

PUBLISHED BY THE ASSOCIATION OF COUNTY COMMISSIONS OF ALABAMA

COUNTY COMMISSION

Volume 63, Number 1
March 2019

CRUCIAL ROAD FUNDING:

IT ALL STARTS IN THE HOUSE

LEGISLATIVE GUIDE 2019

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in this issue

VOLUME 63, NUMBER 1



Proposed laws to raise revenue must originate in the Alabama House of Representatives, making that the first step toward increased funding for county roads and bridges. (Photo © Glenn Nagel | Dreamstime.com)



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President's PERSPECTIVE



Hon. Tony Cherry
President

Tony L. Cherry

Staying Informed Will Be Critical to County Success Amid Controversial Session

It's almost that time of the year, folks. It's almost that time when we can effect positive change in our communities by talking with our state lawmakers and providing them with the information and data they need to pass our priority legislation or to join our efforts to delay or amend proposals that will negatively impact counties and the people "back home."

Yes, it's almost time for the 2019 Regular Legislative Session. And with county issues at the forefront of everyone's mind on Goat Hill, the next four months offer us an opportunity to be actively involved in something really special.

Our staff in Montgomery works tirelessly to prepare themselves and us for this most important time of the year. But they can't walk alone; in fact, when the Legislature is in session, the responsibility should largely be on the backs of county officials and employees. While the staff is busy reading bills, speaking at public hearings, counting votes and doing all of the grunt work we don't see, we must be playing our part. And our part begins and ends with keeping ourselves informed and being ready to act.

So, throughout this session, I ask that you do these few simple things. And, just as importantly, I ask that you encourage your colleagues to do the same.

Watch the Goat Hill Glance video on Fridays

Every Friday, be sure to check your email for a Goat Hill Glance video recapping the week's activities in Montgomery. Our Executive Director, Sonny Brasfield, will

provide the Association's insight on the legislative climate and a list of critical items for us to complete over the weekend – such as contacting our legislators about a particular bill. Again, this is what WE bring to the table and where WE must do the heavy lifting.

Read the Goat Hill Prep email on Mondays

Every Monday, locate the Goat Hill Prep in your "inbox" and be sure to read it in its entirety. The ACCA staff does an excellent job of keeping us informed on issues of the utmost importance – which is why the Goat Hill Prep is always broken down into just a few updates we need to know about and a few actions we need to take.

Stay on the lookout for important Goat Hill Alert emails throughout the week

Throughout the week, monitor your "inbox" for any ACCA emails containing the term "alert." There may be weeks in which you receive several of these emails or not a one, but when you do receive one, all of county government will be depending on you to open it immediately and respond accordingly.

Download the ACCA67 app for critical "act now" alerts

If you haven't already, make sure you download the ACCA67 app to your cell phone and turn on the push notifications. Often times, legislative plans change on a dime while at the Statehouse, and if the ACCA staff has no way of easily and quickly reaching all of us, it could be the difference in a county win or loss. ■

LEGISLATIVE SESSION ESSENTIALS



SOCIAL MEDIA —

Use the draft posts provided by ACCA,
and always remember to
use this critical hashtag: **#alpolitics**
(It ensures legislators will see your posts!)



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(Schedule on page 18)



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Sonny Brasfield
Executive Director

Sonny Brasfield

Seeking the Greater Good this Session

Founding Fathers Knew Grave Risk of 'Pulling Different Ways'

In the summer of 1776, the founding fathers of our nation faced a very challenging time, to say the least. The decisions that confronted them were extremely difficult, and the differences of opinion were emotional and significant.

There was so much disagreement that many wondered if the men around the table could find it within themselves to put aside their own ideas and individual desires so they could see the common good. The future of the country, at that time, hung in the balance.

Would the leaders allow themselves to be split on the details and their individual perspectives, or would they agree on the bigger issues and forge ahead with their eyes on the goal? History was preserved by the conclusion they reached, but the journey to agreement was extremely difficult.

When talking about those critical moments, I've always chuckled at the vision of that scene in early July when – after much give and take amongst the elected representatives – the members of the Continental Congress signed their names to a document we know as the Declaration of Independence. The placement of their names on that document was possible only because each and every one of them chose to place the greater good ahead of their own individual biases and political circumstances.

For example, Thomas Jefferson had sat reasonably quiet alongside Benjamin Franklin for several days as the group tore apart his draft of the document and shaped it into the one that today bears all those

signatures. Jefferson's pride of authorship and his strong belief that his words were best did not override his understanding that the common good should prevail.

It's interesting that Franklin had reviewed the draft before all the others were allowed to work on it and had made only a few minor changes. In fact, the only significant revision by Franklin was altering Jefferson's original words of, "We hold these truths to be sacred and undeniable," into the line that we all now recite from memory – "We hold these truths to be self-evident."

Otherwise, Franklin had largely given his seal of approval, and he sat with Jefferson as others reworked the document. After days and days of revision and rewriting, a final version of the declaration was circulated and everyone agreed to place their names – at the risk of death – on a common set of words that were, at the same time, both objectionable and agreeable.

It is the recorded exchange between Franklin and John Hancock, President of the Congress, that brings a smile to my face as we prepare for a Legislative Session that will likely challenge us all to see the greater good, rather than our own individual desire to defend our home base.

We all remember that Hancock signed the document in letters so large that no one could miss them. But do you remember his recorded words just before picking up the pen?

"There must be no pulling different ways," Hancock declared. "We must all hang together."

What wise advice for county officials and staff leadership as we prepare for a legislative journey in

2019 that includes four very significant pieces of legislation that are surely to produce differences of opinion along the way.

There will be ample opportunity for folks to splinter in different directions on issues such as the division of revenue from a gas tax increase; necessary changes to our state's process for collecting revenue from online purchases; revisions to the controversial law on funds for feeding prisoners; and changes to the growing problem of recruiting new employees under the new "Tier II" retirement provisions.

To borrow from the words of Hancock – in the face of these challenges, what's the point of "pulling different ways?"

This Association has succeeded – in a way that has few rivals today

Our challenge is to embrace – and support – the phrase that drives everything we do: "67 Counties, ONE Voice." To do otherwise is to ensure the 67 individual voices will be drowned out by those who are not interested in the success of county government.

– because everyone has been willing to look beyond what might be the very best thing for their particular neighborhood in order to embrace what's best for **all** counties. In the process, we have consistently forged public policy that has benefited all counties in a much larger measure than anything a single county could achieve on its own. We must do that

again this session.

Our challenge is to embrace – and support – the phrase that drives everything we do: "67 Counties, ONE Voice." To do otherwise is to ensure the 67 individual voices will be drowned out by those who are not interested in the success of county government.

When Hancock passed the pen, Franklin responded to his challenge that the delegates must "all hang together." It is Franklin's response, and not Hancock's admonishment, that should be our rallying cry as the opening day of the 2019 Legislative Session approaches.

"Yes, we must, indeed, all hang together," Franklin is recorded as saying back to Hancock, "or most assuredly, we shall all hang separately." ■



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County Risk Services Inc.
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(334) 394-3244 (fax)

Post Office Box 589, Montgomery, AL 36101
www.countyrisk.org

Claims Reporting:
liabilityclaims@countyrisk.org
propertyclaims@countyrisk.org
workerscompclaims@countyrisk.org

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Hon. Joseph Parnell
CHILTON



Hon. Michael Armistead
CHOCTAW



Hon. Bertha Kelly-McElrath
COOSA



Hon. Kerry Watson
CULLMAN



Hon. Arthur Crawford
HALE



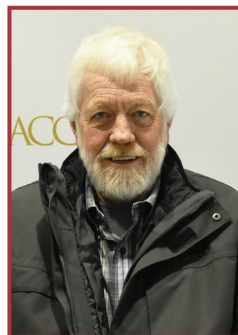
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Frequently Asked Questions

FAQ: Infrastructure Investment

Editor's Note: *When it comes to investing in Alabama's infrastructure, some questions come up again and again. County Commission Magazine sat down with Sonny Brasfield, ACCA Executive Director, to talk through four of the most common queries.*



Safety is No. 1 Concern

What is the current condition of roads and bridges in our state?

A: Engineering experts recommend a 15-year resurfacing cycle for county roads and a 50-year replacement cycle for county bridges for the safety of our residents. But a severe lack of funding has forced counties across the state onto road and bridge cycles in the triple digits, which has us concerned for the safety of residents. Every day, we have school buses loaded with children driving down these crumbling roads and spending hours detouring around weight-restricted bridges that need replacing. And there are farmers, loggers, manufacturers and major industry employees – loaded up with supplies and materials – depending on our roads daily. Frankly, safety is our top infrastructure concern right now.



'Doing Nothing' Puts Lives at Risk

Where do you stand on increasing the statewide gas tax?

A: If we don't generate revenue, we will resurface less than 4,000 of the nearly 15,000 county road miles that need to be resurfaced and replace less than 200 of the nearly 4,000 county bridges that are 50+ years old. And that means in 5 years, those remaining roads will be further worn down and those bridges will be that much older and in even more disrepair. How much longer can we go on endangering the safety of our residents? How many more roads must be washed out? How many more bridges must be closed? Living on a 1992 budget is no longer an option.



Improvements Needed ASAP

By how much would you recommend the statewide gas tax be increased and why?

A: Honestly, because we have waited so long to address this problem, we are not focused on "solving" this problem. Our focus is on making significant improvements as quickly as possible. We support a gas tax structure that ensures the new money is spent only on roads and bridges – not on salaries or equipment – and that we are responsible and transparent with residents' investment.



Cities and Counties Can Come to Agreement Again

What is your response to city leaders stating that they need a larger portion of the gas tax revenue?

A: When an infrastructure investment was last actively discussed in 2017, we came to an agreement with city leaders, and we're confident that we'll all get back to that compromise. It's true that everyone can show unmet needs – just as any county can show the massive needs on its own road and bridge system. But it's important that we also look at the money spent by the State when determining what is fair. Over the past 3 years, more than 60% of the money spent on state highways has been in urbanized areas. So, we believe the distribution of the proceeds is something we can work out over the next couple of months.



Sizing up the Funding Gap for County Roads and Bridges

It's getting harder and harder to find anyone who insists that Alabama's county roads and bridges are just fine exactly as they are. And consensus is growing that crumbling roads and aging bridges constitute a funding problem that needs a funding solution.

