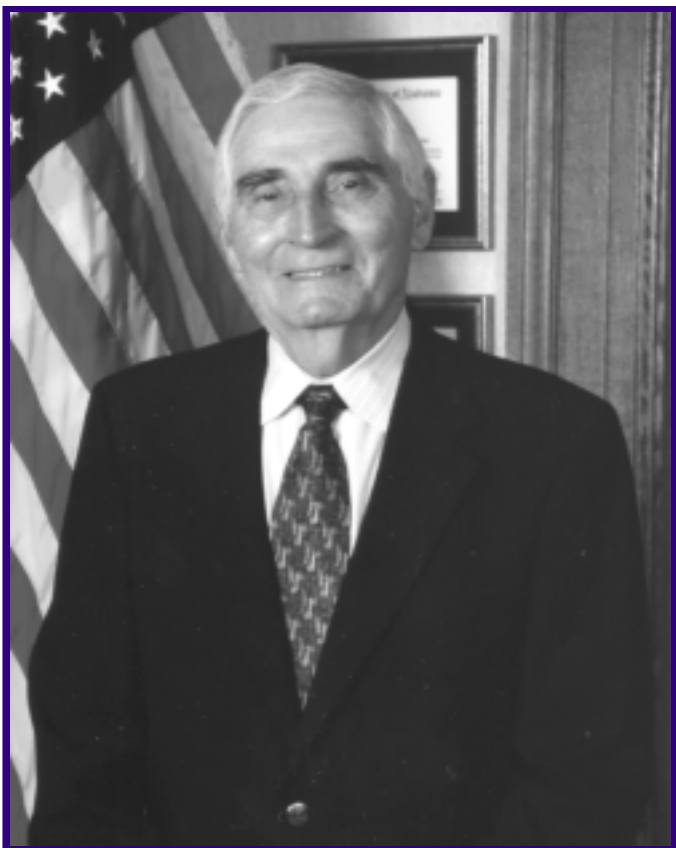


THE ALABAMA MUNICIPAL **JOURNAL**

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Mayor Al DuPont Retires After More Than 50 Years of Service to the City of Tuscaloosa

See story, page 4

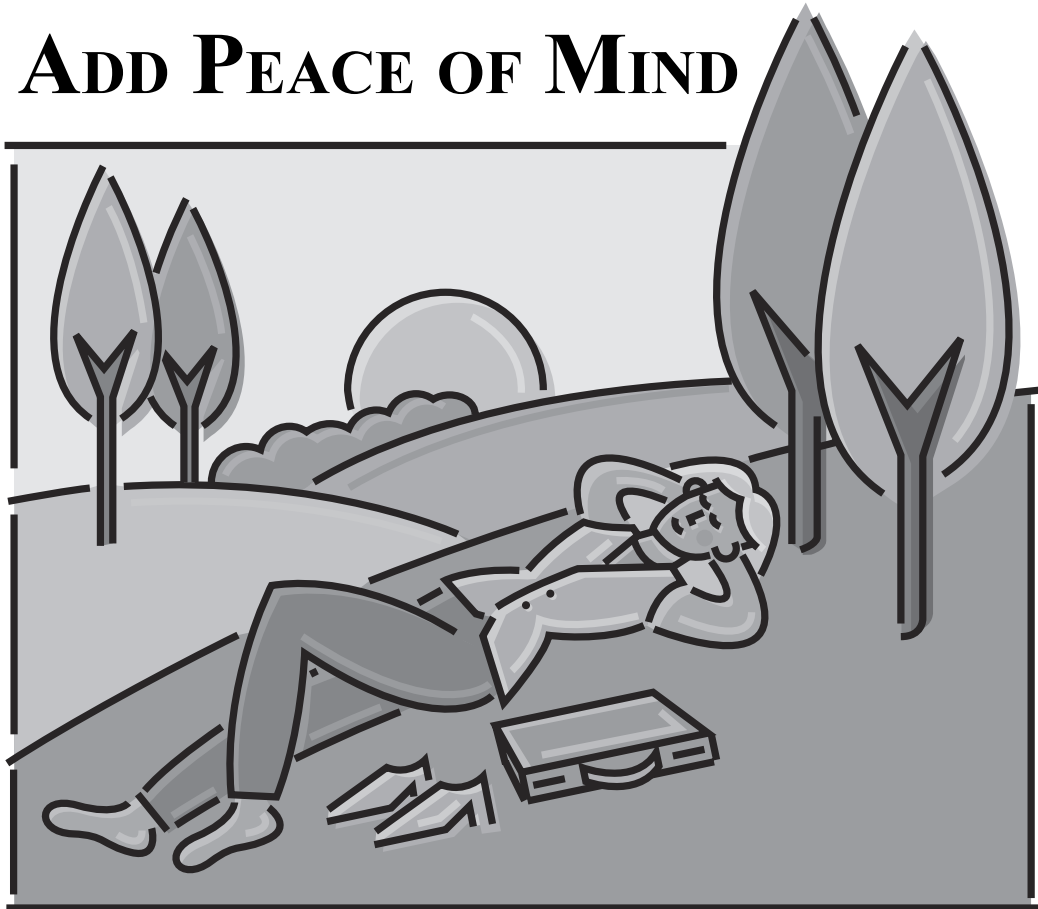
Inside:

