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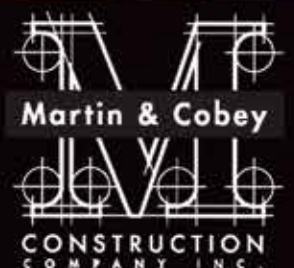


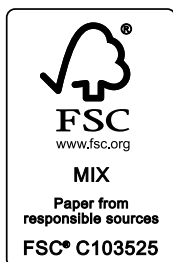
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VOLUME 58, NUMBER 5



**Mobile County Commissioner Merceria Ludgood, pictured with the Mobile Government Plaza in the background, is ACCA's 2014-2015 president**

Photo: G.M. Andrews

## **Statement of Ownership, Management & Circulation As of October 2014 - County Commission Published bimonthly**

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# President's CORNER



Hon. Merceria Ludgood  
President

A handwritten signature of Merceria Ludgood in black ink.

## All hands on deck

**President Ludgood  
calls Association  
Membership to get  
involved, volunteer**

*To our President, our executive director and other members of ACCA:*

I would like to begin by introducing some people who work in various capacities on behalf of the residents of Mobile, but more particularly, who provide support and encouragement to me, both personally and professionally.

My husband, Carlos Williams. Over the years many people have asked about our different last names. He likes his name and I like mine so we just kept the ones we had. I answer to Mrs. Williams and he answers (often) to Mr. Ludgood. He is my partner in life and shares as caretaker for my 90-year-old mother.

My fellow Commissioners, Mobile County President Connie Hudson, and Commissioner Jerry Carl; Mobile County Administrator John Pafenbach; Mobile County Engineer Joe Ruffer; Mobile County Attorney Jay Ross; members of the Mobile County Engineering and Public Works Department; Members of the Mobile County Administration office; and last, but not least, my friends who are just there with me and for me, and have been for decades.

Mobile County is indeed fortunate to have excellent staff members who are dedicated public servants. As a former County employee, I understand that commissioners come and go. Our staff members are the foot soldiers who just keep stepping up to the plate and making it happen.

A special thanks goes out to my colleagues and those among you who are my mentors. I am a better person and a better commissioner because of your

influence on my life.

I would also like to mention the ACCA staff who makes leadership in the Association so easy. Not only for those of us in elected leadership but for all of us. The ACCA staff is always there to answering our questions, big or small. They are routinely there to be a sounding board when you need to vent. They are there to talk you out of (or into) doing or saying something you might later regret. They plan meetings and events where we can gather to handle our business, be informed and to encourage one another to continue fighting the good fight. And they providing us timely, informative communication—lots and lots of it.

It is because of the ACCA leadership in our legislative advocacy that we have earned the respect of decision makers throughout our state and have been able to maintain an effective legislative program when many of our neighboring states take a beating during every legislative session. Thank you for all you do on behalf of County government—and thank you for being our partner in service to the people of Alabama.

Each August around this time we gather to reflect the year's accomplishments, assess where we are and where we need to be headed, and lay the groundwork for that new or renewed direction. As we transition from one president to the next, the new president comes with an agenda that he or she hopes to accomplish within that year.

Today we honored our Immediate Past President Debbie Wood for a job well done. She served with humility, integ-

*Editor's Note:*

*This is the prepared text of the inaugural address that Merceria Ludgood delivered at the 2014 ACCA Annual Convention.*



rity and an unflinching commitment to ACCA. I wanted to say “War Eagle” in her honor, but I just can’t do it!

But our work is not about the president because some programs begun by one president may be realized during the term of another. Past President Ricky Harcrow planted the seed for our leadership program, Debbie tended it, and we will see the harvest this year during my term. What is key is the active participation and commitment from the membership—elected and staff—that results in our Association’s leadership in our state.

Right now many of us back home are working on budgets where the needs outpace the resources. Where counties are losing industry and small businesses are closing their doors. Where we are fighting legal battles to maintain the jobs we do have. Where hospitals are closing and doctors are leaving town. Where the average person is losing confidence in government at every level and their response too often is to disengage from the political process. And where all too often we have to do battle for little dollars with those who should be helping us find solutions to these difficult problems.

Come January, we will have a new state government in Montgomery. Some players will change, but the challenges will remain the same. As an Association we will still be making the case that County Commissioners can be trusted to make administrative decisions regarding their work. We will still be looking to remedy the overcrowding in our prisons, but not on the backs of County government. We will still be looking to find a permanent funding source for emergency management because victims of disasters shouldn’t have to pray for enough damage to reach the federal threshold for assistance. And, while we recognize

the historic nature of ATRIP, and are deeply grateful for what we have been able to accomplish because of it, we still have ongoing transportation needs that we are trying to accomplish on 1992 dollars. We have difficult days ahead, but we are up to the challenge. We have laid the groundwork. I began in county government in 1985 but it is only during the last decade that I began to watch ACCA, especially after I was elected to the County Commission.

Over the years I have watched this association building alliances with those who share our agenda. Circle our own wagons to stop those who would “divide us”. Protect and advocate for rural counties, urban counties, small counties, not so small counties, poor counties, and those with a little bit more by standing shoulder-to-shoulder.