Such a realization begs the question — how much? Just how big is the gap between the reality of today's funding and the actual need?

The infrastructure problem has been growing for decades, and Alabama's gas tax was last adjusted more than a quarter of a century ago. "Quite honestly, we've waited so long to address the problem that you almost laugh at the numbers when you hear how big they are," said Sonny Brasfield, ACCA Executive Director.

ACCA research and analysis indicates that county roads and bridges face a funding gap totaling at

least \$200 million a year. That figure is based on the following:

- Counties maintain about 60,000 miles of roads, and the paving material used has a wearing life of 15 years.
- Counties maintain more than 8,600 bridges, which are designed for a 50-year lifespan.
- It would cost \$600 million annually to put all county roads and bridges on the recommended cycles — resurfacing paved roads every 15 years and rebuilding bridges every 50 years.
- Currently, with all state and local sources combined, counties receive less than \$400 million a year in road funding.

"If we got ourselves on a 15-year road resurfacing cycle and a 50-year bridge cycle, we would need an additional \$200 million a year, but it would also mean we'd need to

spend all the money we receive now on those two categories," Brasfield said. "There would be no money to pay employees, maintain equipment, patch potholes or pay the power bill."

The bottom line is that current conditions of county roads and bridges, which have a significant impact on safety and the state's economy, would make it easy to justify investing another \$200 million a year. But Brasfield said that an additional \$100 million annually is a more realistic goal this year.

"Such an investment would allow us to begin making noticeable safety improvements on the roads and bridges depended upon most by our state's children, employees and private citizens," he said. "Does it get every road fixed? Does it get every bridge replaced? Certainly not, but prioritizing projects will allow us to meet the most critical infrastructure needs as soon as possible. ■"

AUTAUGA COUNTY, ALABAMA

COUNTY ROAD & BRIDGE SYSTEM

THE COUNTY MAINTAINS

667 ROAD MILES -
336 OF WHICH
ARE PAVED

---AND---

71 BRIDGES -
23 OF WHICH ARE
50+ YEARS-OLD

SYSTEM UPKEEP

112
MILES

Should be resurfaced every 5 years
**UNDER A
RECOMMENDED
15-YEAR cycle**

7.1
BRIDGES

Should be replaced every 5 years
**UNDER A
RECOMMENDED
50-YEAR cycle**

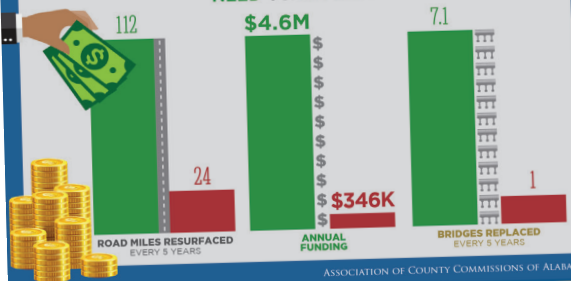
ANNUAL UPKEEP COST / \$\$\$ NEEDED

\$4,554,101.12

\$3.7M ROAD RESURFACING (15-YEAR CYCLE) / \$858K BRIDGE REPLACEMENT (50-YEAR CYCLE)

THE COST OF DOING NOTHING?

NEED VS. REALITY



ASSOCIATION OF COUNTY COMMISSIONERS OF ALABAMA

The Cost of Doing Nothing: County-by-County Infrastructure Profiles

Every county has a one-page infrastructure summary profile: size of the road and bridge system, recommended system upkeep, funding and a five-year outlook with current annual funding.

Making the Most of the ACCA67 App

County officials and employees will want to make sure they have full access to the exclusive features of ACCA's mobile app this session.

It will put a wealth of information right at your fingertips, including a legislative directory with contact info and social media links.

Go to the App Store or Google Play and search for **ACCA67** to download the app.

Contact ACCA for assistance creating a members-only account:

Abby Fitzpatrick

ACCA Director of Communication

and Engagement

334-263-7594

afitzpatrick@alabamacounties.org

Need to reset a password or have other questions about using the app?

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(Contact info above)



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ALABAMA'S 67 COUNTIES



COUNTY ROAD & BRIDGE SYSTEM

COUNTIES MAINTAINS

60,527 ROAD MILES -
44,788 OF WHICH
ARE **PAVED**

----- **AND** -----

8,661 BRIDGES -
3,915 OF WHICH
ARE **50+** YEARS-OLD

SYSTEM UPKEEP

14,929
MILES

Should be resurfaced every 5 years
**UNDER A
RECOMMENDED
15-YEAR** cycle

866.1
BRIDGES



Should be replaced every 5 years
**UNDER A
RECOMMENDED
50-YEAR** cycle

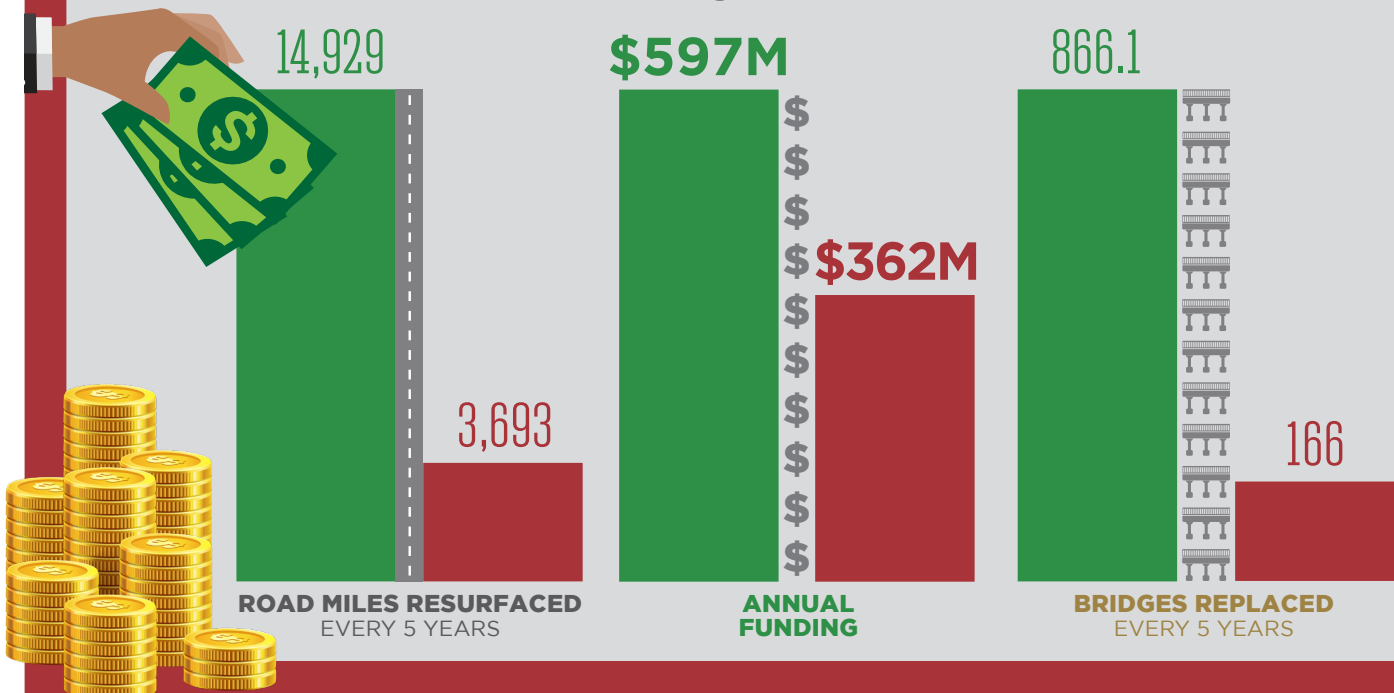
ANNUAL UPKEEP COST / \$\$\$ NEEDED

\$597,368,422.42

\$493M ROAD RESURFACING (15-YEAR CYCLE) / **\$105M** BRIDGE REPLACEMENT (50-YEAR CYCLE)

THE COST OF DOING NOTHING?

NEED VS. REALITY





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Crucial Road Funding: It All Starts in the House

To achieve the goal of finally supplying county infrastructure with long-overdue critical funding, legislation will have to successfully travel through both chambers of the Alabama Legislature before moving to the governor's desk for her signature.

**Sponsor
Introduces
the Bill in the
Alabama House of
Representatives**

1

Proposed laws that would raise revenue must start in the House.

**House Committee
Approves the Bill**

2

The House Rules Committee decides which bills come up on the floor, and the committee's list of chosen bills is called a "Special Order Calendar." During floor debate, the House may change the bill with amendments or a substitute.

**The Bill is Passed
on the House Floor**

3

The committee may change the bill with amendments or a substitute (an amendment in the form of the whole bill).

**Alabama Senate
Committee
Approves the Bill**

4

The committee may change the bill with amendments or a substitute.

**The Bill is
Approved on the
Senate Floor**

5

The Senate Rules Committee decides which bills come up on the floor, and the committee's list of chosen bills is called a "Special Order Calendar." During floor debate, the Senate may change the bill with amendments or a substitute.

**The Governor
Signs the Bill
into Law**

6

If the governor rejects the bill, the House and Senate can override the veto.

The House and Senate must pass the bill in identical form. If the Senate revises a House bill, the House can agree to the changes or send the bill to a conference committee to resolve the differences.

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Legislative Committee Leading the Way

ACCA's Legislative Committee is playing an even bigger role in 2019, the second year after the committee was expanded to include representatives from all 67 counties.

"I can't commend highly enough the members of the Legislative Committee, who have willingly shouldered this responsibility at a pivotal time for all 67 counties," said ACCA President Tony Cherry. "I fully expect us to be even more effective advocates for county government because committee members will rally their counties to new levels of engagement."

In the weeks leading up to the session, committee members have addressed the County Family at all six District Meetings, urging their colleagues to be actively engaged in the legislative process.

County leaders took away a few "homework assignments" from the District Meetings, a handful of simple tasks designed to increase county success in the Legislature this year. Members of the Legislative Committee led by example and encouraged others to connect with legislators, communicate county legislative priorities and educate local news media on the infrastructure crisis in their counties.



During the Legislative Committee's two-day Pre-Session Workshop in October, members unanimously agreed that current funding is insufficient to properly maintain roads and bridges in their counties.