- **Services and Programs Offered Through the League**
- **League Announces Policy Committee Appointments**
- **U.S. Supreme Court Update**

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STEPHEN S. MARTIN, Finance Director, stevem@alalm.org
ROBERT C. BLACK, General Counsel
CARRIE A. BANKS, Communications Director, carrieb@alalm.org
NIKO CORLEY, Communications Coordinator, nikoc@alalm.org
LAURA ANNE WHATLEY, Communications Assistant, lauraw@alalm.org
GREGORY D. COCHRAN, Director, Intergovernmental Relations, gregc@alalm.org
EDYE GOERTZ, Member Services Director, edyeg@alalm.org
LORELEI A. LEIN, Staff Attorney, loril@alalm.org
MARY ELLEN WYATT HARRISON, Staff Attorney, marye@alalm.org
SHARON CARR, Administrative/Legal Assistant, sharonc@alalm.org
FAITH ANN GUNN, Accounting Manager, faitha@alalm.org
THERESA LLOYD, CMO Program Administrator, theresal@alalm.org
RACHEL WAGNER, Librarian, rachelw@alalm.org
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Mayor Al DuPont Retires After More Than 50 Years with the City of Tuscaloosa

By: Niko Corley, Communications Coordinator, ALM

Six-time Mayor of Tuscaloosa Alvin P. DuPont knows the city he runs like the back of his hand. That's not surprising, considering he's worked for the municipality for more than 50 years.

A graduate of the University of Alabama's College of Engineering, DuPont is Tuscaloosa's longest-employed public servant, and in the past five decades has held a wide range of positions in city affairs and government. As a land surveyor, DuPont was involved in the topographic mapping and construction of Lake Nichol, a main source of water for the city. Later, as assistant city engineer, he oversaw the construction of water and sewage treatment plants and water towers and tanks throughout the city. DuPont has also served as public works director, planning development director and grant-writer for Tuscaloosa, where he executed the power of those positions to build roads, bridges and other infrastructure for the community.

DuPont was raised on a farm in Bunkie, Louisiana, 80 miles northwest of Baton Rouge, where editions of *The New Orleans Times-Picayune* arrived a week after publication. He says the hard times of the Great Depression instilled in him, from an early age, the importance of helping people for the common good.

Through Gov. Huey Long's levy-building efforts along the Mississippi River to decrease farm flooding and Pres. Franklin D. Roosevelt's Civilian Conservation Corps program, DuPont saw that government could create jobs while simultaneously helping the citizenry through carefully planned endeavors.

In 1959, DuPont wrote Tuscaloosa's first zoning ordinance and in the 1970s, was a state leader in procuring community development block grants for Alabama cities.

He is, if nothing else, a lifelong servant of the people of Tuscaloosa. In his unmistakably Cajun drawl, DuPont says he's proud of his role in the city's history.



"I know it [Tuscaloosa] backwards and forwards and everybody in it," DuPont said. "In 1981 I decided I'd run for mayor, and I've been elected ever since."

Unlike his decision to run for mayor, though it was for the best, locating to Tuscaloosa in 1945 was not his choice. A WWII veteran, DuPont, then a medic, had landed on Omaha Beach on D-Day and was wounded by shrapnel and machinegun fire, the physical reminders of which he still carries in his legs, abdomen and arms. He received two Purple Hearts for his wounds.

DuPont spent time in hospitals in France, England, New York, Mississippi and New Orleans before he arrived at Northington General Hospital in Tuscaloosa. He needed skin grafts to properly heal his wounds, and Northington was where the Army was sending soldiers that needed skin work done.

Upon receiving his discharge papers, DuPont married a Tuscaloosa woman and returned home to Louisiana to attend Louisiana State University. They moved back to Tuscaloosa a few years later and DuPont completed college at the University of Alabama.

When he took office 24 years ago, DuPont says that plant closings had driven unemployment in Tuscaloosa up as high as nine percent. By attracting new industries to the area, the city was able to reduce the proportion of people without jobs to around three percent.

DuPont notes, particularly, that the arrival of Corus Steel, electronics giant JVC and Mercedes-Benz to Tuscaloosa not only supplied a much-needed boost to the

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The President's Report

Bobby Hayes
Mayor of Pelham

Services and Programs Offered Through the League

Individual service to member municipalities, on a day-to-day basis, is one of the most important functions of the League. These services include research to help local officials make decisions in the performance of their many duties; legal opinions from the League's four attorneys; publication of the League's monthly magazine and weekly legislative bulletins when the legislature is in session; and publication of booklets and information bulletins to better enable officials and personnel to perform their duties. In addition, the League has an extensive web page on the internet at www.alalm.org.

The League has brought legal actions on behalf of its member municipalities and has filed briefs in many other cases affecting our cities and towns. League staff and officers frequently appear before state agencies and legislative committees to testify on rules, regulations and proposed legislation affecting our members.

The League has also established a number of special programs for member municipalities. Some of these programs are operated directly by the League while others are privately held companies whose products or services are endorsed by the League. Any League member city, town or instrumentality of the League member may contract for any or all of these services at very competitive rates.

