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CYBER SECURITY FOR COUNTIES

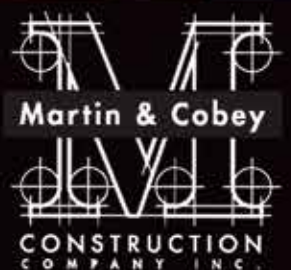


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in this issue

VOLUME 59, NUMBER 3



Hardly a week passes by without a major retailer or other organization making headlines because of a data breach that leaves thousands of people open to identity theft. Counties are vulnerable to attack too, but there are things you can do to reduce the impact.



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President's CORNER



Hon. Merceria Ludgood
President

The growing unity of 'One Voice'

Principle of '67 Counties, One Voice' drives everything

It was about this time three years ago that you heard this phrase for the first time, “67 Counties, ONE Voice.”

While our friend Tim Choate was president, the Association completed the “rebranding” project, focusing attention on a new visual image that now appears on everything the Association touches and incorporating the ONE-voice phrase as more than simply a “byword.”

Speaking with ONE voice has been the motivation for everything we have undertaken.

Just a couple of weeks ago it was my privilege to attend the annual meetings of two of our affiliate groups – county engineers and county administrators. Their professionalism and dedication to keeping themselves informed and prepared for their jobs was uplifting.

But the strongest message I took from those meetings was the sense of “oneness” that overshadowed everything on the agenda. Both gatherings were singularly focused on helping each other, learning of their neighbors’ problems and offering their insights into how they could overcome those challenges.

Perhaps more than any time in the last three years, these two meetings opened my eyes to just what it means to be 67 different counties that speak with ONE single voice. The county engineers in our least populated counties often struggle with a massive network of crumbling county roads and bridges. And they lean on their colleagues for ideas and solutions that will save money, while

collectively seeking the additional revenue that is desperately needed.

Inside the courthouse, county administrators from Mobile to Scottsboro face the same daily challenges. The financial, political and economic pressures have clearly made the position of county administrator one of the toughest anywhere in the

country.

Without a single, direct and strong voice linking these vital department leaders, how can we hope to overcome

both our common problems and the individualized ones that are particular to our home counties?

The message of working – and speaking – with one voice was born with the adoption of our Association’s strategic plan five years ago. Developed during the presidency of former Conecuh County Commissioner Jerold Dean and adopted under the leadership of president Rhondel Rhone of Clarke County, the roadmap visualized five years of work leading us toward a unified voice and a unifying attitude.

As we prepare to adopt a new strategic plan for the Association in December, it is clear that we have kept our eyes on that goal.

Elsewhere in this magazine you will see details of several projects that our Association has undertaken with the Alabama Sheriffs’ Association over the last few months. This kind of connection between commissioners and sheriffs has been hampered over the decades because the dynamics of “local” politics have sometimes been allowed to creep into our statewide relationship.



But over the last several years that has changed. And the educational and cooperative programs we are implementing are evidence of that fact.

Even more evidence was seen a few days ago when Gov. Robert Bentley signed

into law a massive prison reform plan. All of us owe a debt of gratitude to ACCA Vice President Bill Strickland for his service on the study commission that developed the legislation.

Likewise, our voice was stronger and more unified because we worked directly and cooperatively with Baldwin County Sheriff Huey “Hoss” Mack, who represented all Alabama sheriffs on the commission.

Exactly how this reform will impact counties in the long term is a story that is yet to be written. But I am convinced that the new law has a strong “county stamp” on it because of the cooperative work of sheriffs and county commissioners.

The insight and expertise of Sheriff Mack and many of his colleagues who took an active role in the process led to important revisions that will enhance the implementation of the reforms at the local level.

Shortly after the legislation was passed, our executive director wrote that the most important outcome of the months of work on the bill may not be the actual reforms but will likely be the

long-term implications of sheriffs and county commissioners speaking with “ONE” voice.

Only days after that bill was signed, our director and Sheriff Mack again sat side-by-side in time-sensitive negotiations with those seeking to again amend Alabama’s gun laws. The mutually-protective attitude that is developing between sheriffs and commissioners is in the best interest of every citizen in this state and is allowing us to speak with a unified message about the best interest of county government.

The challenges counties face over the next three years will certainly be no less important than those that we have encountered since the first time we all collectively vowed to speak with ONE voice during Tim’s year as president. As we look toward the next three years, it is clear that our commitment to each other is preparing us well for whatever comes next. ■

“
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Sonny Brasfield
Executive Director

Sonny Brasfield

Solution is right before our eyes

**Still, Alabama
likely to merely patch
budget hole**

It is always tricky to write a magazine column while the Legislature is in session.

You can't really discuss a particular issue since all the circumstances that impact the legislation will likely change by the time the "mag" makes it way to the web site or to your mail box. So, during most sessions, this space is reserved for discussion of an issue that is connected, but not directly related, to some matter pending here in Montgomery.

This session's major issue – the funding gap in the state's General Fund Budget – has dominated every move at the State House and is likely to cast a shadow long after the regular legislative session has concluded. As we sit down to write, it is hard to find a subject not directly, or indirectly, related to this latest budget crisis.

If these observations turn out to be irrelevant by the time you read them, please just turn the page and shake your head at how out of touch the executive director has turned out to be.