Not long after the session gets underway March 5, County Days at the Legislature will begin, with each county assigned a date to travel to Montgomery. Participants will "walk the halls" at the Statehouse for face-to-face conversations with legislators, and members of the Legislative Committee are working to ensure strong turnout from their respective counties.

Because of their hands-on work developing the County Platform, members of the Legislative Committee are prepared to serve as in-house resources on all things Goat Hill. County officials



Commissioner Tyrone Moya had the privilege of recognizing fellow members of the Legislative Committee and conveying the importance of legislative involvement during the District Meeting in Clarke County, his home county.

and employees are encouraged to contact their committee representatives with questions or concerns on legislative matters. ■

2018-2019 Legislative Committee

CHAIRMAN: Hon. Steve McKinnon, Dale County

Autauga.....	Hon. Van Smith	Houston.....	Hon. Doug Sinquefield
Baldwin.....	Hon. Charles Gruber	Jackson.....	Hon. Melinda Gilbert
Barbour.....	Hon. Frances Person-Crews	Jefferson	Hon. Jimmie Stephens
Bibb	Hon. James Kelly	Lamar.....	Hon. Jeff Long
Blount.....	Hon. Nick Washburn	Lauderdale	Hon. Danny Pettus
Bullock.....	Hon. Alonza Ellis	Lawrence.....	Hon. Joey Hargrove
Butler	Hon. Allin Whittle	Lee	Hon. Johnny Lawrence
Calhoun.....	Hon. Fred Wilson	Limestone	Hon. Jason Black
Chambers.....	Hon. Sam Bradford	Lowndes.....	Hon. Carnell McAlpine
Cherokee.....	Hon. Tim Burgess	Macon.....	Hon. Miles Robinson
Chilton	Hon. Jimmie Hardee	Madison.....	Hon. Craig Hill
Choctaw.....	Hon. Michael Armistead	Marengo	Hon. Calvin Martin
Clarke	Hon. Tyrone Moye	Marion.....	Hon. Bobby Burleson
Clay	Hon. Ray Milstead	Marshall.....	Hon. David Kelley
Cleburne.....	Hon. Terry Hendrix	Mobile	Hon. Connie Hudson
Coffee	Hon. Dean Smith	Monroe.....	Hon. Billy Ghee
Colbert.....	Hon. Tommy Barnes	Montgomery.....	Hon. Dan Harris
Conecuh	Hon. Michael Riley	Morgan	Hon. Don Stisher
Coosa.....	Hon. Todd Adams	Perry	Hon. Tim Sanderson
Covington.....	Hon. Kyle Adams	Pickens.....	Hon. Drew Elmore
Crenshaw	Hon. Merrill Sport	Pike.....	Hon. Chad Copeland
Cullman.....	Hon. Kenneth Walker	Randolph.....	Hon. Larry Roberts
Dale	Hon. Frankie Wilson	Russell.....	Hon. Chance Corbett
Dallas.....	Hon. Valerie Reubin	St. Clair.....	Hon. Paul Manning
DeKalb	Hon. Ricky Harcrow	Shelby	Hon. Lindsey Allison
Elmore	Hon. Bart Mercer	Sumter	Hon. Tommie Armistead
Escambia.....	Hon. Raymond Wiggins	Talladega	Hon. Jackie Swinford
Etowah.....	Hon. Johnny Grant	Tallapoosa	Hon. T. C. Coley
Fayette.....	Hon. Shane Hughes	Tuscaloosa	Hon. Jerry Tingle
Franklin	Hon. David Hester	Walker	Hon. Keith Davis
Geneva.....	Hon. Todd Brannon	Washington.....	Hon. Allen Bailey
Greene	Hon. Tennyson Smith	Wilcox	Hon. John Moton
Hale	Hon. Donald Anderson	Winston.....	Hon. Roger Hayes
Henry	Hon. David Money		

Alabama Counties Support...

2019 ACCA Legislative Priorities



Providing county roads & bridges with their first long-range revenue increase since 1992

With county governments unable to levy their own gas tax for the care of county roads and bridges, county leaders spent the better part of the previous quadrennium tirelessly advocating the Legislature to enact a new revenue measure for state and local infrastructure programs. The costs associated with the construction, maintenance, and repair of county roads and bridges continue to far exceed the resources available to county governments. Alabama Counties will continue to work with the coalition of business leaders, the Alabama Department of Transportation (ALDOT), and other interest groups in pursuing legislation to provide adequate funding for state and local road and bridge projects by utilizing the current gas tax formula.



Updating the state's online sales tax collection process to legally align with the U.S. Supreme Court's 2018 decision

With its 2018 decision on *Wayfair v. South Dakota*, the U.S. Supreme Court opened the door for states to require tax collection from any online seller that “avails itself of the substantial privilege” of doing business in that state. The *Wayfair* decision offers several factors for states to consider to ensure their collection methods for online sellers are nondiscriminatory and do not place an undue burden on interstate commerce. While the collection methodology endorsed by the Supreme Court models well with Alabama's Simplified Sellers Use Tax (SSUT) program, there are still a number of statutory issues that must be considered to guarantee compliance with the *Wayfair* decision. Alabama Counties, the Alabama Department of Revenue and other SSUT stakeholders will continue their partnership during the 2019 session to further expand the SSUT program's ability to collect taxes from online sellers.



Reinstating “waiver valuations” to save counties time & money on right-of-way appraisals

ALDOT and county highway departments have traditionally utilized “waiver valuations” to acquire rights-of-way from private landowners. This practice has permitted state and local governments to reach a mutual agreement with private landowners about the purchase price for right-of-way acquisitions. The Federal Highway Administration (FHWA) recently advised that Alabama state law does not recognize the federal concept of waiver valuation. As a result, county road departments were directed to stop using this established practice, which has saved counties time and money over the years. Alabama Counties propose to amend the current statutory provisions governing right-of-way appraisals to be in compliance with Federal Code in order to allow the reinstatement of waiver valuations.



Closing a statutory loophole in sheriffs' feeding of county inmates

A long-standing ambiguity in state law has allowed county sheriffs to pocket certain surplus monies allocated to their offices for the feeding of county inmates. The issue came to a head in early 2018, leading Gov. Kay Ivey to issue a memorandum requiring sheriffs to deposit all monies designated for “food services” into the county general fund or some other official account instead of accepting those funds in a personal capacity. Even with the sweeping impact of the Governor's memo, many state and local leaders want to explore a permanent solution to this issue. Alabama Counties support legislation to close this statutory loophole by instituting clear requirements and accountability measures for the handling of the sheriffs' feeding funds.



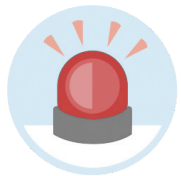
Making county government more attractive to quality employees by offering better retirement benefits

Alabama Counties are again proposing legislation giving local entities participating in the Employees' Retirement System (ERS) the option to shift existing Tier II employees to the more attractive benefits package afforded to local employees hired prior to 2013. This change in the law would not impact state revenue and would actually reduce costs for many counties, cities and local entities. If enacted into law, this vital piece of legislation would allow local entities to remain competitive in the job market and retain and attract talented employees.



Expanding the County Debt Set-Off Program

The County Debt Set-Off Program was created in 2014 to allow county entities to collect debts owed to the county by intercepting a portion of a debtor's state income tax refund. Alabama Counties propose to amend the current statute to ensure that entities, including county health care authorities, be allowed to participate even if the entity contracts with an outside entity to provide financial or administrative management.



Utilizing the next generation of 9-1-1 technology to better protect residents

The Alabama Next Generation Emergency Network (ANGEN) is a new communication technology system designed to streamline the routing process for 9-1-1 calls, reduce costs for 9-1-1 districts, and improve accuracy and redundancy issues in the current system. The administration of ANGEN has been handled by the Alabama State 9-1-1 Board since 2013, but there is currently no statutory authority for the Board to administer the program. Alabama Counties propose legislation that would provide the Board with clear statutory authority to administer ANGEN and make a number of technical amendments to the general powers of the Board.



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County Days Begin April 10

As an important part of ensuring that the Alabama Legislature is constantly hearing from “67 Counties, One Voice,” the Association is once again hosting County Days during the 2019 Legislative Session.

Each county has been assigned one day to come to Montgomery and “walk the halls” to help make sure all your legislators are aware of – and supporting – the interests of county government. All county commissioners, affiliate group members and other key staff are encouraged to participate and join us at the Statehouse on your day.

The schedule begins at 11 a.m. in the new ACCA office at 2 North Jackson Street with lunch and a briefing from ACCA staff. Participants will receive a notebook with up-to-the-minute information on the status of ACCA and Danger Bills.

At noon, the group will walk down the hill to the Statehouse for lobbying and afternoon committee meetings.

In addition, ACCA staff will be available in Studio 67 for video filming and social media assistance.

There is no registration fee for County Days, but ACCA will get a head count for the day to facilitate lunch. An overnight stay should not be necessary.

More details will be distributed as each County Day draws near, but please get this date on your calendar and make plans now to participate in this important event.