League-Operated Programs

Municipal Revenue Service – This League program has been available to League members for many decades. This service collects delinquent municipal insurance license taxes and has recovered a tremendous amount of lost municipal revenue over the years.

Municipal Workers Compensation Fund, Inc. (MWCF) – The League sponsors the Municipal Workers Compensation Fund, which provides a means for

municipalities and their boards to save on the cost of workers compensation coverage. Board members for this program are:

- Mayor Leon Smith, Oxford, Chair
- Councilmember Cynthia McCollum, Madison, Vice Chair
- Mayor Ted Jennings, Brewton
- Mayor George Roy, Calera
- Mayor Dan Williams, Athens.

Alabama Municipal Insurance Corporation, Inc. (AMIC) – The Alabama Municipal Insurance Corporation was formed by League members in the late 1980s to provide liability and property insurance coverage for member municipalities. AMIC and MWCF take pride in their competitive rates, strong safety services and record of savings for members over the years. Board members for this program are:

- Mayor Bobby Payne, Tallassee, Chair
- Mayor Billy Joe Driver, Clanton, Vice Chair
- Mayor Melvin Duran, Priceville
- Mayor Charles Murphy, Robertsedale
- Mayor David Bradford, Muscle Shoals.

Alabama Municipal Funding Authority, Inc. – To assist municipalities throughout the state, the League, through its newly formed finance organization, the Alabama Municipal Funding Authority, Inc. (AMFund), is developing a program to provide low-cost financing to ALM members. Tax-exempt bonds will be issued and the bond proceeds will fund AMFund, from which individual ALM members can borrow at low, tax-exempt interest rates to fund almost any municipal equipment or project. AMFund takes advantage of the economies of scale offered through pooled financing, which allows municipalities to:

- Share issuance costs that reduce individual borrower's costs.
- Participate in bond issues of sufficient size to enable the borrowers to achieve attractive pricing

The League anticipates that AmFund will make its first bond issue during 2005. Board members for this program are:

- Mayor Steve Means, Gadsden, Chair
- Mayor Roy Dobbs, Berry, Vice Chair
- Mayor Wally Burns, Southside
- Mayor Jim Byard, Prattville
- Councilmember Charles Woods, Childersburg.

League Computer Programs – The League offers several computer programs for purchase to its members such as *MunicipalLaw on Disc* (offers an easy method of

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Niko Corley Joins League Staff

The League welcomes Niko Corley to the staff where he joins the Communications Department as the Communications Coordinator, a newly developed position that will work directly with the League's Communication Director, Carrie Banks. Niko will assist in developing public relations and marketing strategies for the interests of the more than 400 member cities of the League. He will also regularly contribute to the League's various publications, including *The Alabama Municipal Journal*.

Niko was born in Montgomery, Alabama, and attended the University of Alabama where he graduated as a Blount



scholar with a BA in Journalism this past May. Prior to signing on with the League, Niko worked in the Culverhouse College of Commerce and Business Administration's Alumni and Corporate Relations Department at the University of Alabama from 2003 to 2005, where he served as a writer and photographer for numerous UA business publications.

Niko is also a free-lance journalist with a sense of adventure who specializes in outdoor writing and photography. He enjoys spending time huntin', fishin' and guitar pickin'. ■

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Municipal Overview

By
PERRY C. ROQUEMORE, JR.
Executive Director

League Announces Policy Committee Appointments

The League has five policy committees – Finance, Administration and Intergovernmental Relations; Energy, Environment and Natural Resources; Transportation, Public Safety and Communications, Community and Economic Development; and Human Development. Appointments to the 2005-2006 policy committees were recently announced by the League. The League officers and staff wish to congratulate those members appointed to serve on these vital committees.

Due to the construction at the Montgomery Civic Center, the League cannot hold its annual Committee Day where all five committees meet at one location on the same day. This year, each committee will meet on separate days in September at the League’s headquarters building. Below is printed a list of the 2005-2006 League Policy Committee members.

Committee on Finance, Administration and Intergovernmental Relations 2005-2006

Chair: Mayor Jay Jaxon, Eufaula
Vice Chair: Council Member Debbie Quinn, Fairhope

Members from Congressional Districts

1. Council Member Henry E. Uptagrafft, Brewton
Mayor Michael C. Dow, Mobile
Mayor Charles Murphy, Robertsdale
Council Member Wanda Finch, Spanish Fort
2. Council Member Terry Powell, Andalusia
Mayor Frank Houston, Coosada
Mayor Lomax Smith, Cottonwood
Council Member Robert D. Powers, Eufaula
Council Member Joseph J. Lott, Millbrook