Whether we are Democrats or Republicans, we check the D and the R at the door and spend hours struggling to find common ground on the issues where we can speak with one voice and respectfully disagree on the others. Ours is not a fight to see who gets the credit . . . it is simply to get the job done for we know that for many people in this state, we are the last line of defense, and they depend on us.

It is for those reasons that I aspired to leadership in this organization. Every organization has room for improvement BUT I believe ACCA represents what is best about Alabama. We work hard and do not sit around waiting on somebody to do for us what we can for ourselves. In our Board meeting one of the members said that’s what makes Alabama special. That’s what makes ACCA special. During our opening session Wednesday on prison reform David Guice posed the question: what is your problem statement for our prisons? How would we define the problem? What is our objective?

I believe that we are at a point in our history that we must answer that question as Alabamians. Who do we want to be as a state? What kind of state do we want to be and having determined that, do we have the political will to go for the brass ring?

If we are going to be a leader on the world’s economic stage, do we have the political will to make an investment at every level of government to get there? To articulate a vision, tell the people what it will cost and ask them to invest in our future...

Why is that an ACCA issue? Because whatever industry comes, it will be our infrastructure that enables them to pursue their business interests. I have had the privilege to serve on the Board with some of our most extraordinary leaders. Together our past presidents bring hundreds of years of experience in county government. They are generous with their knowledge and their time. I want to thank them publicly for their support and counsel this year.

So this year I am calling for “all hands on deck.” Get involved. Volunteer to serve on a policy team to help shape our legislative agenda. Take advantage of our brand new Leadership program.

For the last three days, speaker after speaker has reminded us of the work that lies ahead and the uphill struggle we face: we have heard that it will not be easy. To paraphrase Frederick Douglass, if there is no struggle, there is no progress. If you want crops, you have to plow the ground. Rain brings thunder and lightning. Power conceded nothing without a struggle. It never did and it never will. Thank you for this opportunity to serve *you*, our members, as together we serve the people of our state. ■



**Sonny Brasfield**  
Executive Director

*Sonny Brasfield*

## Counties are the only voice that stood against raiding the Alabama Trust Fund...

### Voters approve referendum to withdraw money

**T**he line is a trite and over used one; but it's about time to stick a fork in the Alabama Trust Fund.

Raided over and over and over again, the Trust Fund has few protectors left and is constantly under attack from those who can find any excuse to snatch money out of the state's savings account.

There was a time when many voices spoke out loud and long against any effort to remove money from the Alabama Trust Fund. No more.

Just the other day the Alabama voters approved a referendum to withdraw money from the Trust Fund to pay for a bond issue for improvements at the state's National Guard Armories. No one opposes upgrading the armories, but improvements such as upgrading technology equipment and replacing roofs are expenditures that are rightfully paid from operating moneys – not from the state's only savings account.

The Armory vote follows an alarming decision three years ago to extract more than \$430 million from the fund to pay for government operational expenses just weeks after legislative leaders held press conferences promoting budget cuts. The blame for that withdrawal of money rests with the voters, who sent a strong and convincing signal that they support drawing down the money in the Trust Fund.

All the signs are there, it's just a matter of time before the Trust Fund is exhausted.

In case you aren't familiar with all the details, the constitutionally-created Alabama Trust Fund holds rental payments from petroleum companies leasing the rights to drill in Alabama waters in the Gulf of Mexico as well as the annual royalty fees collected when the oil is actually extracted. As the name implies, the overriding principal is that the money in the fund should be held "in Trust" with only the annual interest being expended.

According to the constitutional provisions, the majority of the annual interest is to go to prop up Alabama's constantly-overrun General Fund Budget. The money pays for services like mental health, the Department of Human Resources and others. Ten percent of the income also is allocated to counties and another 10 percent allocated to cities to pay for "capital" projects.

Any withdrawal of money from the corpus of the fund means the interest payments to all agencies are reduced forever. And such was the case with the \$50 million bond issue for the National Guard endorsed by voters all over this state in early November. The more than \$70 million that will be used to repay the bonds -- that's right, the actual cost of repaying the bonds is a net 40 percent -- will reduce the interest payments for all state and local services beginning next fiscal year, and every year thereafter.

When this latest withdrawal was weaving its way through the legislative process, this Association publically worked to defeat or at least amend the proposal. Certainly expressing opposition to improvements for the National Guard was not popular.

And, as you might expect, it was also difficult to convince legislators to join in that opposition.

But the most troubling aspect was that absolutely no other organization and not a single significant policy leader or a statewide elected official felt it important enough to stand up and join us in our efforts to protect the Alabama Trust Fund.

So, after fighting the entire legislative session, just minutes before final adjournment of the 2013 session, the legislation authorizing the statewide vote on the bond issue was wedged out of the House with only this Association

actively working to stop its passage.

Over the last month several county commissions adopted resolutions opposing this latest vote to reduce the money in the Trust Fund. Many of our leaders have spoken out against the amendment and, at great political risk, have taken active positions

and publicly encouraged the voters to say “no.”

At the same time, economic development leaders -- whose efforts are financed through the state General Fund and, therefore, through the interest from the Alabama

Trust Fund -- paraded throughout the state endorsing the amendment.