If your county would like to meet with any particular legislators while you are in Montgomery, you are encouraged to contact the legislators at least one week in advance of your County Day to make sure they will have time to meet with you. ■

ACCA COUNTY DAYS

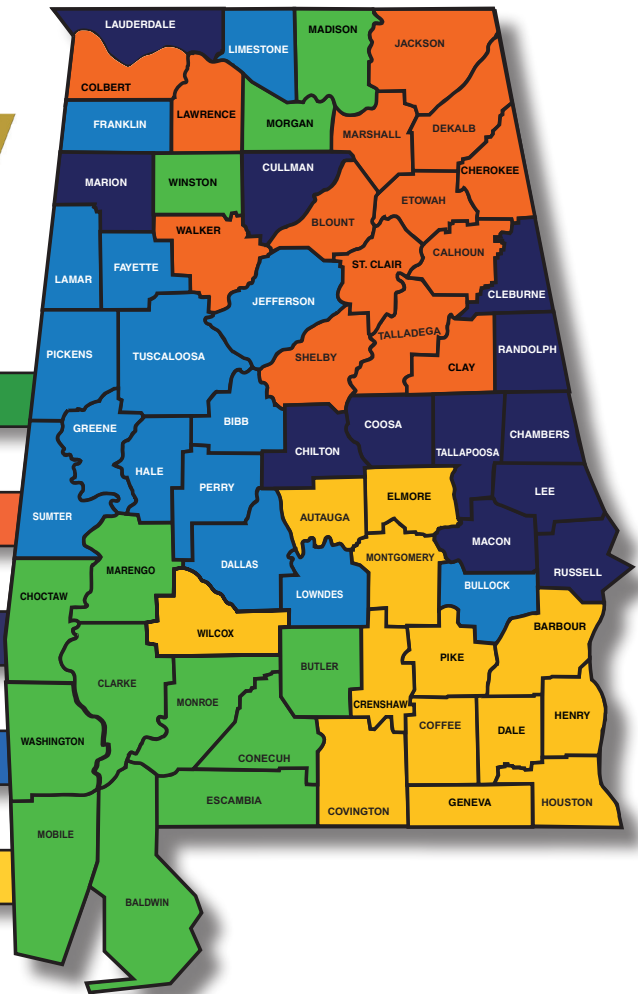
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APRIL 17TH

MAY 1ST

MAY 22ND

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Three join 'County Caucus'

Many newly-elected legislators — including three faces familiar to the County Family — will be in position to introduce their first bills this year.

Just months ago, Sen. Chris Elliott and Rep. Debbie Wood were leading at the local level, helping to shape county budgets with their fellow commissioners. Although 14 years have gone by since Rep. Sam Jones served on his county's governing body, he was deeply engaged in county issues at the state and national levels during



Chris Elliott



Sam Jones



Debbie Wood

Legislature's 2019-2022 quadrennium, the County Caucus totals 14, with a pair of members in the Senate and an even dozen in the House of Representatives.

"Some legislators just have the benefit of a head start at

his time. He and Wood are both past presidents of ACCA.

The trio has joined a select group, unofficially and affectionately known as the "County Caucus."

At the beginning of the Alabama

understanding county issues, and it is a privilege to continue relationships with senators and representatives who have served at the county level," said Sonny Brasfield, ACCA Executive Director. ■

COUNTY CAUCUS 2019 REGULAR SESSION SENATE

Sen. Clyde Chambliss

- County Commission Service: Autauga
- Counties in Senate District: Autauga, Chilton, Coosa, Elmore and Tallapoosa
- Legislative Leadership Duties: Chair, Senate Local Legislation Committee, and Majority Floor Leader

Sen. Chris Elliott

- County Commission Service: Baldwin
- County in Senate District: Baldwin
- Legislative Leadership Duties: Vice Chair, Senate Governmental Affairs Committee

HOUSE OF REPRESENTATIVES

Rep. Jim Carns

- County Commission Service: Jefferson
- Counties in House District: Jefferson and Shelby
- Legislative Leadership Duties: Chair, House Commerce and Small Business Committee

Rep. Corley Ellis

- County Commission Service: Shelby
- County in House District: Shelby
- Legislative Leadership Duties: Vice Chair, House Insurance Committee

Rep. Joe Faust

- County Commission Service: Baldwin
- County in House District: Baldwin
- Legislative Leadership Duties: Vice Chair, House Transportation, Utilities and Infrastructure Committee

Rep. Berry Forte

- County Commission Service: Barbour
- Counties in House District: Barbour, Bullock and Russell

Rep. Steve Hurst

- County Commission Service: Talladega
- Counties in House District: Calhoun, Clay and Talladega
- Legislative Leadership Duties: Vice Chair, House Agriculture and Forestry Committee

Rep. Sam Jones

- County Commission Service: Mobile
- County in House District: Mobile

Rep. Reed Ingram

- County Commission Service: Montgomery
- Counties in House District: Elmore and Montgomery
- Legislative Leadership Duties: Chair, House County and Municipal Government Committee

Rep. Dimitri Polizos

- County Commission Service: Montgomery
- County in House District: Montgomery
- Legislative Leadership Duties: Vice Chair, House Commerce and Small Business Committee

Rep. Randall Shedd

- County Commission Service: Cullman
- Counties in House District: Blount, Cullman, Marshall and Morgan
- Legislative Leadership Duties: Vice Chair, House Children and Senior Advocacy Committee

Rep. David Standridge

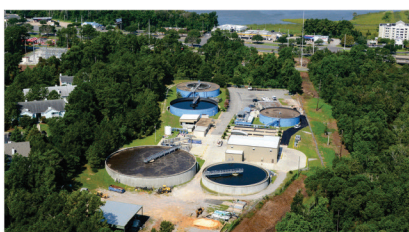
- County Commission Service: Blount
- Counties in House District: Blount and Marshall
- Legislative Leadership Duties: Vice Chair, House Urban and Rural Development Committee

Rep. Debbie Wood

- County Commission Service: Chambers
- Counties in House District: Chambers and Lee
- Legislative Leadership Duties: Deputy Whip, House Republican Caucus

Rep. Randy Wood

- County Commission Service: Calhoun
- Counties in House District: Calhoun, St. Clair and Talladega
- Legislative Leadership Duties: Chair, House Internal Affairs Committee

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Alabama County Platform 2019

The Alabama County Platform was approved by the ACCA Board of Directors and the ACCA Membership at the 2018 Legislative Conference.

Alabama County Foundation Principles

The 11 Foundation Principles of the Association of County Commissions of Alabama ("Association") were established by the Association's membership to promote the core values and positions of Alabama's 67 county governments. These foundation principles form the cornerstone from which all county policy positions, legislative priorities and general legislative advocacy is derived in order to promote the improvement of the State of Alabama and its instrumentalities.

Alabama Governmental Structure

Foundation Principle: The relationship between Alabama counties and the Alabama Legislature is established in constitutional and statutory law. The preservation of a constitutional relationship between the State of Alabama and its counties, as well as a workable and productive statutory allocation of responsibilities between the state and the counties, is essential to the delivery of services. Therefore, Alabama counties encourage the Alabama Legislature to fully fund state agencies and opposes the shifting of costs and administrative responsibility of state functions to the local level through the state budget process.

Mandated and Unfunded Legislation

Foundation Principle: Without the authority to levy taxes or even collect fees for services, Alabama counties constantly struggle to provide an adequate level of services to ensure health, safety and prosperity of local citizens. Alabama's constitution provides protection from the enactment of mandated and unfunded responsibilities onto county government to ensure the financial integrity of the commission. The Association strongly supports the intent of Alabama's constitutional language prohibiting the enactment of unfunded mandates and opposes the establishment of such mandates through federal or state administrative actions.

Revenue Protection

Foundation Principle: Counties are partners with the State of Alabama in the collection of revenue and the delivery of services

funded by the collection of such revenue. Many taxes collected by the counties as well as the state are earmarked for distribution between the two levels of government to ensure the provision of services. Likewise, the Legislature considers the abatement or exemption of many taxes levied by or on behalf of the county commission. County services cannot be funded during either the short- or long-term if the necessary revenue is interrupted. The Association opposes mandated abatement or exemption of the local proceeds of any taxes as well as the alteration of the allocation formula used to distribute tax proceeds between the state and its counties.

County Operations and Budget Authority

Foundation Principle: The county governing body serves as both the legislative and administrative branch of government at the local level – carrying out both budgetary duties as well as providing administrative leadership for many functions. The budgetary, personnel and administrative functions carried out by the county commission are essential to the financial and operational health of county government in Alabama. The Association opposes any efforts that will obstruct the commission's ability to effectively govern and to maintain the administrative and financial well-being of the services delivered by the county commission.

County Expenditures for Compensation and Benefits

Foundation Principle: The County Commission is charged with making the

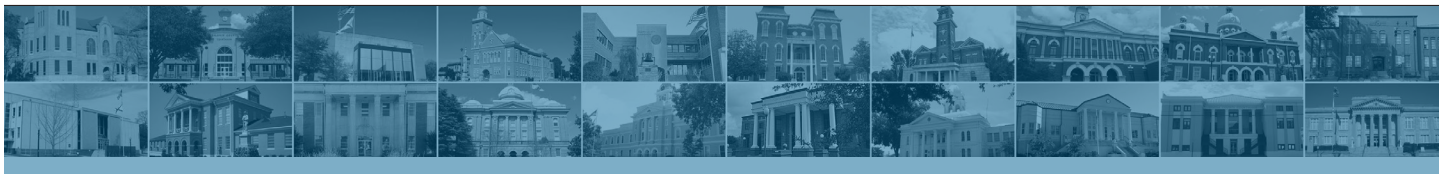
budgeting decisions necessary to provide the most effective and efficient services to the citizens within the revenue available in each of the 67 courthouses. Legislatively-mandated adjustments in salary and benefits pose a threat to the delivery of such services. For this reason, the Association opposes any legislation that mandates any expenditure of county revenues for the payment of compensation, salary supplements, expense allowances, or benefits for current or former government officials or employees.

Economic Development and the Alabama Trust Fund

Foundation Principle: Alabama counties play an ever-growing and vital role in the state's economic development efforts, providing services, financial support and community leadership necessary to attract and retain important employers. Counties must be able to access the revenue necessary to carry out this function and must be included in any reforms and initiatives that alter Alabama's law regarding economic incentives and requirements. Revenue from the Alabama Trust Fund is essential to meeting these goals and must be protected from unnecessary raids and expenditures. The Association will actively oppose any removal of revenue from the Alabama Trust Fund and seeks to be a partner in those economic development efforts that emphasize a partnership between the state and its counties.

Election Administration

Foundation Principle: Alabama's election laws must maintain an unquestioned level of integrity and objectivity while avoiding



the wasteful spending of limited local and state resources. Likewise, the reporting and disclosure requirements placed on candidates only serve to bolster such efforts to garner public confidence in the election process. The Association supports efforts to eliminate many of the unenforceable and overbroad provisions of Alabama's election law while not generating additional unnecessary costs or burdens at the local level.

Alabama's Prisons and County Jails

Foundation Principle: Alabama's prison system faces a crisis not unlike the crisis duplicated on a daily basis in each of the 67 county jails. The watchful eye of the federal courts, the never-ending expense of providing jail services, the growing costs of health care and the training and compensation for officers presents a challenge well beyond the reach of a

county commission devoid of revenue-generating powers. On the other hand, an efficient local law enforcement agency and jail is necessary to maintain order and to ensure the safety of all Alabamians. The Association is gravely concerned that all reform efforts, statutory changes or administrative rules be considered only in light of direct, indirect and unintended consequences generated at the county level.