- Mayor Fred M. McNab, Pinckard
Council Member Beth M. Rogers, Rutledge
Mayor J. Earl Hinson, Union Springs
3. Council Member Richard Langford, Alexander City
Council Member Leatha Harp, Cedar Bluff
Mayor Lew Watson, Lincoln
Council Member H. H. Kuykendall, Lincoln
Council Member Jean B. Burk, Lincoln
Council Member Teresa Lott, Ohatchee
Mayor Gary Fuller, Opelika
Mayor Leon Smith, Oxford
Mayor Charlie Fagan, Piedmont
Council Member Derrick McCloud, Shorter
 4. Mayor Steve Means, Gadsden
Mayor Gordon Dunagan, Good Hope
Council Member Elaine W. Junkin, Guin
Mayor James D. Townson, Guntersville
Council Member Wayne Dunkin, Priceville
Mayor Melvin Duran, Priceville
Council Member Scot Nelson, Winfield
 5. Mayor John Lewis, Bridgeport
Mayor Loretta Spencer, Huntsville
Mayor Sandy Kirkindall, Madison
Mayor Jerri McLain, Mooresville
Council Member Martha Smith, Tuscumbia
 6. Council Member Jerry Workman, Alabaster
Mayor Barry R. McCulley, Homewood
Dr. Simpson Berry, Council Member, Irondale
Mayor Terry Oden, Mountain Brook
Council Member J. Steven Allen, Jr., Riverside
Council Member Joe Powell, Tuscaloosa
Mayor Charles McCallum, Vestavia Hills
Council Member Mary Lee Rice, Vestavia Hills
 7. Council Member Dorothy J. Davidson, Bessemer
Council President Lee Loder, Birmingham
Mayor Ben Smith, Butler
Council Member Reginald N. Wilson, Midfield
Council Member Charles Allen, Thomasville

Technical Advisors: City Administrator Chris Miller, Bay Minette; Administrator/Manager Alan Pate, Hoover

continued next page

**Committee on Energy, Environment and
Natural Resources 2005-2006**

Chair: Council Member Bill Stewart, Gadsden
Vice Chair: Mayor Ron Davis, Prichard

Members from Congressional Districts

1. Mayor Ted Jennings, Brewton
Council Member Mike Ford, Fairhope
Council Member Marvin Adams, Saraland
2. Mayor Rhett Taylor, Abbeville
Council Member Victor Long, Millbrook
Council Member Joe R. Outlaw, Ozark
3. Council Member David Dunlap, Childersburg
Council Member Charles Woods, Childersburg
Council Member Sadie Britt, Lincoln
Council Member Billy J. Pearson, Lincoln
Council Member Rodney Mitchum, Valley
4. Council Member Bobby J. Griffin, Blountsville
Council Member Allen J. Dunavant, Glen Allen
Council Member Wade Peoples, Guin
Council Member Gary Gray, Guntersville
Council Member Garry D. Young, Hokes Bluff
5. Council Member Richard Showers, Huntsville
Council Member Mark E. Mizell, Jr., Hartselle
6. Mayor David M. Frings, Alabaster
Council Member Rusty Jessup, Riverside
Council Member John M. Colburn, West Jefferson
7. Council Member Sarah W. Belcher, Bessemer
Council Member Alberta S. Dixon, Thomasville
Council Member Toulis Jones, Uniontown

Technical Advisors: Clerk Steve Hicks, Enterprise; City
Clerk Kim Wright, Russellville

**Committee on Transportation, Public Safety
and Communications 2005-2006**

Chair: Mayor Tim Kant, Fairhope
Vice Chair: Council Member Bobby Phillips, Calera

Members from Congressional Districts

1. Council Member Christopher Norman, Bay Minette

Council Member Michael Waltman, Citronelle
Council Member John L. Lake, Daphne
Council Member Roger Adkinson, Flomaton
Mayor Ken Williams, Saraland
Council Member Larry Landrum, Satsuma

2. Mayor Curtis Jackson, Autaugaville
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Council Member Willie J. Reynolds, Level Plains
Council Member Fred Watts, Millbrook
Council Member Jerome Dudley, Ozark
Mayor Jim Byard, Prattville
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Council Member Hal Miller, Tallassee
3. Council Member Sharon M. Hawkins, Goodwater
Council Member Celesia Kilgore, Ohatchee
Council Member Mack Arthur Bell, Roanoke
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Council President Robert Echols, Gadsden
Council Member Jim Peterson, Guntersville
Council Member Tim Edwards, Haleyville
Council Member Randy Brown, Winfield
5. Mayor Dan Williams, Athens
Mayor David H. Bradford, Muscle Shoals
Council Member George E. Johnson, Sr., Tuscumbia
6. Mayor George Roy, Calera
Mayor Billy Joe Driver, Clanton
Council Member Owen Drake, Leeds
Mayor Bobby Hayes, Pelham
Council Member Karyl Rice, Pelham
Council Member Joe Matthews, Tarrant
Council Member James E. Robinson, Trussville
7. Council Member Marva Gipson, Aliceville
Council Member Johnnie Davis, Greensboro
Mayor Gary Richardson, Midfield
Council Member Jimmie L. Robinson, Midfield
Mayor Jack Fendley, Pennington
Mayor Harry Mason, Pine Hill
Council Member Don Moore, Uniontown
Council Member Terry Bassett, Uniontown

Technical Advisors: Administrative Assistant Donna
Treslar, Pelham; City Manager Britt Thomas, Brundidge