Their attitude is most confusing to those of us who have been around long enough to remember that it was those departments benefiting from the Alabama Trust Fund who always joined us in our efforts to protect it.

So, clearly, it is time to face the facts. This state, its leaders and its voters no longer support the idea of holding more than \$2 billion “in trust.” The voters and our leaders are willing to hold a referendum on withdrawing money during every election cycle until the Trust Fund is exhausted.

The real question isn't about the future of the Alabama Trust Fund -- obviously, you can stick a fork in it.

The real issue for this Association as the only “voice” that seems to be concerned about the Trust Fund, is what logical steps should be taken now. ■

“  
***The most troubling aspect was that absolutely no other organization and not a single significant policy leader or a statewide elected official felt it important enough to stand up and join us in our efforts to protect the Alabama Trust Fund.***  
”



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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 blue background.

## Public Services Require Proper Funding

**Government needs  
to more actively  
advocate for the taxes  
levied to provide  
government services**

**L**ike most people, I am a bargain shopper. Frankly, though, I am not likely to move from my couch for 10% off the regular price. Given this position, I have never understood the appeal of the “tax free holiday” and try not to shop during the first weekend in August. Truthfully, I do understand the appeal – people get excited about buying something without paying tax on it.

Honestly, that bothers me – a lot. It bothers me because it is the appeal of not paying taxes that draws in the customer, not the fact that they will save 10% on the purchase. It is like they are beating the government when they buy something “tax free” – even if the purchase is only \$5.00 and the savings is fifty cents.

It also bothers me because many of the people who are attracted to a tax free purchase are the same people who complain to the county commission about potholes in the road or long lines at the tag office. They want the best services that money can buy – but again, they want them tax free.

There is something else about the tax holidays and other tax free measures that bother me. By enacting these tax breaks, the government is acknowledging the disdain for paying taxes and, in some respects, supporting that view. I wonder if government wouldn't be better served by sending a different message to the citizens – that citizen participation in the government through the payment of existing taxes pays for the services they want, keeps roads and bridges properly

maintained, provides for emergency management programs, and allows for quality public education.

Keeping taxes as low as possible is, of course, important to anyone serving in elected office. No matter how much I wish the world view was different, it will always be to an official's benefit to be able to campaign on low taxes. I understand that – and don't get me wrong – I like low taxes as much as the next guy. But I also want all those government services mentioned above, and I want – and expect – my government to provide them. I also understand there is a cost tied to each government service I receive, and I should do my part to fund those services.

I am in the process of remodeling my bathroom and I am excited about the new, fresh look – and the removal of 80 year-old pipes and equipment that outlived their usefulness long ago (kind of like an 80 year-old bridge).

I am less excited about the costs that keep mounting up for the new, fresh, and properly operating bathroom I will have when the project is complete. However, like the repairs needed for that 80 year-old bridge, the bathroom had become “structurally deficient” and the repairs became a necessary cost of maintaining my house.

I realize that I am preaching to the choir here in many respects. Every county official (and staff member) understands the importance of the revenues generated from the different forms of taxation we have.



And every county depends on their revenue officers to aggressively pursue every dollar due. While I acknowledge there is some value in granting certain exemptions or abatements of taxes when they truly do result in a stronger economic future for the county through projects generating new jobs or an expanding commerce, I fear that all levels of governments face too much pressure to cut, suspend, or eliminate taxes that frankly the governments cannot afford to give up. That 80 year-old bridge has to be repaired

and, like the bathroom remodel, the cost keeps going up. And unlike my situation, the government cannot just put it on its Home Depot card and pay it over time.

“***Rather than apologize and look for ways to give citizens a tax break, government should whenever possible educate their citizens on the good – and necessary – use of the monies generated from the taxes they pay. And when that money has been well spent for the benefit of the citizens, government should make sure its constituents know their tax dollars are working for them.***”

I do get tired of hearing that we pay too much in taxes and that those tax dollars are wasted at every level of government. The taxes in Alabama are consistently the lowest in the country, and that is not likely to change. And there is some government

waste – much of which is statutorily required (like say, some archaic costs

incurred in administering elections). I suspect there is less waste in county government than any other level of government. And I know that for most counties, there is much less revenue than needed to meet the needs of the citizens within the community.

So I guess the point of this rambling is that government needs to more actively and affirmatively advocate for the taxes levied to provide government services. Rather than apologize and look for ways to give citizens a tax break, government should whenever possible educate their citizens on the good – and necessary – use of the monies generated from the taxes they pay. And when that money has been well spent for the benefit of the citizens, government should make sure its constituents know their tax dollars are working for them. ■

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# Agreement reached on constitutional amendment to grant counties administrative decision making

It appears more and more likely that Alabama voters will get a chance to make some reform – albeit “modest reform” – of the relationship between the Legislature and Alabama counties.

Born from the work of the Alabama Constitutional Revision Commission, two proposed amendments passed the state Senate during the 2014 session and a third, which makes changes to the procedures for enacting so-called local bills applying to only one county or political subdivision, is also expected to have significant support when the Legislature reconvenes in early 2015.