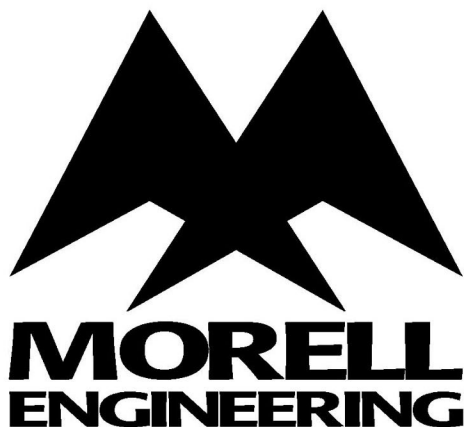
Justice and Public Safety

Foundation Principle: The State of Alabama is responsible for administration of state courts and public safety agencies and for providing public health and mental health services for the citizens of this state. The Association believes the Alabama Legislature should adequately fund each state agency responsible for the delivery of these critical government services and opposes any legislative or

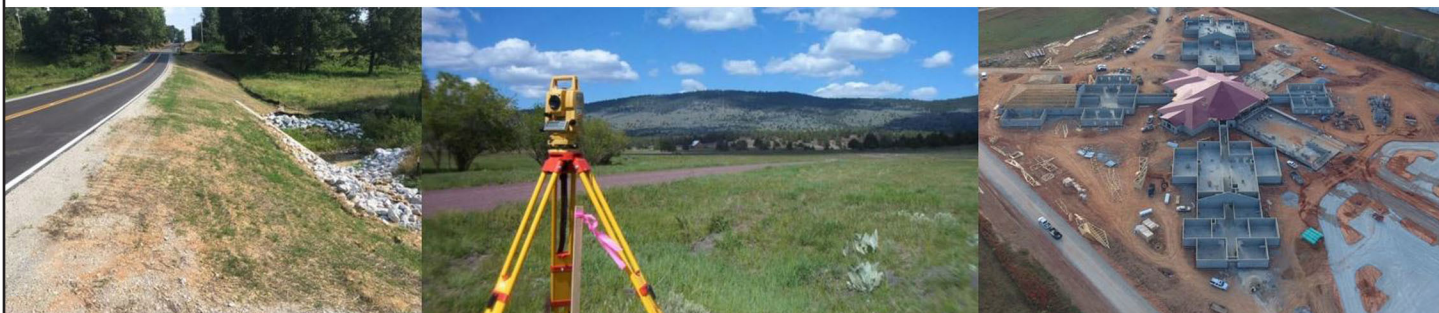
administrative efforts that mandate counties to assume any responsibility for these state functions or that force county government to assume state functions due to the state's failure to adequately meet its financial or administrative responsibilities. Additionally, since local government plays an important role in providing emergency services at the local level, the Association urges the Legislature to ensure there is adequate funding for local programs and that state and local agencies work in partnership for the safety and well-being of all citizens of this state.

Environment, Land Use and Public Works

Foundation Principle: County government's role in the effective administration and enforcement of Alabama's law affecting environmental issues, land use and public works administration is often confusing.



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Counties lack land-use authority but are required to grant initial approval for landfills. Counties seek to enhance the delivery of services by improving their public facilities and programs but often are impeded by federal and state regulations, inspections, and prohibitions that do not serve the public's best interests. The exercise of extra-jurisdictional powers by municipalities further clouds the role of county government. The Association seeks legislative and administrative solutions to these conflicts

and encourages all related agencies to interact with counties to ensure the proper delivery of services and the enforcement of requirements and regulations.

Rural Transportation

Foundation Principle: The county commission is responsible for proper construction, maintenance, and repair of all roads and bridges in the county road system. The Association believes it is essential that the county commission

have adequate federal, state, and/or local funding to meet the many needs of its rural transportation system. Additionally, the Association believes that, in order to keep roads and bridges properly maintained for the safety and well-being of the traveling public, the county commission must have broad regulatory authority related to the use of county-maintained roads and bridges, including the ability to collect reimbursement from persons or entities causing damage to those roads and bridges.

Alabama County Quadrennial Goals

With the start of each quadrennium, the Association membership and its affiliate organizations come together to analyze the global state of county governments in Alabama. The results of this collaborative effort are compiled into the Quadrennial Goals set out below. Throughout the four years of the quadrennium, the membership will prioritize and advocate for legislation to achieve each of these goals. As the quadrennium progresses, the membership may elect to add, amend or update these goals to ensure they adequately reflect the needs and condition of Alabama's 67 county governments.

Alabama Governmental Structure

- ➡ To shift the statutorily-required publication of legal notices from a "newspaper" to publication on a website maintained by the state or by each individual county.
- ➡ To provide a constitutional amendment to authorize open debate of local legislation.

Mandated and Unfunded Legislation

- ➡ To amend the unfunded mandate constitutional amendment to provide that the exemption for defining crimes apply only to provisions of the law defining or amending a crime.

Revenue Protection

- ➡ Support the simplification and expansion of the Simplified Sellers Use Tax Program to maximize participation within the boundaries of the U.S. Supreme Court's Wayfair v. South Dakota decision.
- ➡ Support for modernizing the business licensing process provided it does not result in a loss of state or local revenue or repeal existing local business licensing laws.

County Operations and Budget Authority

- ➡ To provide that the county commission

sets the hours of operation of county offices.

- ➡ To clarify statutory language related to use of county warrants and bonds.
- ➡ To require municipalities to provide animal control services within its jurisdictional limits or contribute a pro rata share of services provided by the county.

- ➡ To clarify the statutory language related to the County and Municipal Income Tax Set-Off Debt Collection to allow local entities with local government appointed governing boards to participate in the existing debt recovery programs.

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County Expenditures for Compensation and Benefits

- ➔ To reform Alabama's workers' compensation law by reasonably reducing medical costs while not subjecting employers to increased payments or expenditures.
- ➔ To amend the statute regarding the appointment of members to the Board of Control of the Retirement Systems of Alabama to more closely reflect the employing agencies of the participating members of the system.
- ➔ To amend current Alabama law to allow local entities participating in the Employment Retirement System the option to shift existing Tier II benefit employees to the Tier I benefit structure.

Economic Development and the Alabama Trust Fund

- ➔ To shift 20 percent of the corpus and future oil lease and royalty payments

of the Alabama Trust Fund into the County and Municipal Government Trust Fund, which would thereafter operate as a separately-maintained Trust Fund for counties and municipalities.

Election Administration

- ➔ To eliminate the requirement that the county commission set and fund school tax elections for municipal school systems.
- ➔ To amend Alabama law reforming the current Boards of Registrars system to provide more accountability, state and local oversight, and minimum qualifications for appointments.
- ➔ To allow the county commission, in its discretion, to assume responsibility for the absentee election function when there is a change in the office of circuit clerk.
- ➔ To remove the authority for the Secretary of State to decertify poll

books being used by county election officials, if such equipment was approved at the time of purchase.

Alabama's Prisons and County Jails

- ➔ To clarify that persons on parole, probation or participants in diversion programs are legally and financially state inmates for all purposes even when held for temporary confinement in the county jail or awaiting hearing or transfer to a state facility.
- ➔ To amend Alabama law to limit the medical service costs for an individual in county custody at an amount not exceeding Alabama's Medicaid rates and fees.

Justice and Public Safety

- ➔ To amend current Alabama law allowing the statewide 911 Board to expend administrative funds to support the funding and operation of next

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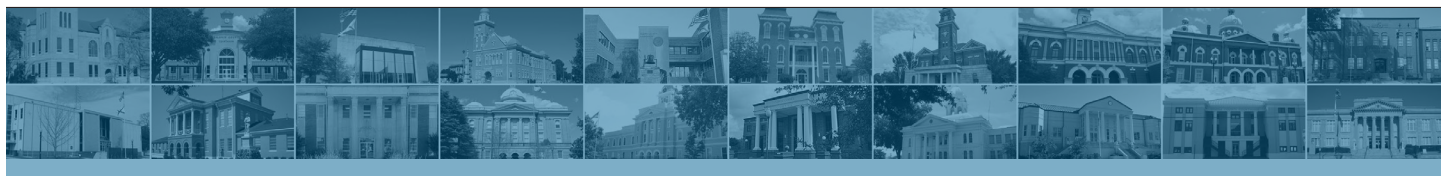


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generation technology projects a secure statewide network to connect and deliver 911 communications.

- ➔ To improve and expand spay-neuter services throughout the state, provided there is no requirement that counties fund such services.
- ➔ To establish a statewide uniform pistol permit fee provided that current local laws on distribution are not repealed and all fees are distributed to local government.
- ➔ To amend current Alabama law to create a more equitable financial allocation between local and state governments for the housing, medical care, and transportation of juveniles participating in the juvenile justice system.

- ➔ To clarify that juveniles held in regional detention facilities awaiting court ordered transfers to local or state diversion or treatment programs are the legal and financial responsibility of the State.
- ➔ To amend Alabama law clarifying the responsibilities and requirements of sheriffs related to feeding funds and record keeping for prisoners in the county jail.

Environment, Land Use and Public Works

- ➔ To properly fund the Alabama Disaster Recovery Program to provide direct financial assistance to counties and municipalities following certain disasters

and assistance for certain pre-disaster event protective measures.

Rural Transportation

- ➔ To provide adequate funding of road and bridge projects, provided counties receive an equitable portion of funding utilizing the current gas tax formula.
- ➔ To establish new statewide revenue stream for road and bridge projects and ensure counties receive an equitable portion of new revenues to meet the evidence-based needs of the County Road System.
- ➔ To amend current Alabama law clarifying the waiver valuation process for right-of-way acquisitions.

Alabama County Public Policy Positions

The Legislative Policy Positions of the Association of County Commissions of Alabama, established by the membership, direct the Association on advocacy efforts in supporting or opposing any policy decisions affecting Alabama's county governments. These Policy Positions, derived from the 11 Foundation Principles, address numerous issues from the relationship between State and Local Governments to the day-to-day operations of the county commissions.