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ENVIRONMENTAL OUTLOOK



By Gregory D. Cochran
Director, Intergovernmental Relations

EPA Region 4 Tracks Environmental Progress

EPA Region 4 tracks environmental progress through Results Fiscal Year 2003-2004. The Accomplishments Report highlighting significant environmental progress in the Southeast by the U.S. Environmental Protection Agency (EPA) Region 4 is now available to the public on the EPA Web site. The report showcases environmental achievements based on EPA's Five Strategic Goals: Clean Air and Global Climate Change; Clean and Safe Water; Land Preservation and Restoration; Healthy Communities and Ecosystems; and Compliance and Environmental Stewardship. Some of Region 4's accomplishments in the report include:

- reducing more than 145 million pounds of pollutants through EPA enforcement actions and supplemental environmental projects;
- saving 2.4 million gallons of diesel fuel, 4.3 million gallons of gasoline per year, reducing CO₂ emissions by 24,111 tons, volatile organic compound emissions by 41.25 tons per year, and removing the equivalent of more than 13,632 automobiles from roads through EPA's Clean School Bus Program and other voluntary mobile source programs;
- restoring more than 75,000 acres of habitat, including critical estuaries and coastal wetlands through the EPA National Estuary Programs; and
- coordinating a multi-million dollar hurricane response effort, which protected millions of citizens from hazardous materials release caused by wind and flooding from the four major hurricanes that struck the Southeast in 2004.

EPA Region 4 serves the eight Southeastern states – Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina and Tennessee – and six federally recognized Indian tribes – Catawba, Eastern Cherokee,

Choctaw, Poarch Band, Miccosukee, and Seminole. Region 4 is committed to the Agency's mission of protecting human health and the environment - making the air cleaner, water purer and land better protected in the southeastern states. To view the Region 4 Accomplishments Report, please visit the Region 4 Web page at www.epa.gov/region4/about/accom_reports/fy2003_2004.pdf

Community Based Environmental Protection

Community Based Environmental Protection (CBEP) is a new approach to environmental protection. Traditionally, environmental protection programs have focused on a particular medium or problem (i.e. a "Command and Control" approach to environmental protection). These "Command and Control" programs have been very effective at reducing point source pollution and improving environmental quality over the past two and one-half decades. However, some environmental problems, such as non-point source pollution, which may involve several media types and diffuse sources, are less amenable to "Command and Control" programs. Instead, a solution that seeks to address the various causes of the problems and understand the interrelationships between human behavior and pollution in a specific area may be more appropriate. CBEP supplements and complements the traditional environmental protection approach by focusing on the health of an ecosystem and the behavior of humans that live in the ecosystem's boundaries, instead of concentrating on a medium or particular problem. Therefore, CBEP is place-based, and not media or issue-based.

The CBEP approach has several other qualities that complement and supplement traditional environmental protection. Under a place-based protection scheme, the number and diversity of stakeholders tends to increase. For example, where an air pollution program may bring together

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THE LEGAL VIEWPOINT

By Ken Smith
Deputy Director/Chief Counsel

U.S. Supreme Court Update

The United States Supreme Court has recently released several important decisions that will affect municipal government operations throughout the country. This article discusses these cases and explains their meaning for Alabama's cities and towns.

Kelo v. City of New London, ___ S.Ct. ___, 2005 WL 1469529 (2005)

In *Kelo*, the City of New London approved a development plan that was “projected to create in excess of 1,000 jobs, to increase tax and other revenues, and to revitalize an economically distressed city, including its downtown and waterfront areas.” The city’s development agent purchased most of the property earmarked for the project from willing sellers, but initiated condemnation proceedings when petitioners, the owners of the rest of the property, refused to sell. The Court upheld the proposed condemnation action, finding that it qualified as a “public use” within the meaning of the Takings Clause of the Fifth Amendment to the Constitution.

The *Kelo* case has received a significant amount of publicity, due to its alleged impact on private ownership of property. Many argue that allowing a public entity to use its condemnation powers to acquire property for a private development virtually eliminates private property ownership rights. As a result, state legislatures and Congress are gearing up for the introduction of legislation that attempts to either overturn or restrict the *Kelo* decision.

Just how did the Court reach its decision?

The Court upheld the use of eminent domain in *Kelo* for several reasons. First, the Court found that although the city could not take petitioners’ land simply to confer a private benefit on a particular private party, the takings at issue here would be executed pursuant to a carefully

considered development plan, which was not adopted “to benefit a particular class of identifiable individuals.” The Court then deferred to the determination by local officials that the condemnation served a “public purpose.”

Second, the Court was persuaded by the finding that the area in question was sufficiently distressed to justify a program of economic rejuvenation. The Court stated that, “The City has carefully formulated an economic development plan that it believes will provide appreciable benefits to the community, including – but by no means limited to – new jobs and increased tax revenue.” The court noted that the promotion of economic development has a long-standing history of being accepted as a traditional governmental function. The Court, therefore, determined that the reason behind the condemnation in this case satisfied constitutional muster based on previous judicial rulings.