As proposed constitutional amendments, the bills must first garner a two-thirds vote in both the House and Senate and then would face a statewide referendum during the 2016 election. Once approved by the voters, the changes would immediately apply to all counties.

“We are confident that the proposals, if approved by the voters, will enhance the operation of county government and benefit the citizens,” said ACCA Executive Director Sonny Brasfield. “The Association made several recommendations to the reform commission and

the concepts that were eventually adopted by that group represent a positive step in the right direction.”



*Sen. Del Marsh, sponsor of the proposed constitutional amendments bill.*

The reform commission, composed of elected officials, civic and political leaders, academic experts and others, met for more than 18 months on recommendations to update and revise Alabama’s century-old constitution on an article-by-article basis. As expected, the idea of make some adjustments in the constitutional amendments that direct the interaction between county government and the state Legislature garnered the most debate and generated the most concern. Brasfield said the Association worked

hard to avoid any connection between its recommendations and so-called “home rule” because the Association’s Board of Directors believed any connection between this reform and taxing powers or land-use regulation would serve to derail other improvements.

The recommendations would alter the process for voting on proposed constitutional changes impacting only one county or political subdivision by establishing a more workable process for allowing local-only referendum on such changes; allowing for bills impacting only one county or political subdivision to be amended during the legislative process; and allowing local county officials to establish specific programs that today require the passage of a local bill.

“Alabama’s current process, which requires the passage of a local law for even the most mundane and routine business activity, clearly causes county government to be unnecessarily inefficient in today’s world,” he continued. “The Association’s leadership felt that addressing these issues would be a major step forward in giving the local citizens a stronger voice at the local level.”

During the 2014 session, two groups



# News You Can Use

of elected officials – probate judges and Alabama’s taxing officials – expressed major concerns with the concept of allowing the county commission and the other elected officials to make mutually-agreeable decisions at the local level.

With little time remaining in the 2014 session last spring, Brasfield said, the bills were not approved in the House but much work has been completed on the bills this summer.

He pointed to improving communication between the Association and those officials concerned with the details of the legislation and to an “agreement” on the bill reached between the Association, those officials and Senate President Pro Tem Del Marsh.

Brasfield explained that he, along with Coosa County Probate Judge Terry Mitchell (president of the Probate Judges Association) and Chambers County Revenue Commissioner Wendy Williams (president of the Alabama Association of Tax Officials), met recently with Sen. Marsh to advise him of an agreement on language that provides even further protection and requirements that the officials at the local level agree on any new or amended programs.

“Each group reported to Sen. Marsh that its membership is comfortable with the proposed amendments on administrative decisions,” Brasfield said, “and we were pleased to let Sen. Marsh, who is sponsor of the bill, know that this bill represents a step

forward that everyone can support.”

The three proposed constitutional amendments relating to county government make changes to the process for adopting future amendments that relate to only one county or political subdivision, allow for administrative decision-making at the local level and allow for constitutional amendments to be amended during the legislative process.

“We will discuss these amendments in detail during our Legislative Conference in December,” Brasfield concluded. “During the district meetings in early January we’ll provide even more details so that county officials can make contacts with their legislators to encourage support of these proposals.” ■



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## Chilton and Lee receive top honor at 2014 Convention

**T**he Chilton and Lee County Commissions have been honored with the 2014 Excellence in County Government Awards.

Chilton County received the award in the rural category for its Healthcare Initiative Program. For a community that saw its only hospital closed because of financial problems, the future is much brighter today.

Through the Chilton County Healthcare Initiative, the commission reorganized and modernized the hospital board to form a new Chilton County Healthcare Authority and built support in the Alabama Legislature and among local voters for a temporary 1 percent sales tax to fund a new medical center. Voters overwhelmingly approved the funding in June, paving the way for construction of the \$20 million facility that will be managed by St. Vincent Health Systems of Birmingham.

Lee County received the award in the urban category for its Purchasing Power Program. In 2009 the Lee County Commission began using procurement cards, or P-Cards, as a pilot program with a select few departments within the county. The program was so successful that in the last three years all departments have moved to the P-Card system and now more than 80 percent of the county's transactions take place on P-Cards. There is stringent oversight and accountability but to date, the county

has saved approximately \$100,000 annually in reduced costs and time. In addition, by taking advantage of rebates offered through financial institutions, in 2013 the Lee County Commission earned \$60,000 in rebates and dividend money.

"Counties do a great deal of excellent work above and beyond normal

services that often goes unnoticed," said ACCA Executive Director Sonny Brasfield. "The Excellence Awards serve to honor some of those programs."

The Excellence Awards recognize innovative and effective programs implemented by the commission itself and not its agencies or boards.



*Members of the Lee County Commission accept the 2014 Excellence in County Government Award- Urban Category.*



*Members of the Chilton County Commission accept the 2014 Excellence in County Government Award – Rural Category*



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# Local Government Health Insurance Program under direction of new board

**C**ounty employees throughout the state won't notice any changes in their health insurance on the first day of 2015, but that doesn't mean that something important isn't going to happen.

