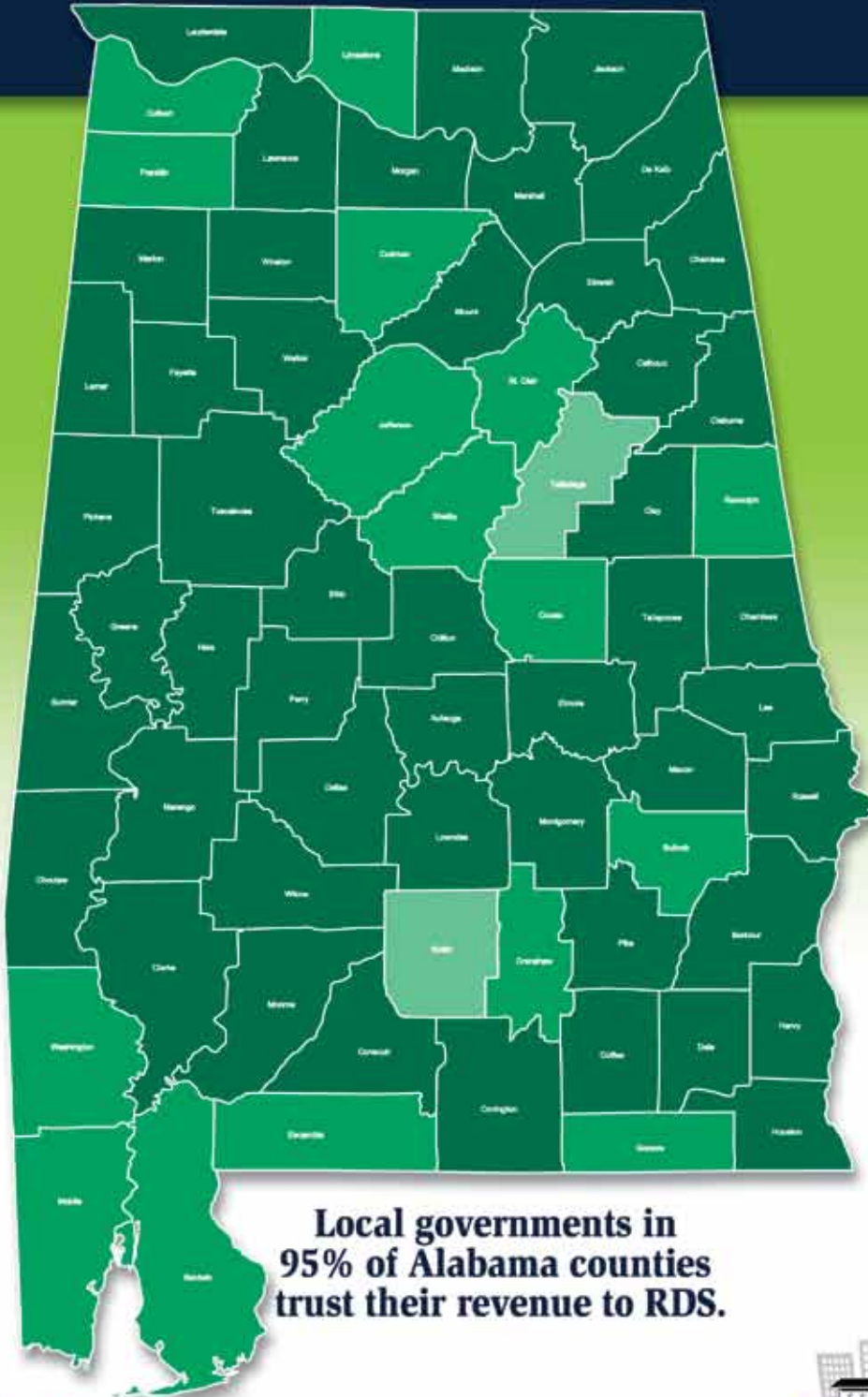
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From the Cover

Network of leaders



From the Cover

The officers of ACCA and its affiliate groups form a network of leaders working to move county government forward. Take a minute to get to know these newly installed leaders.



Debbie Wood

2nd Vice President, Association of County Commissions of Alabama

When you meet Debbie Wood, you quickly pick up on a couple of things about her: she has an impish sense of humor, and her passion for serving her county is exceeded only by her passion for Auburn football.

"We're huge Auburn tailgaters," she said, noting that they park their RV near campus on Thursdays before games, spend Friday and Saturday night at the tailgate and head home on Sunday. She's been known to highlight a business suit ensemble with an Auburn-themed pedicure.