Alabama Governmental Structure

- ✗ Opposition to removing or impeding local control of the county department of human resources.
- ✓ Support for continued application of current constitutional and statutory provisions providing that elected officials can only be removed from office through the process of impeachment.
- ✓ Support for Alabama's current structure for enacting or amending state general or local laws and belief that no provision allowing for citizen referendum should be enacted.
- ✓ Belief that individual property rights must be balanced with adequate means to protect the health, safety, and welfare of all citizens.
- ✓ Belief that any additional restrictions on the use of constitutional and statutory procedures for condemnation of private property for necessary governmental purposes will serve to harm the collective well-being of all citizens.
- ✓ Belief that counties should receive

a portion of proceeds from the enactment of legislation establishing a state lottery, gaming or sports betting systems and any subsequent expansion of those systems.

- ✗ Opposition to restricting or limiting a county commission's authority to independently make decisions related to county property.
- ✗ Opposition to shifting the control of county property to the oversight of a legislatively-established committee or state agency. Specifically, the Association strongly opposes the requirement that movement or renaming of monuments, buildings or streets be approved by such a committee.

Mandated and Unfunded Legislation

- ✗ Opposition to federal and state efforts to require county government to assume any financial or programmatic responsibilities that are currently financed and/or administered at the federal or state level.

- ✗ Opposition to any mandated and unfunded requirement that counties assume new programs established by the federal or state government.
- ✗ Opposition to any federal or state legislative, administrative, or regulatory directives requiring county government to assume inspection, public safety, permitting responsibilities or other duties currently performed by the state or federal agency.
- ✗ Opposition to any legislative or regulatory directives requiring counties to provide housing, supplies, equipment or other expenses for a county coroner or other county officers.
- ✗ Opposition to state agencies administratively eliminating state services within a county for budgetary or other reasons without legislative approval.

Revenue Protection

- ✗ Opposition to altering the current interest rate on tax sale proceeds unless

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such change will not result in a decrease in purchaser participation in tax sales or reduction in tax sale proceeds paid to counties.

- ✓ Support for apportioning the full ad valorem tax collection costs among all entities entitled to a portion of the proceeds of the tax.
- ✗ Opposition to authorizing a local legislative delegation or legislatively-created committees to direct how local revenues should be distributed.
- ✓ Support for the principles of the Streamlined Sales and Use Tax Agreement provided there is no future effort to repeal or restrict counties' authority to collect, audit and/or enforce local taxes.
- ✓ Support for removing any defects in state tax laws resulting in a discriminatory tax structure provided it eliminates discrimination without creating new or expanding exemptions or tax credits.
- ✓ Support for creating a fair and equitable ad valorem tax system provided it does not eliminate annual reappraisal, reduce tax revenues or increase current exemptions.
- ✓ Support legislation allowing collection of unpaid debts due the county by other governmental entities by intercepting the entity's portion of ad valorem taxes.
- ✓ Support amendment of the Taxpayer Bill of Rights to provide that following an audit which uncovers that taxes were wrongly paid to another entity, the auditing entity may take action against the other entity if the wrongly-paid tax is not refunded within 6 months.
- ✓ Support revisions of the definition of tangible personal property to ensure that goods delivered digitally are subject to sales or use tax collections.
- ✗ Oppose legislation that would allow income-producing properties to be treated as residential housing for the purpose of ad valorem taxation.
- ✓ Belief that local governments should incur no costs for use of the ONE SPOT sales tax remittance system.

County Operations and Budget Authority

- ✗ Opposition to changes in the current CDARS Program and public depository law that could result in

greater risk to the stability of county deposits.

- ✓ Belief that the existing Open Records Law adequately protects a citizen's right to access of public documents.
- ✓ Support for the protection of counties, officials, employees, or agents against liability for official actions provided there is no change in the statutory damage cap for awards against counties.
- ✗ Opposition to any efforts to require counties to pay the attorney fees of those filing actions against county governments, its officials, or employees.
- ✓ Support for the county commission's role in adopting and enforcing the county budget and opposition to any efforts to weaken or direct the county commission's exercise of this legislative authority.
- ✗ Opposition to any legislation requiring the county commission to vote or take action on a particular measure or issue.
- ✓ Support for limiting use of out-of-state cooperative programs for purchases available on the county joint bid list.
- ✓ Support for legislation allowing individuals to petition the court for clear and merchantable title of tax sale properties, provided it does not increase counties' administrative burden.

County Expenditures for Compensation and Benefits

- ✓ Support for the Omnibus Pay Act in its current form and opposition to any requirement to provide or increase compensation, benefits, or county-paid salary supplements for state or local officials.
- ✗ Opposition to mandated and unfunded requirements to provide or increase compensation or benefits for any county-paid personnel or volunteers.
- ✗ Opposition to shifting responsibility for the payment of the employee-share of retirement contributions for probate judges to the counties.
- ✓ Support for the elimination of all supernumerary programs and opposition to any mandated and unfunded increases in payments made under existing programs.
- ✓ Support for authorizing cost of living increases for state and local retirees provided such legislation only applies

to retirees in a particular county if approved by the county commission.

- ✓ Belief that any retirement program changes should not apply to local participants without approval of the county commission.
- ✓ Support for authorizing counties to establish civil service systems provided the creation of such systems do not provide for collective bargaining.

Economic Development and the Alabama Trust Fund

- ✓ Support for legislation to establish an application process for granting tax credits and tax abatements for the expansion of high-speed internet broadband services to the underserved, unincorporated areas of counties with county commission consent for any local tax abatements.
- ✗ Opposition to the withdrawal or diversion of money currently earmarked for the Alabama Trust Fund.
- ✗ Opposition to any economic development legislation or programs that mandate the expenditure of county revenues or abatement of county taxes without the consent of the county commission.
- ✓ Support efforts of the Alabama Legislature to evaluate existing incentive programs to ensure they are cost effective and beneficial to local economies.

Election Administration

- ✓ Encourage the Alabama Legislature to reject changes to any election laws without closely reviewing, considering and debating the financial and administrative impact on county government.
- ✗ Opposition to eliminating a runoff election except in the most extreme circumstances where the outcome of the primary is inevitable.
- ✓ Support for any legislative or administrative efforts aimed at eliminating waste and reducing state and county election expenses provided such efforts maintain the integrity of the election process.
- ✓ Support for authorizing counties to satisfy election-related publication requirements by posting information



on a public website and making copies available at the courthouse.

- ✗ Opposition to any legislation requiring county governments or county personnel to provide services or assume responsibility for any portion of municipal elections.

Alabama's Prisons and County Jails

- ✗ Opposition to requiring mandatory training for sheriffs, sheriffs' deputies, or other county employees without county commission approval.
- ✗ Opposition to any prison reform implementation activities that significantly increase costs of or create unsafe conditions in the county jail, including the housing of state inmates in county jails.
- ✓ Support for any legislation necessary to correct any consequences of prison reform implementation that negatively impact the operation of the county jail.
- ✗ Opposition to pleading down Class D Felonies for the purposes of convicted persons serving time in county jails.
- ✓ Support for providing that non-indigents serving sentences in the county jail be required to pay a portion of the cost of incarceration, including medical expenses.
- ✗ Opposition to any requirement that county government pay for the use of state inmate labor.
- ✗ Opposition to imposing mandated and unfunded jail standards or other procedures.
- ✗ Opposition to changing current law providing for feeding of prisoners, unless the changes ensure the county commission shall not be mandated to be financially responsible for the feeding of prisoners.
- ✗ Opposition to legislative or administrative efforts to put reserve deputies in regular law enforcement position.
- ✗ Opposition to amending Alabama's work release law to allow wages paid to the county to be expended for purposes other than just the costs of the individual inmate's incarceration.
- ✓ Support for comprehensive legislation to clarify and/or implement procedures for county inmates working outside of the jail either through work release or other programs.

Justice and Public Safety

- ✗ Opposition to any juvenile justice reform efforts that would result in increased cost or administrative responsibility on a county without the county commission's consent.
- ✓ Support for legislative or administrative procedures to reduce or eliminate county costs for transportation of mental health patients.
- ✗ Opposition to prohibiting state law enforcement officers from conducting investigations or providing other services on county roads.
- ✓ Support to provide adequate funding to ensure that ambulance services are available throughout the county.
- ✓ Support to protect the county commission against the payment of any costs or penalties issued as a result of any local elected official defying a validly-issued court order.
- ✗ Opposition to any legislation authorizing a person to carry a firearm in a vehicle without a valid pistol permit.
- ✓ Support for shifting regulation of certain prefabricated storm shelters from the Department of Finance to the Alabama Manufactured Housing Commission.
- ✓ Belief that the statewide 911 Board should conduct only those activities delegated by the Legislature.
- ✓ Belief that 911 services are best provided through locally operated and administered boards without statewide coordination and encouraging the statewide 911 Board to seek meaningful input from existing 911 district boards and personnel in developing any proposed reforms or initiatives.
- ✓ Support for restoring state EMA revenues in the state general fund budget to ensure both state and county EMA programs receive proper funding.
- ✓ Support for adequate funding of state supplements paid to counties with a certified county EMA director.
- ✓ Support for ensuring the State has sufficient resources to assist county governments with the protection of the public's health and safety in the event of an environmental emergency.
- ✓ Support for legislative and administrative efforts to implement

state-funded video conferencing for certain court appearances and to expand the use of video court proceedings in the state.

- ✓ Belief that debris placed on the right-of-way of a state road following a disaster event is the State of Alabama's responsibility and should be removed at state expense.
- ✓ Support authorizing Emergency Management Agency vehicles to utilize emergency lights and sirens as other emergency vehicles.
- ✓ Support legislation to clarify that the county commission is not liable for the improper expenditures of funds authorized by law to be expended at the "sole discretion" of a particular elected official.
- ✓ Support legislation amending Alabama law to remove the requirement that the sheriff must be appointed conservator or guardian of an incapacitated person if no other suitable person qualifies as general conservator.
- ✓ Support for legislation imposing an express duty to require service providers to collect and remit the monthly statewide 911 fee from all of their applicable customers, and further authorize the statewide 911 Board to take audit and collection actions, as necessary, to enforce such collections.