After years of consistent growth, the state-operated program providing health insurance coverage for more than 50,000 local government employees will shift to the control of a 9-member governing board. This new board includes five representatives with connections to county government and will ensure that the participants in the program have direct input into the program's operational decisions.

"The creation of a separate and independent governing board for the Local Government Health Insurance Program is a very positive step for county employees all over the state," said ACCA Executive Director Sonny Brasfield. "We don't expect any changes in the operation of the program, but going forward this board can effectively address any issues that arise."

Created more than 20 years ago, the LGHIP program is operated separately from the two other state-directed health insurance programs for teachers and for state employees. However, since its inception all governing decisions for the local government plan have been made the board originally established to simply administer the state employees' insurance program.

A few years ago an advisory committee was established to allow local employees the opportunity to provide some input into program. But control remained in the hands of a board composed solely of state employees who are not participants in the local program.

The growth of the LGHIP and the challenges presented by the passage of the Affordable Health Care Act made it important to establish this separate governing board, Brasfield said. Three members of the board are appointed by the Association; three appointed by the Alabama League of Municipalities; one member appointed by the Retired State Employees Association; and two members are elected by insurance participants.

The Association's appointees to the board include Lee County Administrator Roger Rendleman, Madison County Commissioner Phil Riddick and Crenshaw County Commissioner Charlie Sankey. Shelby County Finance Director Butch Burbage was elected as a member of the board by statewide vote and former Madison County Commission Chairman Mike Gillespie was appointed to represent retirees who take part in the program.

At its first meeting, the board elected Rendleman, who is a certified public accountant and former employee of the Alabama Department of Examiners of Public Accounts, to



*Lee County Administrator Roger Rendleman was elected Chairman of the board overseeing the Local Government Health Insurance Program*

serve as chair. The board does not officially take over direction of the program until January, but is already working on its governing by-laws and other details that should allow the new board to function effectively.

Following his election as board chairman, County Commission asked Rendleman to offer his insight into the operation of this very important board.

**Your election as chairman of the new Board was not your first experience with the local government health insurance**

# News You Can Use

## **program. Tell us about your service on the previous advisory council:**

I started on the advisory council with the LGHIP in 2007. Basically, the council met once a year in July. We would get an overview of the trends in healthcare costs along with a financial update of the local program. Base on this information, we would be presented different scenarios of premium and/or benefit changes.

After discussion and some debate, a recommendation would be crafted and adopted for changes (or not) on premium rates and/or benefits. Since we were just advisory, the recommendation was just our suggestion. The State board had to make the actual decision. Fortunately, they usually listen to the wishes of us locals.

## **When the advisory council is replaced by the new governing Board in January, do you anticipate any changes in your approach or the approach of the new board?**

No and Yes.

No - The driving force for establishing the new governing board was to ensure the solid financial stability of the local program.

The financial soundness had been established through strong financial management by SEIB administration and the adopted recommendations of the advisory council over the years, especially during the "Great Recession". The new governing Board's primary objective is to make the transition as seamless as possible and continue with the formula that got us here.

“*The creation of a separate and independent governing board for the Local Government Health Insurance Program is a very positive step for county employees all over the state. We don't expect any changes in the operation of the program, but going forward this board can effectively address any issues that arise.*”

ACCA Executive Director  
Sonny Brasfield

## **The local government program has grown significantly over the last several years, what role can the new Board play in further improvements to the program?**

In twenty years, the program has gone from about 150 member units with 16,000 members to 580 member units with 53,000 members. With these numbers, the time had come that all future program decisions about the LGHIP needs to be actually made by representatives

from the local member units.

The new Board has the responsibility to ensure the continued success of the program and I don't know of any program that can do that without searching for ways to improve.

## **What challenges do you see for the Board in the coming years?**

When it comes to healthcare and health insurance, there will always be many challenges; but, I would say the top three are:

First, the new Board needs to make this transition seamless and maintain a solid working relationship with the SEIB's administration. One day, the program may need its own administration, but for now the program is best served with a proven professional staff.

Second, the uncertainty of the impacts of the Affordable Health Care Act is the greatest challenge for all insurance programs. So far, the local program has navigated the challenges; however, federal regulators continue to change the rules which can be aggravating.

Finally, the overall health of the workforce. We are spending less and less time in physical activities with more and more electronic entertainment and electronic interaction. Overall health decreases and risk factors continue to increase. All of this eventually leads to higher program costs and higher premiums.

More will need to be done to encourage annual health screenings and better health education. ■



# Joint Bid Program starts new year in 2015

**T**he Joint Bid Program embarks on a new contract year beginning in January. ACCA is especially grateful to the county engineers who work hard every year to make the program a success. This Fall the bids for 2015 have been opened, reviewed and awarded – which means counties all over the state will not be forced to conduct their own bids for road equipment during the coming year.