But I'm not really expecting money to fall from the sky. Or the Legislature to enact long-overdue tax reform. Or the gambling gods to swoop down and leave a bushel basket of gold. So, I'm going to try to put the current challenge into sharper focus.

The Alabama Legislature has wrestled with crisis over and over. In my more than 30 years in Montgomery, the existence of one kind of crisis or another has been the rule rather than the exception. We've watched crises in workers' compensation law, tort law, co-employee lawsuits, something called "career ladder" for teachers, prisons, personnel reform, economic

development and – five or six times – constitutional revision.

Most of these issues, unlike the always-looming budget crisis, come and go. They are resolved, to some degree, and are replaced by the next major problem. But budget problems, now those are constant.

Every county in this state has faced financial crisis over the last three decades. Today, most would point to Shelby County as a shining example of how to provide services and programs that expand and encourage growth. It wasn't all that long ago that Shelby County, yes Shelby County, faced financial challenges that had experts talking about the possibility of bankruptcy. Today, you'd never believe that disaster loomed around the courthouse in Columbiana just a few years ago.

Governing bodies consistently face such financial issues. Sometimes the deficits are the product of jail overcrowding, excessive borrowing, loss of a major employer, rising costs with stagnant or declining revenue, national or international recession or even some overriding and systemic problem in the jurisdiction.

Not to say that this shortfall in the state General Fund Budget isn't important or troubling. In fact, it is both. The real point is that such a crisis is predictable and has, honestly, been brewing for several years.

Most folks have forgotten that this budget crisis was delayed four years ago when the voters of Alabama agreed to withdraw money from the state's savings account, the Alabama Trust Fund. This Association stood alone in opposition to this "solution" and spoke out loud and long about the folly of making a problem worse by simply putting off the consideration of its solution.

And, it is interesting to note, the Alabama Trust Fund was once considered “off limits” for those seeking to fill yearly funding challenges for just this reason. You see, the use of savings to pay operating expenses, to use an over-worn phrase, is a recipe for disaster.

And here we are.

The Alabama Trust Fund dollars allowed most of the sitting legislators to make “No New Taxes” pledges during their campaigns. Since they have uttered those words, it seems the most logical (and most permanent) solution to this crisis is beyond our reach. Likewise, a budget that slashes essential programs also looms as an unattractive solution.

So, as I work on this column, the Alabama Legislature faces an age-old dilemma: how do you pay for something you can’t afford?

If you have a lavish, Old Money lifestyle, you simply sell a yacht, auction off a vacation home in the Swiss Alps or cash in a few shares of stock left by your ultra-successful

grandfather. On the other end of the financial stick, these kinds of problems mean you must borrow more money, empty your piggy bank, sell your car and walk to work, or, if things become

uncontrollable, you are evicted from your home and you live on the street.

If you are the State of Alabama, the solutions seem obvious. You have

one of the nation’s lowest per-capita tax burdens; a property tax system that rewards land owners for sitting on, rather than developing, property; an income tax rate enshrined in a century-old constitution; and an ever-expanding list of economic give-aways to corporations that for decades pay few, if any, real taxes to support the general operation of government.

The solution is right before your eyes. Just as it has been every other time the state has looked at a budget woefully underfunded.

Since we’ve seen this before, it is easy to predict the state will eke out another 12-month patch to hold things together until next summer when the crisis will be here again.

But maybe – despite all historical evidence to the contrary – this could be the year the logical, and long-term, solution finally turns out to be the only option left. ■

“*The real point is that such a crisis is predictable and has, honestly, been brewing for several years.*”



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Mary E. Pons
Association Counsel

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

‘Lost in the weeds’ legal provisions

Three easily overlooked ways counties can improve money management

Every election cycle brings new county commissioners and a new round of training to help the new commissioners understand county government and why we do things the way we do. Honestly, this is one of my favorite job responsibilities. It gives me a great opportunity to get to know the new commissioners who are always excited and energetic – if not a little bit overwhelmed.

As I go through the training materials, I am always reminded that there are those little things stuck in the law somewhere that we talk about during the classes, but I fear get buried later when the officials are trying to remember when and how to conduct an executive session, what needs to be competitively bid before buying, and how to piece together a working budget with inadequate revenues to fund county programs and services. But sometimes, these little things the commissioner (and/or department heads) doesn’t remember from training might actually help a bit when trying to piece that bare-bones budget together. I made myself some notes this year and thought I would use this opportunity to remind those who have been around a while about some of these things they might have forgotten.

There are several statutory provisions allowing counties to seek reimbursement of training costs from a new employer in the event a county employee changes jobs within 24 months after completing training. For example, if a county law enforcement or corrections officer takes a job with a municipality within 24 months of completing the required APOST training, the county can seek reimbursement for the training from

the employing municipality (or other governmental entity). See, **Ala. Code § 36-21-7**. Reimbursement includes “the total expense of the training, including, but not limited to, salary paid during training, transportation costs paid to the trainee for travel to and from the training facility, room, board, tuition, overtime paid to other employees who fill in for the trainee during his or her absence, and any other related training expenses.”

Of course, if the county hires a municipal or state officer within 24 months of training, the county must reimburse the previous employer. I suspect, however, losing county employees to another governmental entity is more of the norm.