Wood, a Chambers County commissioner, was elected second vice president of the Association of

County Commissions of Alabama in August.

She has served on ACCA's Legislative, Resolutions and Nominating Committees and was elected to the board in 2010, representing nine counties from east central Alabama. Under the Association's officer rotation, she is expected to become president in August 2013. Only one other female has ever been president of the Association.

ACCA Executive Director Sonny Brasfield said he is confident in Wood's ability to serve the Association's membership well.

"We are excited about the leadership, energy and dedication Debbie will provide for our Association and our members," Brasfield said. "I believe she thoroughly understands the problems of both urban and rural county governments in Alabama, and she will bring something special to the office of second vice president."

Wood, 45, is managing broker at Century 21 Wood Real Estate, and she represents District 6 on the Chambers County Commission. Her district includes the city of Valley. She was first elected to the commission in 2002.

She holds an associate's degree from Southern Union State Community College and earned her real estate license in 1993, followed by a broker's license in 2000.

Serving on the commission has taught her about teamwork, Wood said, and she wants to expand that philosophy inside the Association. "One of the things we really have to strive for is working with the other affiliate members," she said, noting that communication is the key to reaching "a great outcome for everyone."

Commissioners who are new to the Association need to pay attention to both kinds of learning opportunities at Association functions. "They will get a great deal of info by going to any of the events the Association holds," she said. "And they will gain even more insight from talking to the long-term commissioners."

Wood and her husband Bobby have been married for 24 years, and they have two children. In her free time she enjoys traveling in the RV, reading and playing golf.

The Association of County Commissions of Alabama is a statewide organization representing county government in Alabama. ACCA promotes improved county government services in Alabama, offers educational programs for county officials and their staff members, administers insurance programs for county governments and employees, offers legal advice and represents the interest of county government before state and federal organizations and agencies.

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From the Cover

Randy Cole



President, Association of County Engineers of Alabama



According to Shelby County Engineer Randy Cole, the Association of County Engineers of Alabama's priorities

sit squarely in Montgomery.

"We work closely with ACCA to advance legislation and to defeat harmful legislation, and we work with the Alabama Department of Transportation to further our common goals," said Cole, who was elected ACEA president this summer at the ACCA annual convention.

Cole previously served as ACEA president in 1998-99, and the organization has twice named him Alabama County Engineer of the Year. He is also a former president of the National Association of County Engineers.

"It is truly a privilege to work among so many talented county engineers, and to be chosen to lead ACEA again is an honor for me," Cole said.

He earned a bachelor's degree in civil engineering from the University of Alabama at Birmingham in 1986, and UAB's civil engineering department named him a distinguished alumnus in 2005. He has worked for Shelby County for more than 20 years, the

last 19 as county engineer.

Cole, 49, lives in northern Shelby County with his wife Sherry. They have three sons. In his free time, Cole enjoys hunting and golf.

The Association of County Engineers of Alabama represents professionals serving in engineering-related capacities in county government.

Melissa Dove



President, Alabama Association of 9-1-1 Districts



The Alabama Association of 9-1-1 Districts (AAND) has one overriding goal this year, according to the newly elected President Melissa Dove.

"Our No. 1 goal is to get this legislation passed and make the counties better and the whole 9-1-1 system better – no matter what size your county is," said Dove.

Dove previously held the positions of vice president and secretary/treasurer and has served on many of the AAND's special committees. She has been 9-1-1 director for the Wilcox County Emergency Communication District for 15 years.

She is a graduate of Gordo High School in Pickens County, and she also holds her EMT Basic certification.

Dove, 50, lives in Camden with her husband of 22 years. They have two children and two grandchildren. In her free time, she enjoys cooking, baking, event planning, hunting and fishing.

The purpose of the Alabama Association of 9-1-1 Districts is to promote the development, availability, implementation, advancement and enhancement of a universal emergency telephone number common to all jurisdictions in the State of Alabama, to represent its members before communications regulatory agencies and appropriate policy making and legislative bodies, to have the ability to create a statewide database and network that member districts may voluntarily participate in, and to foster 9-1-1 systems that contribute to the protection of human life, the preservation of property and the maintenance of general community security.

Eric Jones



President, Alabama Association of Emergency Managers



There are some persistent misconceptions about the role and mission of emergency management,

and Eric Jones wants to educate the public and other government

From the Cover

representatives during his term in office.

"We are there to support all of the incident commanders – whether it is a fire chief, a police chief or a mayor," Jones said. "We're not the ones in charge. We're the ones supporting the ones in charge."

Jones, who is director of Elmore County's Emergency Management Agency and Homeland Security Office, was elected president of the Alabama Association of Emergency Managers (AAEM) in September.