Chairmen and engineers should have already received a price comparison from ACCA Director of Member Services John Hamm. Full purchasing info on the 2015 items will be available online before the end of the day on Monday, Jan. 5. If you have questions regarding joint bid prices, please contact John Hamm at (334) 263-7594. ■

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- Wendy Bobbitt, DeKalb County
- Mandi Willis, Franklin County
- Brenda Bryant, Lauderdale County
- Glenda Broadnax, Mobile County
- Tina Morgan, St Clair County
- Sandra Wolfe, St Clair County

### **Certified County Administrator**

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- Tamara Kennie, Perry County

### **Certificate in Emergency Communication Administration**

- Scott Stricklin, Crenshaw County
- Alan Campbell, Shelby County
- Paula Campbell, Talladega County
- Martha Luker, Talladega County

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- Carthal Self, Blount County
- Gary W. Stricklin, Blount County
- William T. Browning, Pickens County
- Elwyn Bearden, Shelby County
- Tommy Edwards, Shelby County

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- W. Frank Straughn, Barbour County
- John Adams, Bullock County
- David Eastridge, Chambers County
- Kim Ballard, Dallas County
- Curtis Williams, Dallas County
- Ricky Harcrow, DeKalb County
- Larry White, Escambia County
- Gary Beard, Lamar County
- James W. "Bill" Latimer, Limestone County
- Miles Robinson, Macon County
- Dale Strong, Madison County
- Mike Davis, Marion County
- Willie D. Colvin, Pickens County

### 20 Years

- Roy Moore, Dallas County
- Dewey Mitchell, Lauderdale County

- D.C. Thornton, Lauderdale County
- Bobby E. Burleson, Marion County
- Gentry Lee, Russell County
- Dan Acker, Shelby County
- Lindsey Allison, Shelby County
- James S. "Jimmy" Roberts, St. Clair

### 24 Years

- Frank Burt, Jr., Baldwin County
- Emmitt Jimmar, Colbert County
- Don Barnwell, Marion County
- Stan Batemon, St. Clair County
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# Prison reform likely to take center stage when session begins

**C**orrections at a Crossroads” was more than just the theme for the 2014 ACCA Annual Convention this past August; it is likely to be the theme for much of the 2015 session of the Alabama Legislature.

As those attending the 86th Annual Convention heard, Alabama’s prison system is at or near the breaking point, with its population exceeding the facilities’ design capacity by more than 200 percent. Speakers from throughout the nation focused county attention on the options that could be available to Alabama leaders when the Legislature convenes in March.

“The opening session of the convention really helped put everything in focus,” said out-going ACCA President Debbie Wood. “When the reform proposals hit the floor, county commissioners and sheriffs must stand together to ensure that our jails are not more overcrowded after the smoke clears.”

During the 2014 regular session, the Alabama Legislature established a prison reform task force composed of legislative and local elected officials as well as experts from all aspects of law enforcement, public safety and prison operations.

The task force has held two meetings since the project began in June, hearing from representatives from the Council on State Government’s (CSG) Justice Center about sentencing, parole, and community

supervision in the state.

The CSG Justice Center gathered information about the state’s criminal justice system through analyses of over 250,000 data records provided by state agencies, and spending hundreds of hours reviewing relevant statutes and policies, and visiting with stakeholders.

“**When the reform proposals hit the floor, county commissioners and sheriffs must stand together to ensure that our jails are not more overcrowded after the smoke clears.**

ACCA Past President and  
Chambers county Commissioner  
Debbie Wood

officials, and local leaders.

State Sen. Cam Ward, the chair of the task force, says he is very pleased

Visits included collaboration with state and county stakeholders, including judges, prosecutors, victims and their advocates, behavioral health treatment providers, community supervision and correctional

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with the group's work so far. "The members have spent a lot of time on this data-drive process and have worked very hard to make sure all the stakeholders have had a voice in the process so far. I have been impressed with the amount of time that task force members have spent working and combing through the data being presented to them."

Alabama introduced voluntary sentencing guidelines in 2006 in an effort to increase public safety by maximizing prison space for people convicted of the most serious offenses and diverting people convicted of low-level offenses away from prison. In October 2013, the guidelines became presumptive for property and drug offenses, and judges are now required to follow the guidelines.

The CSG Justice Center reported

to the task force that since FY2011, sentences to prisons in Alabama have declined by 24 percent. Although this research indicates that the guidelines have certainly played a significant role in this decline, the commission has been told that the fall in prison sentences actually began prior to the passage of the guidelines and was initially driven in large part by declining arrests and convictions.

However, despite reducing the number of people sentenced to prison by about 3,000 people per year between 2009 and 2013, prison population has remained unchanged and facilities remain seriously overcrowded.

Andy Barbee, who leads the CSG research team, says that despite fewer people coming into prison, Alabama's system remains

overcrowded because fewer people are being released to parole supervision in recent years.

The parole rate has dropped from 42 percent in FY2009 to 36 percent in FY2013 with the actual number of releases to parole declining from 3,076 to 2,495. And the declining release rate means those getting paroled are staying much longer.

For example, he said, the length of incarceration for individuals eventually paroled has increased 43 percent from 30 months in FY2009 to 43 months in FY2013.

He said the impact of a slow parole process is clear when looking at those currently housed in Alabama prisons for drug offenses. One-third of individuals incarcerated in prison on property and drug offenses (2,084 people) are eligible for initial parole,

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and half of those individuals have been eligible for more than one year.