Section 36-21-7 also applies to statutorily mandated training for firefighting personnel. And there are similar provisions for certain emergency medical personnel (see, **Ala. Code § 22-18-8**) and water or wastewater operators (**Ala. Code § 22-25-16**). Properly trained personnel are essential to county government, and it is all-too-often that once employees get the needed training, they leave for a higher-paying position. These code sections help the county recoup its costs for getting the person properly trained – monies that can be utilized to properly train his or her replacement.

Another provision that can benefit counties by allowing for reimbursement is **Ala. Code § 11-13-6**, which allows counties to be reimbursed the cost of advertising some local bills that are for the benefit of some other entity.* Under **§ 11-13-6**, if a local bill is for the benefit of or exclusively related to one or more municipalities, the municipalities shall reimburse the

county's advertising cost. And, if the purpose of the bill is to raise revenue for another entity (a school board or fire district), the benefiting entity must reimburse the advertising costs out of the first revenues received in the event the bill becomes law.

Obviously, neither the new employer nor the beneficiary of a local bill is going to voluntarily reimburse the county as required. It is incumbent on the county to initiate a request for payment by submitting an itemized statement of all monies expended. But these cited code sections mandate reimbursement, so once the statement is transmitted to the entity, the county should aggressively pursue payment. None of these funds will solve all the financial woes of the county, but every little bit helps.

There is another code section related to county finances that commissioners and administrators should be mindful of at all times.

Ala. Code § 11-12-8 requires that all claims against a county be presented to the county within 12 months of when the claim accrued or became due. This broad section covers virtually any claim for money someone might have with the county, not just those instances where

“

***Neither the new employer
nor the beneficiary of a local
bill is going to voluntarily
reimburse the county as
required.***

”

someone is threatening to sue the county for some alleged liability. The theory behind this provision is that, in order to maintain a balanced budget and anticipate what expenses may be incurred, the county needs some statement or evidence of what might be due. Fortunately, the

courts and the attorney general's office have consistently interpreted this requirement very strongly, and many debts and lawsuits have been dismissed for the failure of a person to timely file a claim. This code section can save enormous sums of money if the county is not timely put on notice of the alleged debt or liability. And again, this is a protection the county will have to actively assert to benefit from this strong protection provided in the law.

There is still some training scheduled for new commissioners, so I will keep looking for some of the “lost-in-the-weeds” provisions of county law. And I will try to keep up some reminders for things to look for that might save a dollar here and there. ■

**Some may be more familiar with this provision since the Association staff sends a reminder memo each year at the end of the legislative session.*

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Jail Time

New resources are helping Alabama sheriffs with one of the hardest things they do: run a county jail.

Designed to save money by reducing a county's legal risks, these advancements in legal support and training have come together through the joint efforts of the Alabama Sheriffs' Association, the National Institute for Jail Operations and the Association of County Commissions of Alabama.

The new Alabama Jail Training Academy has won national notice, and, based on attendance, it appears that the program is earning respect from a particularly important audience – Alabama sheriffs.

The response to AJTA's first two course offerings has been outstanding, with more than 160 participants already for "Officer Responsibilities and Offender Supervision" and "Inmate Management."

The next course is limited to 75 participants, and organizers expect to reach that ceiling quickly.

The new, optional basic training program for county jail officers is a joint effort of the Alabama Sheriffs' Association, the National Institute for Jail Operations and the Association of County Commissions of Alabama.

"I just applaud the Alabama Sheriffs' Association and the Association of County Commissions for coming together on this," said Chambers County Sheriff Sid Lockhart. "We have common interests, and the cooperation is really beneficial."

» **UPCOMING CLASSES**

Alabama Jail Training Academy

July 15-16 | Searches and Use of Force

September 16-17 | Corrections Law

November 18-19 | Officer Responsibilities
and Offender Supervision

Location: Marriott Legends at Capitol Hill,
Prattville

www.alabamacounties.org/JailTraining

News You Can Use

While it is no substitute for the highly regarded program from the Alabama Peace Officers Standards and Training Commission, the academy is designed to provide solid professional development for counties that find it difficult to send officers to the two-week course. The academy's two-day courses, spread throughout the year, can be taken in any order.

Officers completing all 4 courses earn a certificate of completion from the National Institute for Jail Operations. Tuition reimbursement is available for counties in ACCA's Self-Insurance Funds.

"The training has been particularly beneficial for our more rural sheriffs," said Baldwin County Sheriff Huey "Hoss" Mack.

NIJO developed the custom curriculum specifically for Alabama, and it is aligned with the Alabama Legal-Based Jail Guidelines. (See page 14) The guidelines are provided as part of a powerful online program already in use in 28 Alabama counties to reduce jail-related liability. The program helps sheriffs ensure that jail policies and procedures comply with current state statutes, 11th U.S. Circuit Court of Appeals rulings, federal law and the U.S. Constitution.

Clay Stewart has been Chambers County's jail administrator for a decade, and he is one of the veteran correctional officers who form the AJTA's faculty.

Participants have had widely varying levels of experience, he said, noting that someone who has been on the job a week could be sitting next to another county's chief deputy, but they seem to appreciate that their instructors have substantial on-the-job experience.