It is also important to emphasize that the City followed a state statute that specifically authorized the use of eminent domain to promote economic development in making the decision to condemn the property in question. Thus, the state legislature had already made a determination that economic development could, in the proper circumstances, constitute a public purpose in Connecticut. The Court concluded that:

“Quite simply, the government’s pursuit of a public purpose will often benefit individual private parties. For example, in *Midkiff* [*Hawaii Housing Authority v. Midkiff*, 467 U.S. 229 (1984)], the forced transfer of property conferred a direct and significant benefit on those lessees who were previously unable to purchase their homes. In *Monsanto* [*Ruckelshaus v. Monsanto Co.*, 467 U.S. 986 (1984)], we recognized that the ‘most direct beneficiaries’ of the data-sharing provisions were the subsequent pesticide

continued next page

applicants, but benefiting them in this way was necessary to promoting competition in the pesticide market. The owner of the department store in *Berman* [*Berman v. Parker*, 348 U.S. 26 (1954)] objected to ‘taking from one businessman for the benefit of another businessman,’ referring to the fact that under the redevelopment plan land would be leased or sold to private developers for redevelopment. Our rejection of that contention has particular relevance to the instant case: ‘The public end may be as well or better served through an agency of private enterprise than through a department of government—or so the Congress might conclude. We cannot say that public ownership is the sole method of promoting the public purposes of community redevelopment projects.’” (Some citations omitted.)

There are several key points to remember concerning *Kelo*. First, the Court did not actually expand the use of eminent domain powers. Instead, the Court merely reaffirmed its previous opinions that recognized economic development as a legitimate public purpose. The Court also acknowledged the long-recognized need for judicial deference to the conclusions local decision-makers draw from local factors.

Next, the law of eminent domain is particular to each state. The ruling does not supersede state laws and constitutions that govern the local application of eminent domain. Remember, the Court relied at least in part on the fact that the Connecticut legislature had specifically determined that condemnation could be used for economic development. As the Court notes, “[Conn. Gen.Stat. § 8-186 *et seq.* (2005)] expresses a legislative determination that the taking of land, even developed land, as part of an economic development project is a ‘public use’ and in the ‘public interest.’”

There does not appear to be a similar statutory provision in Alabama. The Alabama Supreme Court has stated that in order for exercise of eminent domain to be valid under the State Constitution, two requirements must be met: (1) property must be taken for public use and not for the private use of individuals or corporations and (2) just compensation must be paid for any private property taken. See, *Gober v. Stubbs*, 682 So.2d 430 (Ala. 1996), construing Section 23, Alabama Constitution (1901). Once it is determined that the taking is for a public purpose, though, the fact that private persons may receive benefit is not sufficient to take away from the enterprise the characteristic of a public purpose. Ultimately, the Court stated, “It is not the instrumentality employed for operating the public use, but the use itself, that satisfies the constitution.”

What this means is that courts must look to the ultimate reason behind the condemnation, not whether a private entity may benefit. If the reason property is being condemned is proper, then the fact that there is some benefit to private persons or individuals is irrelevant.

A third point to keep in mind is that condemnation is rarely used as a first step toward acquiring property. Instead, it is most frequently applied where other efforts to obtain property necessary to serve the public need have failed. Additionally, numerous checks on abuse of authority exist in the condemnation process, including public hearings and just compensation to the property owner.

The Court also did not foreclose a stricter review of future takings cases that challenge certain applications as truly a “public use.” “There may be private transfers in which the risk of undetected impermissible favoritism of private parties is so acute that a presumption of invalidity is warranted under the Public Use Clause,” wrote Justice Kennedy.

The Court in *Kelo* left the door open for state and local governments to determine whether economic development is considered a public purpose. The League anticipates that there will be legislative responses in the near future. The League will keep its members up-to-date on developments in this area.

***Town of Castle Rock, Colo. v. Gonzales*, __ S.Ct. __ 2005 WL 1499788 (2005)**

Castle Rock presents a horrible set of facts. The plaintiff had received a restraining order against her husband. At one point, the husband took the three daughters while they were playing outside the family home. No advance arrangements had been made for him to see the daughters that evening. Although the wife contacted the police repeatedly, she was allegedly told to wait to see if the husband returned the children. Later that evening, the husband fired at the police station with a semiautomatic handgun he had purchased earlier that evening. Police shot back, killing him. Inside the cab of his pickup truck, they found the bodies of all three daughters, whom he had already murdered.

The plaintiff brought suit against the Town under 42 U.S.C. Section 1983, alleging that the police department had “an official policy or custom of failing to respond properly to complaints of restraining order violations” and “tolerate[d] the non-enforcement of restraining orders by its police officers.” She contended that the failure to enforce the order violated her due process rights guaranteed by the Fourteenth Amendment. In other words, she argued that she had a property interest in police enforcement of the restraining

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By Lorelei A. Lein
Staff Attorney

Legal Notes

DECISIONS FROM THE UNITED STATES SUPREME COURT

Eminent Domain: Economic Development can constitute a “public use” within the meaning of the Fifth Amendment’s takings clause so as to justify a local government’s use of eminent domain to take private property, in exchange for just compensation, as part of a comprehensive plan intended to provide a distressed community with such benefits as increased tax revenue and new jobs, even if the proposed economic rejuvenation will benefit private parties. *Kelo v. New London, Conn.*, 125 S.Ct. 2655 (U.S. June 23, 2005).

Tort Liability: A wife has no protected property interest in the police enforcement of a restraining order, issued pursuant to state law, against her husband, and thus, cannot prevail in a civil rights action against the police and municipality for an alleged due process violation, arising from the failure to enforce the restraining order. *Castle Rock v. Gonzales*, 125 S.Ct. 2796 (2005).