Environment, Land Use and Public Works

- ✗ To limit the exercise of municipal powers or taxation outside the jurisdiction's corporate limits.
- ✗ Opposition to any statutory or administrative increase in fees charged by a state agency if such increases will be paid by county government or county-established agencies.
- ✓ Support for sufficient funding and administrative expertise for flood plain management and geospatial services at the state level to ensure more effective implementation by all 67 Alabama counties.
- ✗ Opposition to municipalities using unconventional annexation procedures to avoid the legal responsibility to maintain public roads included in newly-annexed areas.
- ✓ Support for increasing the minimum



cost of a construction project amount that requires the county to employ the services of a licensed general contractor or architect.

- ✗ Opposition to allowing a project manager to approve construction contract changes without approval of the governing body and/or compliance with the public works law.
- ✓ Support requiring the Forever Wild Board to make annual payments from its Stewardship Account in an amount equal to the ad valorem taxes lost by the purchase of lands previously held by private ownership.

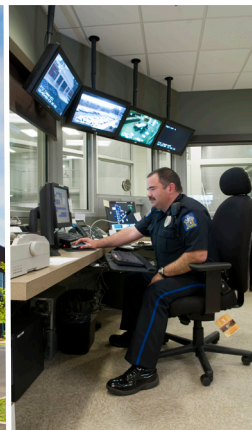
Rural Transportation

- ✓ Support for allowing the county commission to call a local referendum to impose a renewable temporary local gasoline and motor fuel tax to fund specified local road and bridge projects.
- ✗ Opposition to any measures, including budget appropriations, that would

divert taxes currently earmarked for roads and bridges to other state functions.

- ✗ Opposition to reducing the current level of federal or state funding for county road and bridge projects.
- ✗ Opposition to altering the allocation formula for any gasoline and diesel fuel tax levy proceeds, if such changes would disproportionately benefit funding for municipal projects at the expense of funding for county roads and bridges.
- ✗ Opposition to weakening Alabama's law related to weight or axle-spacing restrictions on state and county roads or to add new exemptions to such laws.
- ✓ Support for providing that fines collected from persons convicted of driving overweight vehicles on county roads and bridges be distributed to the county's road and bridge fund.
- ✗ Opposition to establishing a commission to administer the Alabama Department of Transportation.

- ✗ Opposition to any changes to current law setting speed limits on unposted county roads.
- ✓ Support for amending current motor fuel and gasoline tax statutes to include taxation of any alternative fuels utilized to propel any motorized vehicle.
- ✓ Support for amending Alabama's severance tax law to ensure that counties receive proceeds sufficient to ensure proper maintenance and repair of roads and bridges utilized for the transportation of materials severed within the county.
- ✓ Support amending the Alabama Public Works Law to exempt the awarding of annual in-place contracts for the paving and resurfacing of county roads.



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Establishing a Funding Source for Dale County EMS

Thanks to the leadership of Commission Chairman Mark Blankenship, Dale County has established a new revenue stream to support emergency medical services throughout the county.

“The money generated will be used strictly for providing EMS service in Dale County,” Blankenship said. “If you drive a vehicle — and most everybody drives a vehicle — you’re going to contribute to it.”



Blankenship

The county has struggled with a common problem: long response times for ambulances and medical first responders, especially in areas served by volunteers. Smaller municipalities could not afford to subsidize the service. Volunteer groups provided critical care despite their lack

of funding, but volunteers with valuable medical skills were burning out because of the constant stream of barbecues and other fundraising events.

A solution came in the form of a \$5 tag fee that funds a streamlined grant program, administered by the county commission. A range of providers will be eligible for funding, from the full-fledged ambulance service in Ozark to the Marley Mill Volunteer Fire Department, which has medical first responders but cannot transport patients.

The tag fee, which became effective January 1, does not apply to tag transfers, replacement tags and trailer tags. The revenue commissioner receives 3 percent to cover the cost of collections. ■

PRO TIPS

-1- Don't Overestimate Influence of Social Media Critics – “You can’t listen to the whiners on Facebook,” Blankenship said. “The people who agreed with this need were not being negative on Facebook.”

-2- Expect Some Rough Sailing – The make-or-break provision was the distribution formula, and the commission took some heat in public settings while the proposed formula was debated and revised.

-3- Plan Ahead – Money from the tag fee is strictly earmarked for EMS, but volunteer-based services are declining in strength, so the language allows some limited flexibility (includes the option to contract with a paid EMS service when volunteers are no longer available).

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Part of the PLAN

Blankenship is part of the 2018 class of PLAN, ACCA's leadership program for second-term commissioners.

Each class member worked on a "Passion Project" in their county during the 18-month program, and Blankenship selected the tag fee for emergency medical services.

Networking is a major emphasis of the program, and Blankenship said it was helpful to discuss the referendum with other commissioners who had already navigated a local ballot issue. What's more, other commissioners have expressed interest in doing something to bolster EMS in their own counties.

"There's nothing unique to Dale County about the challenges of providing ambulance services in more rural areas, but Chairman Blankenship persevered to develop a solution that citizens could support," said Sonny Brasfield, ACCA Executive Director. "His leadership on this issue will make a substantial impact in his county, and, because of his engagement with this Association, other county leaders stand to benefit from his experience and his success."



***Congratulations
to the members
of PLAN 2020!***

SEE PAGE 8

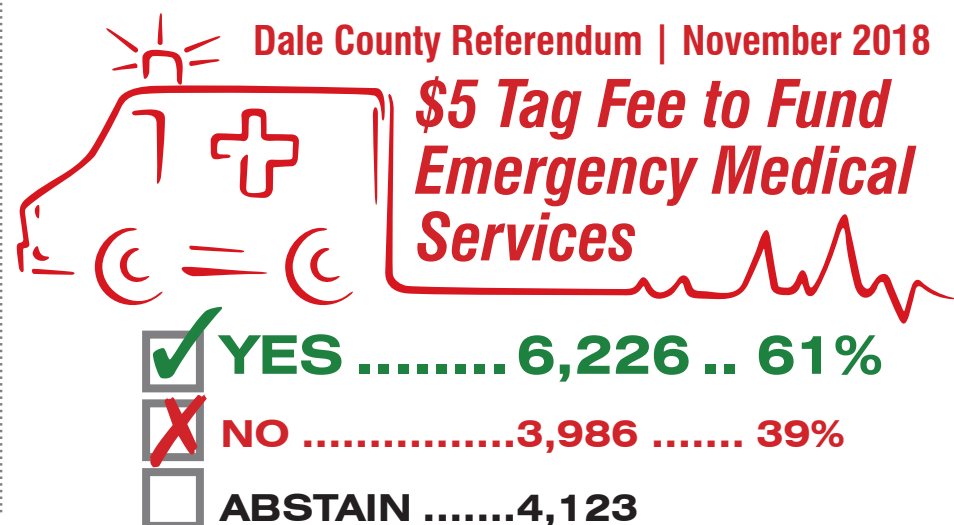


From Start to Finish

Improving emergency medical services has been an 8-year project for Blankenship, going back to his service on the Ozark City Council.

For a long-running effort, things have progressed quickly over the past year.

- **January 2018** | Rep. Steve Clouse introduced a local bill to create the tag fee and establish a process for distributing the funds, subject to voter approval.
- **March 2018** | Gov. Kay Ivey signed Act 2018-239 into law.
- **November 2018** | Dale County voters approved the new fee, which came out on top in 19 of 20 precincts.
- **January 1, 2019** | The \$5 tag fee, projected to generate \$280,000 a year, went into effect.
- **Spring 2019** | Money will be distributed quarterly, so the first dollars will be released after March.



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VOTE YES

TO FUND EMS

ACT 239 WILL ALLOW A \$5 TAG TRANSACTION FEE TO FUND DALE COUNTY EMS SERVICE

The question shall be,
*"Do you favor the adoption of Act 239,
of the 2018 Regular Session of the Alabama Legislature?"*
Yes () No ()

County Risk Services Inc. is Open for Business

Members of ACCA's Self-Insurance Pools had an extra reason to celebrate on New Year's Day with the official launch of County Risk Services Inc. (CRS), the new entity established to administer the Association's insurance programs.

"It's exciting to be at the starting line, to know the possibilities of what we can do," said CRS Vice President Mary Kay Frazee, "and how we can improve services for the membership and better equip the membership with tools to be more proactive."

All new claims filed in 2019 have gone directly to the new entity, and older ones have rolled over from Meadowbrook Insurance Group to CRS.

Members can look forward to the announcement of additional enhanced services in the coming months. The new software system is up and running, and there will soon be an app so that claims can be submitted directly from a mobile device. "That will be a gamechanger," Frazee said, noting that claims adjusters will be equipped to work in the field more frequently.

"This is the first step in a series of things that are going to be rolled out that we believe will pay big dividends to the membership," Frazee said.

Safety programs and services will also be enhanced. "If we can make sure we are empowering members with knowledge and tools that can



reduce workplace injury," she said, "that is good for everybody."

The moment when 18 CRS employees reported to work at 100 North Jackson Street, the former Association headquarters building, was a year and a half in the making. The pools have always relied on an outside entity, known as a third-party administrator, to handle the nuts and bolts of daily operations. Now, these administrative tasks are handled by a team working exclusively for counties and county-related entities.

ACCA Executive Director Sonny Brasfield praised the leadership demonstrated by members of the Association's and insurance boards, as well as the work of staff members charged with implementing their vision. "I can't say enough about the staff's tremendous productivity and their commitment to this project," he said.

CRS marks a major milestone in the Association's more than 90-year track record of counties working together to solve common problems, not to mention the 40+ year history

of ACCA's insurance programs. Almost all counties participate in at least one insurance program, and more than 40 counties provide for all their major insurance needs – workers' compensation, liability and property – through the pools. ■

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Making Decisions at Home with Amendment 909

More and more counties are utilizing a relatively new part of the Alabama Constitution to do things by commission action that were once only possible with local legislation.

“Before you put together a local law, spend the money on advertising the proposed bill for four weeks and go through the rigamarole of trying to get all your legislators on board, look at Amendment 909,” said Terri Reynolds, ACCA Legislative Counsel. “Make sure that you don’t already have the authority to do whatever it is you’re trying to do.”

For example, Amendment 909 specifically authorizes giving retiring deputies their pistols and badges. Any county considering local legislation to authorize this in 2019 can scrap that project because there is general authority now, as long as a simple, three-step process is followed.