"You can just relate to it better when it is somebody that actually did it, as opposed to somebody who's studied it," Stewart said.

The next AJTA course, "**Searches/Discipline/Use of Force**," is scheduled for **July 15-16**. Key

topics to be covered include the basis and manner of searches, prisoner searches, facility searches, major and minor discipline, temporary restriction, use of force, suicide prevention, disturbances and riots as well as report essentials. ■

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Helping keep your jail out of court

County jails are intended to provide temporary housing for men and women crossed up with Alabama law. But all too often, the jails themselves go before judges because of something jail staff did – or did not do.

To help sheriffs and jail administrators keep up with ever-shifting legal requirements, 28 Alabama counties have a not-so-secret weapon to help them stay current – the Alabama Legal-Based Jail Guidelines.

“The guidelines have got an immediate value, but the value continues to grow as long as you continue to use them, because there’s always another court case or another law,” said Baldwin County Sheriff Huey “Hoss” Mack. “It’s money well spent.”

The Alabama Sheriffs’ Association began developing the guidelines in 2009 with help from the National Institute for Jail Operations. Impressed by the guidelines’ legal soundness and practical utility, the Association of County Commissions of Alabama’s Self-Insurance Funds began offering implementation grants a few years back to fund members.

Because of the very nature and challenges of corrections, there is no cure-all to insulate county jails from legal risk. But these guidelines are designed to make these lawsuits less frequent and less severe.

“The Legal-Based Guidelines are probably the best way to have an effectively run jail and to be as liability-proof as possible,” said Henry van Arcken, ACCA’s director of insurance services. “They are going



Alabama Legal-Based Jail Guidelines

28 Alabama counties are using the guidelines to reduce lawsuits and related costs

Baldwin, Calhoun, Chambers, Cherokee, Clay, Cleburne, Coffee, Cullman, Escambia, Franklin, Houston, Jefferson, Lauderdale, Lee, Limestone, Lowndes, Madison, Marengo, Marion, Marshall, Mobile, Monroe, Morgan, Pickens, Shelby, St. Clair, Talladega, Tallapoosa

May 2015

to end up saving the county money down the road.”

But don’t start thinking of heavy, three-ring binders, gathering dust on a bookshelf and filled with advice that may – or may not – apply in Alabama.

These guidelines are as custom and current as possible. They are in a dynamic, web-based format that is updated in real time to reflect new legislation and court rulings at the state and federal levels. Case law is specific to the 11th U.S. Circuit Court of Appeals, the federal appellate court with jurisdiction over Alabama.

The Legal-Based Guidelines identify specific policies and procedures, explain the rationale behind them, outline requirements for compliance and cite the legal underpinnings for each provision.

For counties wanting to create and maintain defensible, constitutionally sound policies and procedures, there are built-in self-

assessment and corrective action modules, but counties don’t have to tackle this alone. The Legal-Based Guidelines are also at the heart of the Alabama Jail Training Academy launched just this year (see page 11).

“This is what every jail administrator has been wanting,” said Clay Stewart, jail administrator in Chambers County, which is in the process of updating policies and procedures based on the guidelines.

“It gives us a lot more protection,” Stewart said. “With the case law that’s provided, it answers the question of ‘why?’ Now I can say, ‘Based on the law, this is what we’ve got to do.’”

If you would like more information about using the Alabama Legal-Based Jail Guidelines in your county, please contact ACCA (Henry van Arcken, 334-263-7594, or hvanarcken@alabamacounties.org) or NIJO (Tate McCotter, 801-810-5245, tmccotter@jailtraining.org). ■



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You wouldn't consider your courthouse locked up with nothing but a **screened door** to keep out the unwanted guests, would you?

Most of the time, officials and employees do a good job of securing the courthouse and other county facilities.

And, if there is a slip-up, no specialized knowledge is necessary to notice a door standing open that should be shut tight.

Anyone can spot that and fix it, by simply closing the door and locking up.

But there's a whole other realm of security that is critically important to counties large and small.

Cyber Security for Counties

Why cyber security matters for your county

Bank account numbers. Personnel files. Social Security numbers. Medical records for jail inmates. Credit card numbers, with expiration dates and codes. Every county has them.

Just think. Last year, well over a billion data records were compromised, costing billions of dollars to clean up.

The risk is soaring worldwide. “The threat landscape is very volatile,” said Travis Michalak, who oversees information risk management for Nationwide Financial and the company’s \$20.8 billion in assets. “And there are more bad guys.”

Before you start to argue that cyber criminals wouldn’t bother with a small county in a state that’s not so very large itself, there’s a county IT director with a question for you.

“Does your local bank just leave the doors open because nobody will rob them? Of course not,” said Limestone County IT Director David Freeman.

The risks may actually be greater for counties. Smaller organizations are especially vulnerable, experts say. The vast majority of data breach incidents in 2014 involved fewer than 10,000 records per incident.



These are the reasons that ACCA’s Liability Self-Insurance Fund Inc. began providing cyber liability coverage to member counties in January. It’s also why the Association of County Administrators of Alabama’s conference this year included educational presentations from Michalak and Freeman, as well as a county administrator who has experience with this subject.