The Association's executive director, Sonny Brasfield, said counties should be concerned about the impact of those persons who violate their parole and then sit in county jails awaiting their return to the state facilities. For example, in FY2013, 40 percent of people entering prison had failed on probation or parole

"Any reform effort that results in more prisoners being paroled must be coupled with reform of the law that makes violators the responsibility of the county," Brasfield explained. "These persons are clearly state inmates and should be the responsibility of the state."

Barbee has told the task force that an effective and comprehensive solution to prison overcrowding

crisis must include improvements in supervision and treatment plans. All of these programs, of course, will be expensive.

"I would like to have the task force support a pre-filed bill that will reform our state system," Ward concluded. "This won't be easy but before any legislation is introduced it will have to be a product that the majority of the stakeholders feel comfortable supporting."

"I would like to have the task force support a pre-filed bill that will reform our state system," Ward concluded. "This won't be easy but before any legislation is introduced it will have to be a product that the majority of the stakeholders feel comfortable supporting."

To ensure that county officials, sheriffs and employees are engaged,

the Association appointed a Policy Team that has attended the meetings of the task force and has held a one-on-one session with Barbee and his team. A second meeting between the ACCA Policy Team and Barbee's research experts is scheduled for early December.

"I have been very pleased with the work of our group," said Houston County Commission Chairman Mark Culver, who is chair of the Policy Team.

"The issue of prison overcrowding is a very sensitive one to counties because any changes made at the state level will certainly impact the population in our jails."

"We want to help resolve this problem, but we don't want to create other problems in the name of reform." ■

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## CGEI offers full slate of courses for employees in 2015

**T**here are several noteworthy points about the 2015 schedule for the County Government Education Institute.

Though CGEI is usually thought of as the education program for county employees, a popular class that departs from that is being offered again. The class is called “Disaster Relief 101,” and is designed specifically as a thorough orientation to disasters for people who are not emergency managers.

Because this is an area of interest for elected officials as well as county

staff leaders, the class is being opened up for commissioners as well. Commissioners who complete the course will earn elective credit with the Alabama Local Government Training Institute. The class is being offered in 2015 so those commissioners elected in November can attend the class during their first year in office.

If you are currently working on one of the CGEI certification programs, please note that the 2015 schedule includes three of the four basic-level required courses. Employees from a variety of county offices are

encouraged to earn the basic-level certificate, which will guarantee that they are grounded in essential facts about county government operations.

You may register for classes at [www.alabamacounties.org](http://www.alabamacounties.org). All classes will begin at 10 a.m. on Wednesday and conclude by 3 p.m. on Thursday. All classes will be held at the Marriott Legends in Prattville.

For more information on the CGEI program or certification requirements, please visit [www.alabamacounties.org](http://www.alabamacounties.org).

## COUNTY GOVERNMENT EDUCATION INSTITUTE | 2015 SCHEDULE

### January 28 – 29 Personnel Administration

#### *Basic-Level Class for all programs*

This course is designed to provide agency heads and staff with an understanding of federal and state employment laws, along with some best practices training on hiring and firing, leave policies, and other personnel issues important to the proper and effective administration of county offices.

### February 18 – 19 Ethics for Public Officials and Employees

#### *Basic-Level Class for all programs*

It is imperative that all county

employees develop a good understanding of Alabama’s Ethics Law and its impact on both employees and public officials serving in county government.

This course will provide employees with a sound practical understanding of the concept of ethics and a thorough foundation on Alabama’s Ethics Law and other constitutional and statutory provisions affecting the actions of county officials and employees both on and off the job.

### April 1 – 2 Finance and Revenue

#### *Basic-Level Class for all programs*

All county employees benefit from a good understanding of how

county revenue is generated, how the county budget is developed and administered, and why the county is restricted in how and where revenues are spent. This course is designed to provide the county employee valuable information about the county financial system, including development of the budget, an outline of county revenue sources, the process for collection and distribution of those revenues, and the legal and auditing principles that impact the county commission’s important budgetary decisions.

### July 22 – 23 Legal Primer: County Roads

#### *Elective for Engineers*

County engineers must have

a good working knowledge of the county's authority and responsibility for the construction, repair, and maintenance of county road and bridges. This course provides the engineer with vital information on what is a county road, how the county road system should be maintained, and what prohibitions exist under Alabama law. Additionally, this class will offer valuable information on liability, safety, and recordkeeping.

## September 30 – October 1 Leadership

*Shared Elective for all programs*

One of the most challenging roles for a department head or supervisor is having the ability to serve as an effective leader for personnel within the department. This class is designed to provide managers with important leadership skills that will help motivate and energize personnel in ways that help the department be productive and effective while maintaining staff that is proud of their work product and their contribution to county government.

## October 14 – 15 Disaster Relief 101

*Shared Elective for all programs*

This class, first offered to county officials and employees in the wake of the April 2011 tornados provides valuable information regarding the different roles county personnel and officials play in responding to and assisting in times of crisis. Additionally, this program focuses on federal reimbursement guidelines, coordinating volunteers and assisting your community as it rebuilds from a disaster. This class is not designed for seasoned EMA personnel,

but has been an informative and extremely-well received class for other county personnel and newly-elected county commissioners.