Telecommunications: A Federal Communications Commission ruling that cable companies selling broadband Internet service directly to consumers do not provide “telecommunications services” as defined in the 1996 Telecommunications Act Amendments to the 1934 Communications Act, and thus are exempt from the mandatory common carrier regulations under that statute, is a lawful construction of the statute that is entitled to deference. *National Cable & Telecommunications Association v. Brand X Internet Services*, 125 S.Ct. 2688 (2005).

First Amendment: Evidence that displays of framed copies of the Ten Commandments in county courthouses

accompanied by copies of secular documents allegedly significant to the foundation of the American Government were installed for a predominantly religious purpose demonstrates that the displays violate the First Amendment’s establishment clause under the “secular purpose” prong of the test promulgated in *Lemon v. Kurtzman*, 403 U.S. 602 (1971). *McCreary County, Kentucky v. ACLU of Kentucky*, 125 S.Ct. 2722 (2005).

First Amendment: The display of a monument inscribed with the Ten Commandments on the grounds of the state capitol amid other monuments and markers reflecting a state’s history does not violate the First Amendment’s Establishment clause. *Van Orden v. Perry*, 125 S.Ct. 2854 (2005).

ATTORNEY GENERAL OPINIONS

Cemeteries: Although a local act may provide for the creation of a local cemetery preservation commission, it cannot alter the notice requirements of Section 11-47-62 of the Code of Alabama of 1975, requiring a notice of declaration for the abandonment of a cemetery. 2005-140.

Airport Authorities: Because Section 4-3-45 of the Code of Alabama 1975, relating to airport authorities, is silent with respect to residency requirements, a city council authorizing the establishment of an airport authority may, by ordinance, set residency requirements for the board of directors of the airport authority. 2005-143.

Utilities: A separately incorporated utility board organized pursuant to Section 11-50-310, *et seq.*, of the Code of Alabama 1975, has no power to require customers to annex

continued next page

into the authorizing municipality. Accordingly, the utility board has no authority to discontinue service to those customers who do not annex into the authorizing municipality. 2005-145. NOTE: This issue is currently pending in litigation filed in Etowah County (CV-2005-764, June 2005).

Employees: A person placed by a job placement agency in a city parks and recreation position is not a city employee and may serve as a referee in a city basketball league on a fee-for-service basis. 2005-147.

Conflicts of Interest: A city manager for a municipality operating under a council-manager form of government as provided in Sections 11-43A-1, *et seq.*, of the Code of Alabama 1975, cannot be appointed as the manager of the water and sewer board of the municipality. 2005-149.

Eminent Domain: Section 18-1A-270 of the Code of Alabama does not grant a Downtown Redevelopment Authority created pursuant to Sections 11-54A-1, *et seq.*, of the Code of Alabama 1975, the power to condemn property for economic development. 2005-150.

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Federal Legislative and Regulatory Issues

Mary Ellen Wyatt Harrison
Staff Attorney

Video Franchise Bills

Just before Congress left for its Fourth of July recess, bills were introduced in both the House and Senate that would eliminate the franchise obligations of telephone companies entering the video and cable business. Both bills are titled the "Video Choice Act of 2005." The House Bill is H.R.3146, and the Senate Bill is S.1349. If these bills pass, they will preempt any local franchising authority over these types of businesses; thereby eliminating the important methods that cities use to collect franchise fees and manage rights of ways.

The bills have several differences. The Senate Bill creates a loophole that one major provider could use to argue that its video service is excluded from the bill's provisions. The new terminology "video franchise" covers services that would typically be considered cable television services.

Congress Introduces Bills on Eminent Domain

In response to the recent Supreme Court's *Kelo* Decision, the House and Senate have introduced bills to curtail that power when federal funds are involved. In *Kelo*, the Supreme Court reaffirmed that cities can continue to take private land for private development if it will fulfill a "public purpose."

In addition, the House passed an amendment to the Transportation, Treasury, Housing and Urban Development, Judiciary and District of Columbia (TTHUD) Appropriations bill that would prohibit the use of federal funds to "enforce a judgment" in the *Kelo v. City of New London* court case. The amendment would prohibit the use of federal funds for projects that use eminent domain to acquire private property for private development. The amendment passed 231-189 and became part of the appropriations bill that passed 405-18, which now moves to the Senate.

In the House, Rep. James Sensenbrenner (R-Wisc.) introduced H.R.3135, the Private Property Rights Act of 2005, which currently has 90 co-sponsors. The bill will prevent states or political subdivisions from using federal funds in any way to exercise eminent domain for economic development purposes, or for the underlying project itself, and would deny all federal funds to a state or city that violates these prohibitions.

In the Senate, Sen. John Cornyn (R-Texas), introduced S.1313, the Protection of Homes, Small Businesses and Private Property Act of 2005, which currently has 22 cosponsors, none of which are from the State of Alabama.

Senate Bill 1313 defines "public use" to exclude economic development, restrict federal use of eminent domain to "public use" only, and would prevent states or their political subdivisions from using federal funds in any way to exercise eminent domain for economic development purposes. At press Senate Bill 1313 was pending consideration in the Senate Judiciary Committee.