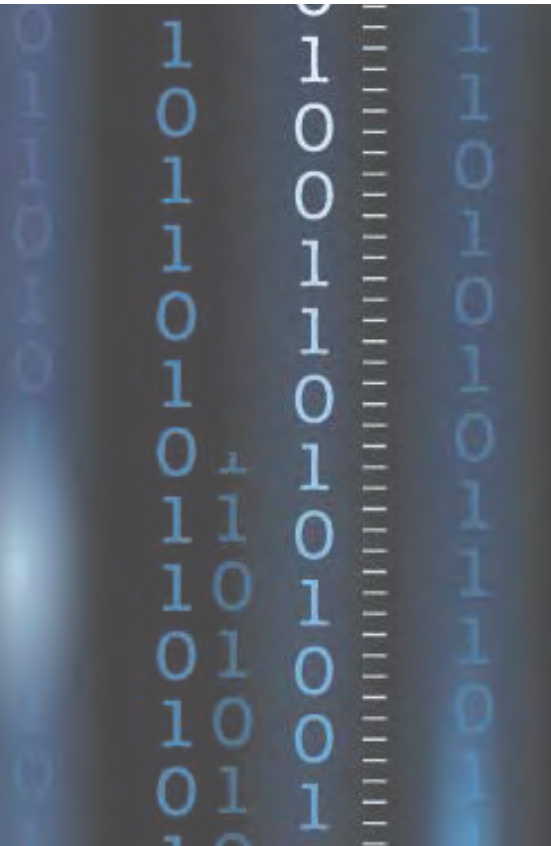
The harm can come in an ever-changing variety of forms. Cyber criminals might steal money by making online transfers out of a county account. They might gain access into your computer system electronically to steal sensitive information about individuals. They

might disrupt your computer system, denying services to citizens or locking down your own files, only to demand a ransom payment to release the data.

In response, the county would be required to provide official notice to all affected individuals and organizations. Efforts are underway to establish notification requirements in Alabama law, but practically speaking, counties already have to go through the full notification process. Some 47 states have notification laws. Plus many federal laws and regulations are already on the books, with additional ones on the way.

Notification is just one piece of the response. In the private sector, affected customers are often offered

>> Small organizations are targets



credit monitoring services, identity theft protection and even gift cards after a data breach. Plus safeguards must be strengthened to prevent a repeat incident. All of that costs time and money – even if the criminals don't get any cash themselves.

Many members say they choose ACCA's Self-Insurance Funds because coverage is custom-tailored for counties. Again in this case, counties have access to expert assistance to guide them through steps to prevent an incident, in addition to assistance to guide them through the aftermath of an incident.

"It's not 'if' you're going to get hit, it's 'when,'" said Freeman. "It's going to happen." ■



CYBER FRIGHT In St. Clair County

The importance of cyber security is all too real in St. Clair County.

A few years back, County Administrator Kellie Graff was participating in professional development, and someone else filled in to handle county payroll for the first time. Then an official-looking email came in alerting the county to a technical problem processing direct deposits for payroll, which was plausible.

"I was thinking, 'Oh gosh, we've got a glitch in payroll, and I'm going to have a bunch of mad people,'" she remembers.

When the notification email's attachment was opened, the computer screen flickered yellow, and then returned to normal.

That seemed odd, and the county employee called the bank on a hunch. Payroll was OK, but there had been a "rather large wire transfer" initiated from some special federal funds, she said.

Money was headed the wrong way, and the bad guys had gained access to the county computer system. It was a phishing scam.

This time, because county employees acted quickly, the transfer was cancelled before any money actually moved. That was fortunate, because scammers often quickly route the stolen money

overseas. "Once the money leaves the country, there's nothing we can do about it," Graff said she learned.

In the end, "we didn't lose any money, but it cost the county in time and manpower," she said.

Countless new security measures were taken. There was a new firewall for the computer system, a plan of action for suspicious emails, daily backups, off-site backups and double approval for certain financial transactions.

"We had to change every single bank account," she said, estimating the county to have at least 125 separate accounts.

ACAA conference presentations

www.alabamacounties.org/ACAAResources

For more info, search online for "County Innovation Network" and the "Multi-State Information Sharing & Analysis Center"

It's a good thing the IT team continues to bolster safeguards every day. Within the last few weeks, the county's system thwarted a ransomware virus. These viruses encrypt your files, and then there is a demand for ransom to release your own information.

So St. Clair County continues its vigilance, she explains.

"We live by the motto now 'Loose clicks sink ships.'" ■

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Preventing Cyber Security Problems

That's how much protection some parts of the Limestone County computer system had a few years back, recalled IT Director David Freeman, shaking his head.

Cyber threats can take many forms to steal your county's money and data or to disrupt operations. While there is no way to shield a county from this exposure 100 percent, there are precautions and safeguards that can help. Members of the ACCA Liability Self-Insurance Fund Inc. don't have to work through this alone, because their insurance policy's cyber liability coverage includes help with prevention.

– to tighten up cyber security, said Freeman, who serves on the NACo CyberSecurity Task Force.

A magnifying glass with a wooden handle and a metal rim is positioned over a background of random, multi-colored characters. The lens of the magnifying glass is centered on the word "virus", which is highlighted in a bright green color. The characters around the word are in various colors like blue, red, yellow, and grey, creating a noisy, digital-like environment. The magnifying glass's frame is dark, and its handle extends towards the bottom right corner.