Jones previously held the positions of president-elect and secretary and has served on many of AAEM's special committees. He has been EMA director in Elmore County for five years, and he got into the field of emergency management through his work as a volunteer firefighter.

Jones, 35, holds a bachelor's degree in environmental science from Auburn University at Montgomery.

A native of Elmore County, he now lives in the Santuck community with his wife of 10 years and two children. In his free time, he enjoys spending time with his family, hunting and fishing.

AAEM is a non-profit organization of emergency management personnel that advocates for strong emergency management, fosters

good working relationships among professionals in the field and promotes professional standards and continuing education.

Allen Pate



President, Alabama City/County Management Association



The future is bright for the Alabama City/County Management Association (ACCMA),

according to new President Allen Pate.

"I hope to grow ACCMA in membership, get more educational programs on the agenda and just get more people involved than in the past," said Pate, who has been the City of Hoover's executive director for 20 years.

He described a municipal executive director's role as very similar to a city manager, saying that all department heads except police and fire answer to him. He brings a varied background to the business of local government, with experience in the construction industry and state government, where he served as labor commissioner during Gov. George Wallace's last term.

Pate, 68, lives in Hoover with his wife of 47 years. They have two

sons and six grandchildren. In his free time, he enjoys going to Lake Martin and playing golf.

Founded in the late 1960s as the Alabama City Management Association, the ACCMA is a professional organization whose mission is to advance professional management within Alabama's local governments and to support the professional development of its members. In 1997, the Alabama City Management Association became the Alabama City/County Management Association.

Darrick Williams



President, County Revenue Officers Association of Alabama



The education program of the County Revenue Officers Association of Alabama (CROAA) started

Darrick Williams on a path to leadership in the organization, he said.

Williams, senior auditor for Jefferson County's Department of Revenue, was elected CROAA president at the Association of County Commissions of Alabama's annual convention in August.

He previously held the positions of vice president and secretary/

Continued on page 20

From the Cover

treasurer in the organization and has served on many of CROAA's special committees. He has worked for Jefferson County for 12 years, and he earned a bachelor's degree

in accounting from the University of Alabama at Birmingham in 1994.

Williams also serves in the

Alabama Air National Guard with the 117th Air Refueling Wing in Birmingham.

His goals for the coming year include ensuring county revenue employees follow the Taxpayer Bill of Rights, promoting CROAA's learning opportunities and encouraging others to take on leadership roles in the organization, whether by serving on committees or teaching classes.

Williams, 39, lives in Hoover with his wife April and three children. In his free time, he enjoys jogging, other outdoor activities and attending his children's sports activities.

CROAA exists to promote the proficiency and professionalism of county revenue officers who oversee collection of a variety of local taxes ranging from sales taxes to lodging taxes to license fees.

The association organizes professional development opportunities and provides a unified voice in Montgomery on legislative issues.

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Seven classes offered for county staff in 2012

The County Government Education Institute (CGEI), which provides professional development and certification programs for county employees, has released its schedule of courses for the upcoming year.

CGEI runs certification programs for engineers, administrators and 9-1-1 staff members.

“Improving county government in Alabama is the Association’s primary mission, and one of the most important ways we accomplish that is through our education programs,” said ACCA Executive Director Sonny Brasfield. “During the 2012

2012 Schedule County Government Education Institute

Finance and Revenue
Jan. 4-5
Basic-level class for all programs

Disaster Relief 101
March 21-22
Shared elective for all programs

Personnel Administration
May 30-31
Basic-level class for all programs

Overview of County Government
June 20-21
Basic-level class for all programs

Legislative and Governmental Relations
July 25-26
Shared elective for all programs

General Accounting
Oct 10-11
Shared elective for all programs

County Administration Update
Nov. 14-15
Elective/Continuing education for administrators

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News You Can Use

Annual Convention, we recognized an impressive list of county employees who had distinguished themselves through professional development, and I hope we can honor just as many again in 2012."

Three of the four Basic-Level courses will be offered next year: Overview of County Government, Personnel Administration and Finance & Revenue.

The Basic-Level courses are required for personnel participating in one of the certification programs, but these classes are also available to employees working in other areas of county government. Personnel in county emergency management departments and county revenue offices are encouraged to participate in the Basic-Level Program. Additionally, this program is open to staff in the sheriff's office, probate office, and tax offices.

Each class includes 12 hours of instruction conducted at a day-and-a-half training session. Personnel may take any or all of the four classes, and a Certificate of Completion will be awarded to all who satisfactorily complete all four classes.