The general authority to establish programs, policies and procedures relating to county personnel is fairly broad, and the amendment specifically greenlights initiatives including employee recognition and appreciation programs and programs to incentivize employee attendance, safety and performance.

“When you think of creating a program like that, clearly you can’t do the program without spending public funds on county employees. Well, the general rule has been that you can’t spend public funds on these sorts of events,” Reynolds said.

For that reason, counties have been understandably cautious about utilizing Amendment 909, although it has been in effect for several years.

Last year, ACCA initiated extensive conversations with the Department of Examiners about proper implementation of the amendment, which resulted in two sample Amendment 909 programs that have already been vetted and approved by the examiners.

Montgomery County went first, and Reynolds expects another half dozen to establish programs in the next six months.

What Amendment 909 Authorizes

Amendment 909 authorizes the county commission in each county, except Jefferson, to administratively establish certain programs, policies and procedures related to county affairs without having a specific general law on the subject and without the need for passage of a local law.

Personnel is one of the five areas in which this authority can be used, providing a three-step process is followed.

“Over the course of two regularly-scheduled meetings, you can get these programs implemented,” Reynolds said.

At the first of those meetings, the commission must announce that it



More About Amendment 909

www.alabamacounties.org/amendment909

Sample Policies*

**Approved by the Department of Examiners*

- End-of-Year Employee Recognition and Appreciation Program
- Annual Employee Safety Recognition Program

is going to consider an Amendment 909 program at its next regularly scheduled meeting, and there will be an opportunity for public comment.

At the subsequent regularly scheduled meeting, there is a public hearing about the proposal. Then the commission can deliberate and vote.

If the commission decides to revise the proposal, no vote can be taken that day. Another announcement is made that the revised proposal will be considered at the next regularly scheduled meeting, and another public hearing will be conducted.

What's Off Limits?

Amendment 909 does specifically identify several things that are strictly off limits. The amendment cannot be used to establish programs that:

- Conflict with the constitution, general law or local law
- Create or increase any taxes or fees
- Affect the private property rights of any citizen or business

- Alter the constitutional or statutory functions of an elected official without their consent

In the area of animal control, there are additional limitations. Amendment 909 programs cannot restrict the use of animals for the purposes of hunting, farming, sale, breeding or production of food or fiber.

Backstory

The origins of Amendment 909 can be traced back to the work of the Alabama Constitutional Revision Commission in 2012, and ACCA steered the proposal through the Alabama Legislature in 2015.

"More than 70 percent of Alabama voters supported this amendment when it was on the ballot in 2016," Reynolds said. "We looked at that as a signal that the people trust their county commissioners to make decisions at the local level." ■

Areas of Authority

Amendment 909 authorizes the county commission in each county, except Jefferson, to administratively establish certain programs, policies, and procedures related to the county's affairs without having a specific general law on the subject and without the need for passage of a local law.

Five limited authorities under Amendment 909:

1. Address personnel matters in the absence of state or local laws authorizing such programs
2. Community programs for litter control, including animal control programs
3. Public transportation and public road safety
4. Programs related to county offices
5. Emergency assistance programs

Employee Recognition in Montgomery County with Amendment 909

Last December, Montgomery County commissioners joined several hundred county employees for an employee recognition luncheon that was funded with public dollars, an expenditure met with the blessing of the Department of Examiners.

The menu featured turkey, dressing, sweet potatoes and other side dishes plus dessert, and the catering had been competitively bid. The commission chair addressed the gathering, and employees with 30 or more years of service to the county were recognized.

Although the event might sound straightforward and routine, Montgomery County actually made a little bit of history that day as the first county to utilize Amendment 909 to the Alabama Constitution.

The county worked from the sample policy prepared by ACCA and announced during a commission meeting what was planned, outlining the program and noting that the public would have an opportunity to speak on the matter. At the next meeting, the commission took comments, voted to establish the program and set a program budget.

Amendment 909 programs have to be purposeful. "It can't just be 'Oh, we want to have a Christmas party,'" said ACCA Legislative Counsel Terri Reynolds. "It has to be on some sort of schedule and with some intent behind it."

"This was just a good fit for what the County Commission desired and the provisions of Amendment 909," said Administrator Donnie Mims. "It's a very valuable program."

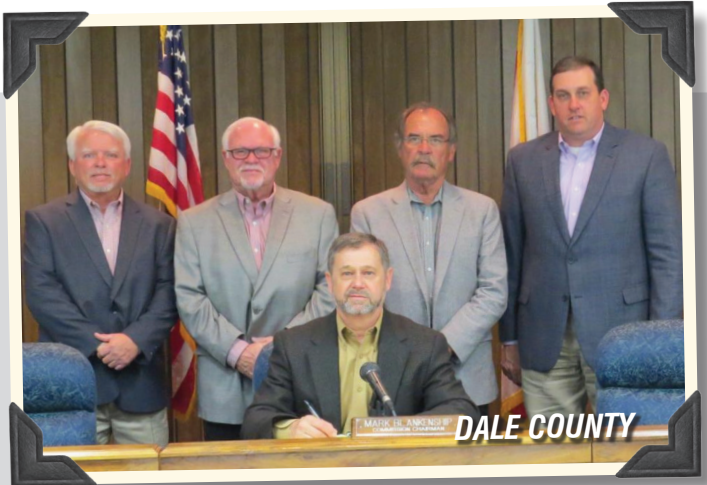
FAMILY ALBUM



Photos from Alabama Counties



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Infrastructure Funding is a Critical Need
County commissioners throughout the state have gone on the record in support of an increase to the gas tax, and these are some of the counties that announced their stance on Twitter. The decision cannot legally be made at the county level, so their resolutions urge the Alabama Legislature to provide critical funding for county roads and bridges this year. #alpolitics

Crucial Conversations with Legislators

St. Clair County Commissioners made sure there was an opportunity to sit down with their local legislative delegation before March 5, and the county tweeted this photo to show state and local leaders working together. Legislators shared their thoughts about the upcoming session, and commissioners discussed county priorities. #alpolitics



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Photos from Alabama Counties



Largest District Meeting in ACCA History
ACCA's District Meetings got underway Jan. 17 in Elmore County, and 100+ county leaders turned out! Infrastructure funding, online sales tax updates and better retirement benefits are among counties' top legislative priorities for 2019. #alpolitics #OneVoice



@ALABAMACOUNTIES

Public Service Can Get Messy
Association President Tony Cherry of Choctaw County (left) got his boots dirty at the site of weather-created road damage in his district a week before Christmas. Similar work was going on all over the state that day. #alpolitics #67ONE



@SONNYBRASFIELD



Hastings: If Counties Fail, the State Fails
@AlabamaEMA Director Brian Hastings stopped by @AlabamaCounties to talk about State & County partnerships to build #resilience. If counties fail, the state fails. What a great opportunity to discuss priorities & challenges w/ @SonnyBrasfield & @ChaseCobb67. #OneVoice #BeReady #AL200



@B_HASTINGS_EMA



A Memorable Week for Alabama's #67Counties

County officials and employees converged on Montgomery

***the first week of December for three special events: AAEM's Winter Workshop (left),
ALGTI's New Commissioner Orientation (center) and ACCA's Legislative Conference (right).***



@ALABAMACOUNTIES

Please send your photos to ACCA for the Family Album!

County Commission magazine wants to publish a selection of member photos in every issue to showcase the many ways county government touches the lives of Alabamians and to recognize the dedicated men and women who make counties work.

Please send photos (large file sizes preferred) to Abby Fitzpatrick,
Director of Communication & Engagement, afitzpatrick@alabamacounties.org.

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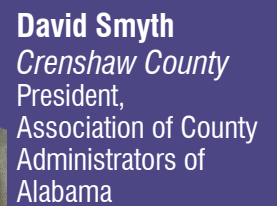
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A map of Alabama showing its county boundaries. Five counties are highlighted in dark blue: Baldwin in the southeast, Mobile in the south-central region, and three counties in the north-central region (Crenshaw, Wilcox, and Wilcox). The rest of the state is shown in light gray. The map is set against a background of a blue sky and a blue body of water. In the bottom right corner, there is a small illustration of the Alabama state flag on a flagpole.



When is your county's County Day at the Legislature?
Turn to page 20

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DeAndrae Kimbrough
Perry County
President, Association
of County Engineers
of Alabama

A Once again, ACEA is at the forefront of the legislative process. The success of this year's legislation is directly tied to our participation in County Days. This is a great way to demonstrate support of our elected officials and show our strength in numbers. This task falls upon all who have firsthand

knowledge of the potential impact of any proposed legislation. County Days are quickly approaching, and I encourage everyone to stay abreast of all updates by participating in webinars and responding to all related correspondence. I look forward to seeing you all at the Statehouse.



A A fundamental mission of emergency management is coordination and bringing to bear all available resources to help accomplish a goal. Active engagement with the legislative process is not just the responsibility of the department head. If there are multiple people in your department, it's important to get them involved

in the issues and walking the halls of the Statehouse on your County Day. Working together, we can accomplish great things!



A Members of AAND are a unique part of the ACCA family. They depend on legislation, both directly and indirectly, in order to carry out the duties and responsibilities assigned to them. Knowing your legislative representatives and having a way to communicate with them about critical priorities is essential. I recommend for each director, board member, and employee to keep track of legislation through the ACCA's legislative updates and be proactive when called upon.



A One of the biggest contributions we can make as CROAA members is analyzing the financial impact of proposed legislation. It's not enough to know that a particular bill would increase or decrease county revenue; we can translate that impact into dollars and cents. It can be extremely difficult for anyone outside county government to accurately estimate the costs and benefits. We want to do our part and we can by staying up-to-date on legislative developments, actively participating in County Days and answering the call when specific help is needed.

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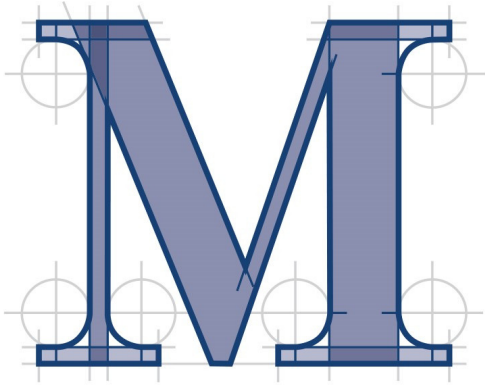
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