This tool, part of the underwriting process, can also be used to help counties identify weaknesses, set priorities and highlight any quick fixes.

“It’s a little like if you’ve got doors and windows, you want to make sure they are locked and not cracked open,” Freeman said.

Next, Freeman said to make sure your system has what he called “antivirus on steroids,” referring to programs that

incorporate virus and internet protection. This software can detect attempted intrusions on your system, which is important because hackers will often do little harm initially. It's almost like a burglar rattling door knobs.

CYBER RESOURCES

ATTN: Members of ACCA's Liability Self-Insurance Fund Inc.

>> ACCA LSIF Cyber Questionnaire is online at www.alabamacounties.org/cyber

>> If your county has a data breach or other cyber security event, call your insurer:
Mark Macon, 800-536-7702, ext. 7208,
and/or Henry van Arcken, 334-263-7594

From the Cover

ACCA Director of Insurance Services Henry van Arcken said the webpage with the questionnaire (www.alabamacounties.org/cyber) also connects counties to a treasure trove of online cyber risk resources known as the eRisk Hub.

The web-based eRisk Hub contains an extensive collection of tools, references, sample documents and more to help counties defend against cyber attacks as well as deal with the aftermath of an event.

(The eRisk Hub is password protected. The county's pre-assigned Liability Contact Person can contact Marcia Collier (mcollier@alabamacounties.org or 334-263-7594) for help.)

At first, it is a good idea to give yourself a quick tour of the eRisk Hub. Once you've gotten oriented, there are two sections that will be particularly helpful, van Arcken said.

First, take a look at the section on "Risk Manager Tools." Among the useful things there is a calculator for running cost estimates, for example, if your county had to mail notices to everyone affected by a data breach. Some experts say the average cost is about \$200 for each individual record affected.

Next, check out the sample policies. It is critically important to establish policies and procedures to guide efforts before, during and after a cyber event.

The eRisk Hub provides many sample policies in MS Word format that can serve as a terrific starting point for working with your county attorney on this task, van Arcken said.

For example, there is a sample policy on notification available that is fully compliant with existing federal requirements.

Cyber security is complex and ever-evolving, and counties need to be careful not to go overboard. "You can get so many safeguards in place so you can hardly work," Freeman said.

But in Limestone County, there are no questions about whether

these preventative measures and preparations are worthwhile. There were two attacks on the county's computer system last year.

"The hardware and software did what it was supposed to do," Freeman said. "The system spotted it and nailed 'em." ■

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2015 ACCA Convention

Let's Fuel Up for a New Day

Working in county government brings unique challenges, and an outstanding way to be ready for what lies ahead is to “Fuel Up for a New Day” at the ACCA Annual Convention.

The agenda for **Aug. 18-20** is packed with specialized professional development, custom-tailored for those unique challenges of Alabama

counties. All convention events will be located at the Perdido Beach Resort in Orange Beach, AL.

ACCA wants to be sure that participants “fuel up” on practical, actionable information, so two of the big topics are corrections and economic development.

The latest round of state prison reform – and its effect on county jails – has been a hot issue at the local level for some time, and that’s where the opening general session will begin. Andy Barbee of The Council of State Governments Justice Center has been at the forefront of these negotiations, and he has confirmed that he will address county leaders, providing valuable insight into the actions of the Alabama Legislature.

In addition, Alabama’s new commissioner of corrections, Jefferson

Dunn, has also confirmed that he will speak about what counties can expect from the state in the weeks and months ahead.

ACCA members have a strong interest in bringing new jobs to their counties, and Alabama’s top economic developer, Secretary of Commerce Greg Canfield, is invited to discuss incentives for rural Alabama.

Presentations are also being planned on topics ranging from transportation to healthcare to charter schools. The full morning on Aug. 20 will be devoted to sessions specific to different roles in county government: commissioners, engineers, administrators, emergency managers, 9-1-1 directors and revenue officers. Make sure you are there to earn

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A convention highlight is the awards ceremony, which is an opportunity to learn about innovations and best practices that are making a difference, right here in Alabama, as ACCA celebrates outstanding leadership and programs.

Award entries must be submitted to ACCA no later than June 26.

Speaking of leadership, the convention is an annual changing of the guard for the “ONE Voice” of county government in Alabama. ACCA’s direction for the future is shaped by the elections of officers, the



KEY DEADLINES

- » June 26 – Last day for ACCA Awards Program entries
- » July 6 – Last day to submit form to run for ACCA Vice President or Minority Director
- » July 17 – Last day for hotel reservations at reduced rate
- » July 24 – Last day for early registration discount
- » August 6 – Last day to submit form to run for ACCA Board of Directors or Legislative Committee

Board of Directors and the Legislative Committee.

Candidates for vice president and minority director must submit forms to ACCA no later than July 6. Candidates running within their ACCA district (i.e. for Board of

Directors or Legislative Committee) can submit forms through Aug. 6.