## November 18 – 19 Communications and Media Relations

*Shared Elective for all programs*

This class is designed to provide key

county staff with the proper skills to most effectively communicate with the media, the citizens of the county, and other county personnel.

In addition, participants will receive intensive training on Alabama's open meetings law, the legal requirements for release of open records, and tips on how best to utilize social media at the local government level. ■

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## District Meetings prepare the way for Legislative Session

**T**he 2015 Legislative Session will begin on March 3 and an important part of our preparation for the session is the District Meetings.

The District Meetings are vitally important to the life of our Association and help us prepare to play offense by advocating for legislation that would be positive for counties and play defense by working against legislation that would hurt county government.

During the meetings ACCA staff will report to you on the

expectations for the 2015 Legislative Session and a number of other matters important to your county. As you all know, the success of the Association is directly linked to the level of participation by the membership.

If you take an active role and work to support the Association, we can continue to provide excellent service to your counties.

Because the Association is the only voice for county government in Alabama, it is important that counties work together.

All meetings will begin at 6 p.m. and the cost for ALL meetings will be \$20 per person.

We encourage you attend the meeting that best fits your schedule.

Register online at [www.alabamacounties.org](http://www.alabamacounties.org). Directions to each location will be emailed about a week before the meeting.

If you have any questions regarding the district meetings please call the ACCA office or email Jennifer Datcher at [jdatcher@alabamacounties.org](mailto:jdatcher@alabamacounties.org). ■

## 2015 District Meeting Schedule

### ELMORE COUNTY

**Thursday, January 22, 2015**

Marriott Legends  
at Capitol Hill  
Prattville, AL

### TALLADEGA COUNTY

**Tuesday, January 27, 2015**

Talladega International  
Speedway Library,  
Lincoln, AL

### CONECUH COUNTY

**Thursday, February 5, 2015**

Bolden Cardwell Building  
Evergreen, AL

### CULLMAN COUNTY

**Monday, January 26, 2015**

Top of the Town  
inside the Cullman  
Savings Bank Building  
Cullman, AL

### MARENGO COUNTY

**Tuesday, February 3, 2015**

Marengo County Business  
Development Center,  
Linden, AL

### DALE COUNTY

**Monday, February 9, 2015**

Hoppergrass Restaurant  
Ozark, AL

***Register online at [www.alabamacounties.org](http://www.alabamacounties.org).***

***Directions to each location will be emailed about a week before the meeting.***





## A voice from Alabama's 67 counties...

**Mark Tyner**

*County Administrator, Bibb County  
President, Association of County  
Administrators of Alabama*



**Q** How long have you been involved in county government?

**A.** Approximately 14 years

**Q** What is the best part of your job?

**A.** Having the ability to assist County Commissioners in making a positive difference in the lives of constituents

**Q** How do you describe your job to people who may not be familiar with county government? Do you hear any common misconceptions?

**A.** Orchestration of day-to-day operations of county government. One misconception is several still believe the County Commissioners are in direct control of maintenance of county roads even though we operate under the Unit System which charges the County Engineer with these duties

**Q** What do you think makes Bibb County special?

**A.** Very simply, its people. County Commissioners genuinely care for the citizens and have always acted in their best interest. They vote their conscious and continue to strive to improve the quality of life for our residents.

Our Commission is also committed to economic development in the county. This has the potential to make a positive impact by increasing revenue and offering additional employment opportunities.

Bibb County's natural resources also make it unique. From being the ending point of the foothills of the Appalachians to the longest free-

flowing river in the state, the Cahaba River, the county offers many outdoor opportunities for residents and visitors alike.

**Q** What has been the biggest challenge you have dealt with in county government? What advice would you give others in a similar situation?

**A.** One major challenge we have encountered was how to provide residents in the western part of the county with a reliable water source. This was ultimately achieved by a collaborative effort between local and state officials working with county and municipal governments.



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**Q** What project are you most looking forward to accomplishing in the future?

**A.** We currently have an addition to the Bibb County Courthouse underway and we are very excited about seeing this project completed, which should be after the first of the year. We are also beginning to locate business entities in the Scott G. Davis Park, which is our newest county industrial park.

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

**A.** I believe it is important to look for avenues to facilitate the desires of the Commission as opposed to looking for reasons not to be able to accomplish items. Also ensuring Commissioners are informed of items you are made aware of makes a positive impact as well.

**Q** When you're not at work, what do you like to do?

**A.** Spending time with my family. My wife Jennifer and three children Haley, Paxton, and Cayden.

**Q** You find yourself in a room with 1,000 strangers. What one skill do you have that you're relatively certain none of the others have?

**A.** Being myself. I like to think of myself as a facilitator and team oriented in order to accomplish as much as possible. I also trust I am intelligent enough to avoid

finding myself in the midst of 1,000 strangers.

**Q** Auburn or Alabama?

**A.** Alabama!

**Q** What was your first job?

**A.** Special Assistant to the City Administrator, City of Northport, AL

**Q** What is the last photo you took with your phone?

**A.** One of my 4 year old son in his Halloween costume. ■

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The attorneys and staff of Webb & Eley, P. C. support and appreciate all of the county commissioners and their staff.

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