In addition, four upper-level courses are being offered next year. They are Disaster Relief 101, Legislative and Governmental Relations, General Accounting and County Administration

Update. These courses count toward certification or continuing education requirements.

All classes are offered at the Marriott Legends in Prattville. Registration is \$175 per course, and rooms are \$99 per night. All registration is handled through www.acca-online.org, and registrants must pay by credit card or PayPal account when registering.

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Revenue officers can choose from four courses

The County Revenue Officers Association of Alabama (CROAA) operates its own education and certification program, and the organization has announced its schedule for 2012.

Overview of County Revenue, which is one of three required courses, will be offered early in the year, followed by three different electives.

“Without the hard work of revenue officers, county services would literally grind to a halt,” said ACCA Executive Director Sonny Brasfield. “The CROAA training program is an outstanding way for this key group of county employees to strengthen their skills.”

The CROAA certification program requires of three core courses and two electives. All courses are 20 hours long, with instruction on the first two days and a test on the third day. Participants must attend the entire course and pass the test to satisfy certification requirements. All courses are \$195.

Once certification is achieved, individuals must have 20 hours of continuing education over two years. Continuing education hours may be earned by attending CROAA courses, CRE courses and the ACCA annual convention or by teaching CROAA classes.

2012 Schedule

CROAA Education and Certification Program

Course I: Overview of County Revenue

Feb. 8-10 • Shelby County Community Service Building.

Elective: Business Licensing in Local Governments

April 11-13 • Shelby County Community Service Building.

Elective: Excel, Beginners Thru Advanced

June 6-8 • Jacksonville State University, McClellan Campus

Elective: How to Safely Perform Field Work

July 11-13 • Jacksonville State University, McClellan Campus

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Local EMA director takes on statewide duties

For three years, Rocky Milliman's responsibilities were bounded by county lines. He was Emergency Management Agency director for Autauga County.

But all that changed in mid-October, when he took over the position of state disaster recovery coordinator, heading up the response to April 27th's deadly tornadoes that ravaged areas in central and northern Alabama.

"Everybody I talk to says, 'You've got a daunting task. A daunting task,'" Milliman said. "I don't see it that way.

"Alabamians are there to help each other. It was evident right after the tornadoes came through, and it's evident today," he said. "It hasn't changed from

the local to the state level – it's just on a larger scale."

Gov. Robert Bentley designated the Alabama Department of Economic and Community Affairs (ADECA) as the lead agency for the tornado response.

"As communities develop and complete their local recovery plans, Rocky Milliman and Long Term Community Recovery staff members provide technical assistance when needed and serve as a conduit between communities and state and federal agencies," said ADECA Director Jim Byard. "Rocky has valuable experience leading a county emergency management operation and working on local recovery and disaster preparation projects. His skill and previous experience coordinating with county and city officials gives him the ability to communicate effectively and develop rapport with the local officials who are leading community recovery efforts across the state."

As usual for ADECA, Milliman and his team are working at the intersection of federal government and local government. The Federal Emergency Management Agency (FEMA) has been working with local leaders –

organized into local long-term recovery committees – to develop individual recovery plans for communities. These formal plans will be unveiled Nov. 17.

"These plans are really about how to rebuild their communities to make them even better than they were before," Milliman said.

The biggest challenge at this point is funding, he said. FEMA's budget is on hold while the Congressional super committee works, and, in the meantime, state leaders are trying to work through Alabama's Congressional delegation to secure dollars, Milliman said.

The state is working in a total of 15 communities, providing technical assistance and helping coordinate resources.

"A lot of these communities have already started rebuilding," Milliman said. "Alabamians are resilient. We're just trying to help those who may need a little more assistance."

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Training for commissioners offered next year

The Alabama Local Government Training Institute (ALGTI) has scheduled three course offerings for 2012.

ALGTI is run by the Auburn University Center for Governmental Services and overseen by a board of directors.

County commissioners are unique among Alabama's elected officials in that state law mandates they complete 50-hours of training within the first two years of taking office. In addition, commissioners who want to go further can complete an additional 20 hours of training to earn a graduate certificate.

"One of the best ways commissioners can strengthen their service to their

counties is to take advantage of the learning opportunities offered by the Alabama Local Government Training Institute," said ACCA Executive Director Sonny Brasfield. "Being a commissioner represents a set of responsibilities that are unique to county government, and it's important to equip yourself so that you can respond in an effective and efficient way."

For 2012, the mandated Roads & Bridges course is being offered as well as two electives, Leadership and County Law Enforcement & the County Commission.

All classes are offered at the Marriott Legends in Prattville.

Another learning opportunity is the annual Alabama County Government Institute, scheduled for June 14-15 in Auburn.