Watch your email and the next issue of County Commission magazine for more details, and make your plans to “Fuel Up for a New Day” with ACCA! ■



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Ludgood helps to lead NACo

ACCA President Merceria Ludgood stepped into an exciting new role in February when she became the South Region representative on the Executive Committee of the National Association of Counties.

"I'm extremely honored to represent county leaders from throughout the southeastern states," she said. "As the voice of county government in Washington, NACo serves to ensure that counties can continue providing vital services in every corner of our nation. I will work hard to keep the issues that are important to southeastern states at the forefront of NACo's work agenda."

She was selected by a caucus of the 12 South Region states at the NACo Legislative Conference in Washington, D.C., earlier this year. It was necessary to select someone to complete an unexpired term on the committee that supervises the

Association's daily activities. NACo's Executive Committee is composed of four officers (president, first vice president, second vice president and immediate past president) and four regional representatives.

Since taking office, Ludgood has put communications and membership at the top of her priority list. She is initiating regular conference calls for South Region members focused on federal-level issues with significant impact to this area of the country. In collaboration with the NACo staff, she is also working toward 100 percent NACo membership in the region. The 12 states of the South Region are Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North

Carolina, South Carolina, Tennessee, Texas and Virginia.

The position involves some travel as well. Ludgood has attended her first NACo Board of Directors meeting, joined the Georgia association for its

annual conference in April and is headed to Texas for an economic development conference organized by the National Organization of Black County Officials.

An attorney by profession, Ludgood's service to county government began with 14 years as a county attorney in Mobile County.

She has served on the Mobile County Commission since 2007, and she is the 2014-15 president of the Association of County Commissions of Alabama. She has been actively engaged with NACo as a commissioner, and she says a particular highlight has been her work as a member and former chair of the Gulf States Counties and Parishes Task Force.

NACo is the only national organization representing county governments in the United States. Founded in 1935, the Association strives to help counties pursue excellence in public service to produce healthy, vibrant, safe and resilient counties. ■



SPEED READ

» *ACCA President Merceria Ludgood is the new South Region representative on the eight-member NACo Executive Committee.*

» *Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas and Virginia make up the South Region.*

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Beyer NACE Rural County Engineer of Year



*Richard Spraggins,
Awards Committee Chair;
Richie Beyer, Rural County
Engineer of the Year;
and Ramon Gavarrete,
NACE President.*

of Richie Beyer,” said Commission Chairman David Bowen. “He has made our highway department one of the most efficient and respected in the state,

and we are fortunate to have him at the helm.”

Among accomplishments NACE cited, Beyer led the county’s conversion to a unit system, and he initiated a paved road inventory to provide commissioners with an accurate measure of all county-maintained roads. Beyer also instituted a pavement preservation program, which cut rehabilitation time and resources by up to 85 percent. In addition, working with the county’s eight municipalities, he administered the county’s first

infrastructure plan. Beyer is also involved with federal and state legislative initiatives.

“It’s no surprise that Richie was selected as our Rural County Engineer of the Year,” said Brian Roberts, NACE executive director. “He has served as an incredible leader in Elmore County, NACE, and the Association of County Engineers of Alabama. Richie has saved his county’s taxpayers millions of dollars by reducing duplicated efforts and basing his decision making on metrics and safety.”

NACE is a professional association representing nearly 2,000 county engineers, road officials and related professionals in the U.S. and Canada. ■

The National Association of County Engineers (NACE) named Richie Beyer the 2014 Rural County Engineer of the Year during its recent Annual Expo & Conference.

Since 2003, Beyer has served as county engineer for Elmore County, Ala. He is a past president of NACE and the Association of County Engineers of Alabama, where he remains active on the board.

“The citizens of Elmore County can be proud to have a county engineer of the caliber and integrity

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Member surveys help drive long-range plan

Sometimes “67 counties, ONE voice” looks like handwritten responses on one-page surveys, with the occasional smudge of gravy here and there.

County officials and employees completed 150 of these four-question surveys at ACCA District Meetings earlier this year. The collected results are being used by ACCA’s Team 2021 to inform development of the Association’s new long-range plan.

Responses paint an interesting picture of the challenges, the hopes for improving services at the local level and how ACCA can strengthen its support of all 67 counties.

Alabama counties are quite varied, but the problems facing their leaders are similar. The funding shortage for any and all county services topped the list of problems, with transportation-system challenges coming in a close second. Within transportation, the needs were usually related to funding or maintenance, and local/off-system roads were mentioned specifically many times.

When asked what ACCA could do to most positively impact counties, the leading responses were increase funding and equip counties to handle these responsibilities through training and education. (See page 32 for some specific responses.)

“Some members told us ACCA should ‘keep up the good work,’” said Sonny Brasfield, ACCA executive director. “That’s really a tribute to the outstanding efforts of earlier long-range planning groups, who have provided leadership and direction for this organization through the years.”

Team 2021 includes ACCA officers and representation from affiliate groups, both insurance boards, probate judge/chairs, countywide chairs, and county commissioners.

The team will develop strategic priorities to present at the ACCA Convention in August. Feedback from those discussions will be incorporated into the plan, which ACCA members will vote on in December. The five-year plan would take effect on Jan. 1, 2016. ■



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If I were president of the ACCA I would...