2012 Schedule

Alabama Local Government Training Institute

Roads & Bridge

March 29-30

Leadership

April 19-20

County Law Enforcement & the County Commission

May 24-25



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Counties helping Homeland Security with immigration law

State and federal judges are sorting through all kinds of motions and counter motions, while other sections of the new law have already been declared unconstitutional. Gov. Robert Bentley says he wants to make major changes to the sections that remain when the Legislature returns in February.

But in the meantime, county officials and employees throughout Alabama are still looking for the most effective way to implement the provisions of the state's new immigration law that affects almost every aspect of local government.

The immigration law, passed near the end of the 2011 regular session, is designed to address the growing number of illegal aliens in the state by making it difficult for those without proof of citizenship to obtain government services, secure employment or find a place of residence. For counties, the law requires employees and officials to review proof of citizenship before providing government services, executing contracts or entering

Proposed ACCA Policy Statement on Alabama's New Immigration Law

The Association urges the Alabama Legislature to amend Act No. 2011-535 to address the excessive costs and administrative burdens placed upon Alabama counties under the law in its current form.

In particular, the Legislature should consider amendments to address: (1) the strict requirements on Alabama employers and government officials to investigate and identify persons unlawfully residing in the United States; (2) the requirement for state and local law enforcement personnel to investigate the lawful status of certain persons detained for traffic violations or other minor offenses or persons alleged to be assisting illegal immigrants in some manner; (3) the administrative burdens on all levels of government which leave state and local officials vulnerable to legal action by the state or by citizens of the state; and (4) the cost of implementation and compliance which places significant financial burdens on counties, particularly in the area of law enforcement and maintenance of the county jail.

into what the law calls a "business transaction" with any person.

"The court challenges regarding this law may not be resolved for some time," said Association Executive Director Sonny Brasfield. "But

counties cannot wait for a final resolution to implement the changes necessary under this new law."

And the changes, he says, will be significant.

Because almost every service provided by counties in Alabama could be included in the definition of a "business transaction" counties are faced with the very real possibility of not providing essential services without a flood of red tape, Brasfield explained. "At this point, county officials are searching for answers to some very difficult questions about how they can provide routine county services, like solid waste collection and utility services."



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The new law is under scrutiny in the courts and from the U.S. Department of Justice. A preliminary injunction blocking some provisions of the law is currently under appeal in the federal court system, and the law's critics vow that they are in this battle for the long haul.

A provision added to the law during the last step in the legislative process allows the Alabama Department of Homeland Security to adopt rules for the implementation of the new act. And it is this provision that could help counties find some answers, he says.

In fact, under the leadership of DHS Director Spencer Collier a panel of



Spencer Collier

attorneys from state agencies and local governments has been established to begin work on rules that could make it more efficient for government to

provide essential services under the new law.

The process began with an organizational meeting on November 8, where Collier encouraged the group to compile a comprehensive listing of the issues that need consideration.

"Everyone in this room," he said to a gathering of more than two dozen state agency directors, representatives of law enforcement

and local government, "has questions about how the daily operation of your agency or department will be impacted by the new law.

Even though the law authorizes Homeland Security to adopt rules for the implementation of the act, it gives us no guidance on how to proceed and we do not have an attorney on staff that can develop the rules. So today we will begin the process together."

Those attending the meeting outlined questions related to the enforcement of the penalties in the law, whether state agencies and local governments can provide essential and routine services without daily verifying a person's immigration status and how the reporting requirements in the law will be satisfied.

Further, many raised concerns about the possible criminal penalties that could be levied against rank-and-file workers who do not follow the verification requirements of the law.

"County officials will do everything

possible to follow this law, as they do with every mandate that comes from the state level," Brasfield explained. "Counties were created by the state legislature to carry out governmental functions at the local level. But we are extremely pleased to be part of a process to adopt rules that will allow the process to work without disruption of services to Alabama citizens."

The group is to hold its first meeting to work on the drafting of rules in mid-November. The process for adopting rules through the Alabama Administrative Procedures Act is time-consuming, Brasfield said, and probably will not be completed until early 2012.

"At this point, we certainly hope to give all agencies and local governments some guidance through the rule-making process," Collier concluded. "But this is going to take some time."

In the meantime, the courts and – perhaps – the Alabama Legislature will continue to focus on the provisions of this act.



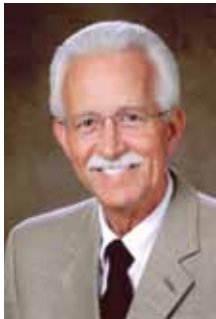
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