“Grow a stronger association by increasing involvement by commissioners and working with sheriffs, probate judges and revenue organizations for stronger voice”

“Continue district meeting fellowship”

“Continue 1 vision, 1 voice”

*“Work closely to **bring all elected officials together** to work on current needs of county and state issues (e.g. jail inmate care, revenue sources, etc.)”*

*“Try to continue to maintain a positive profile and productive position for counties. **Stick together and stay strong** to defend county government”*

*“Have more local meetings of 3-4 counties to discuss **issues and possible solutions** in a roundtable”*

*“Emphasize **teamwork & unity**. Unified leadership is necessary for the rocky times we are about to face”*

*“Push for more local control and **more understanding of county government** from legislature”*



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A voice from Alabama's 67 counties...

Anita McBurnett
*EMA Director, Marshall County
President, Alabama Association of
Emergency Managers*



Q How long have you been in county government?

A. In November of 2001, I was employed as a planner for the Marshall County EMA. Since becoming EMA Director in 2007, I have worked with different commissioners, mayors, police chiefs, fire chiefs and other agency heads both at the local and state level.

Q What is the best part of your job?

A. First, is the challenge that comes with making sure the public and elected officials know the threats we face, know that collectively, we have to prepare and plan for emergencies, and know that we can operate effectively in an emergency and conduct the necessary

recovery operations. Second, is being able to assist individuals and communities with recovering from disasters. It really is all about helping others in whatever way you can.

Q How do you describe your work to people who may not be familiar with emergency management? Do you hear any common misconceptions?

A. The first thing that I have to tell people is “we are not emergency medical technicians (EMTs).” The average person probably thinks of emergency management in terms of a natural disaster. However, the field also embraces man-made disasters such as hazardous material spills, major transportation accidents, and even terrorist events. We work on planning and coordination for mitigation, preparedness, response and recovery from all types of disasters. Partnerships with elected officials, public safety entities,



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Q What has been the biggest challenge you have dealt with in county government?

A. Wow, that's a tough question as there are so many different challenges. I would have to say that educating newly elected officials on their roles and responsibilities in emergency management. And then maintaining that continuity of understanding through election cycles, and that includes not only new commissioners but new mayors and new people moving into those partner agency roles as well.

Q A tornado that touches down in an unincorporated area of the county can easily cut its path into city's jurisdiction.

How do county and municipal governments work together in those situations? How could that be strengthened?

A. This very occurrence has happened several times in Marshall County. We all come together to get the job done and return communities to their "new normal" when this happens. What we need to strengthen are the pre-event efforts. Legislation may be needed to strengthen these local government partnerships, and I would be eager to help AAEM and ACCA work with the League of Municipalities on that project. The bottom line is providing the best possible services to citizens regardless of where they live.

Q What would you suggest as the top 3 priorities for the Alabama Association of Emergency Managers over the next few years?

A. First: Continue the growth and expansion of membership and member services, especially training and education opportunities and maintaining a strong certification program for emergency managers and staff members.

Second: Continued training of elected officials on the responsibilities of their offices when it comes to providing emergency management services in their counties. Emergency management is a public safety service, with statutory requirements of the elected body.

Third: Address and resolve those legislative issues we face both here in our state and at the federal level, working with municipalities and other associations. At the federal level, we have to address not only funding issues but requirements that effect funding that is hindering and not enhancing emergency management at the local level.

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*Note: If your employer's 457 plan offers and you take advantage of a Roth option, your contributions are taken after taxes are applied, but withdrawals of contributions and their potential earnings would be tax-free (subject to certain conditions).

Sources:

¹How Much Is Enough? The Distribution of Lifetime Health Care Costs, Anthony Webb and Natalia Zhivan, Center for Retirement Research at Boston College, Feb. 2010.

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Q In your county, what project are you most looking forward to accomplishing in the future?

A. “One Team-One Plan: All Hazards”! That is the motto of our Emergency Management Program in Marshall County. I really would like to see ONE County/Municipal Joint Plan in place. Everyone has a role to play in emergency and disaster response. It has to be a TEAM effort which means we have to trust each other and have each other’s back at all times.

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

A. I laughed out loud when I read this question. Most if not all emergency managers are on call 24-7,

365 days a year! I love to work in my yard, play with my precious cairn terrier, play the guitar and read. I really like to fish but I don’t seem to have time for that these days. Just being there for my family whenever they need anything!

Q Auburn or Alabama?

A. No doubt that my parents and siblings were Alabama and Bear Bryant fans. As a youngster, I wanted to be a veterinarian and I had read about the vet school at Auburn So, when I first visited the Auburn campus for a football game in 1973, I became the rogue in my family and a huge AUBURN FAN. I believe in the Auburn Creed: “and because Auburn men and women believe in these things, I believe in Auburn and love it.” War Eagle!

Q What is the home screen/lock image on your cell phone right now?

A. A picture of my 13-year-old cairn terrier, “Koby Girl”!

Q If a new commissioner in another county asked you how to work well with EMA, how would you answer?

A. As soon as possible, have a sit down chat with your EMA Director to get to know each other a little better. Next, visit the emergency management office and get to know the staff. Read your County Emergency Operations Plan and Mitigation Plan. Stay in touch, and meet face to face to discuss where you are on your objectives and any issues that may have arisen. It has to be a partnership. ■



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