Employer-Assisted Housing Incentives

Due to the widening gap between housing costs and salaries homeownership for low to middle income families nationwide is difficult to obtain. With this in mind, Senator Hillary Rodham Clinton (D-N.Y.) has introduced the Housing America's Workforce Act of 2005 (S. 1330). Companion legislation was introduced in the House by Nydia Valazquez (D-N.Y.).

The legislation provides incentives to employers to provide employer-assisted housing (EAH) programs. The legislation offers a tax credit of 50 cents for every dollar that an employer provides to eligible employees, up to \$10,000 or 6 percent of the employee's home purchase price (whichever is less) or up to \$2,000 for rental assistance. The legislation also creates a competitive grant program.

House passes Appropriations Bill

Before the Fourth of July recess, the House voted to pass 11 appropriations bills. Highlights from the passage of the bills include funding for the Community Development Block Grant (CDBG) program in the Department of Housing and Urban Development (HUD) budget and restored funding for Amtrak.

The House appropriated \$4.2 billion for the CDBG program, which included \$3.86 billion for grants for entitlements to communities and states, in HUD. Overall funding would be reduced from \$4.7 to \$4.2 billion and the

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Supreme Court Update continued from page 15

order, due to the mandatory enforcement provisions of Colorado's statutes.

The Court disagreed, and stated that a benefit is not a protected entitlement under the federal constitution if governmental actors have the discretion to grant or deny the benefit. The Court found that, "the Colorado statute's direction to 'use every reasonable means to enforce a restraining order' or even to 'arrest ... or ... seek a warrant.' A Colorado officer would likely have some discretion to determine that—despite probable cause to believe a restraining order has been violated—the violation's circumstances or competing duties counsel decisively against enforcement in a particular instance."

Further, and perhaps most importantly for municipalities, the Court held that even if a mandatory duty to enforce the restraining order existed, it was not clear that this would give rise to a federally protected property interest that could be enforced pursuant to Section 1983.

National Cable & Telecommunications Ass'n v. Brand X Internet Services, ___ S.Ct. ___, 2005 WL 1498860 (2005)

This case presents another issue the League has been following closely for several years. The Telecommunications Act of 1996 subjects telecommunications service providers as defined by the Act to stricter regulation and taxation. Services that are classified as information services under the Act, though, are largely unregulated and untaxed.

In this case, the United States Supreme Court held that the Federal Communications Commission had authority to classify cable modem service as an information service. Although this ruling is expected to have little immediate impact because of the narrow issue presented, it is likely to have long-ranging implications regarding municipal power to regulate and tax cable modem service. This is another issue that will require close monitoring to see how it is applied in future legal proceedings. ■

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Committee Appointments continued from page 8

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formula grants would be decreased by \$250 million from \$4.1 billion to \$3.86 billion.

The House Appropriations bill increased funding for Section 8 vouchers by \$865 million, for a total of \$16.53 billion, which is \$214 million below the President's budget request. The program provides assistance to low and moderate income families to purchase a home or incentives to developers to build affordable housing.

The House zeroed out funding for the HOPE VI program, which is designed to provide funding for low-income housing projects. The House cited continued problems with the program, including a \$2 billion backlog from last year.

The full House voted in favor of an amendment that will restore funding for Amtrak to \$1.176 billion. This amount is higher than the Administration's proposal and above the House committee level. In May, the House passed a \$31.9 billion FY 2006 homeland security funding bill by a 424-1 vote, which provides \$3.6 billion for first responders at specific funding levels.

The Administration's budget proposal significantly cut COPS, Local Law Enforcement Block Grant (LLEBG) and Byrne Grant programs. The House Appropriations Committee recommended restoring funding for LLEBG and the Byrne Grant programs to \$203 million.

The COPS program fared much better. The House funds COPS at \$520 million, which is significantly higher than the President's \$118.

The House Labor/HHS/Education bill would increase Title I funding by \$100 million dollars, which is significantly less than the President's proposal from \$603 last year to \$13.3 billion this year. Title I funds No Child Left Behind.

The House budget would only increase Individuals with Disabilities Education Act (IDEA) by \$100 million. This would bring the total funding to only half of the federal government's commitment to fund 40 percent of IDEA.

The House proposed \$850 million for the Clean Water State Revolving Fund (CWSRF). The House provides \$850 million for the Drinking Water State Revolving Loan Fund (DWSRF), matching the President's budget request, which is a \$68 million increase over the 2005 levels.

Fed Offers Help with HAVA

A federal panel has released a guide to assist state and local officials in charge of certifying that their voting systems meet national standards.

The Election Assistance Commission (EAC) has published the *Voluntary Voting System Guidelines* to help states comply with the Help America Vote Act (HAVA). HAVA established federal requirements for provisional voting, voting information, statewide voter registration lists and identification requirements

for first-time registrants, administrative complaint procedures, and updated and upgraded voting equipment.

The new guidelines will assist voting officials in determining if the new systems provide basic usability, accessibility and security as required by HAVA.

EAC is not holding these guidelines as the only standards by which voting equipment and systems can be tested. States may adhere to all, part or none of the guidance, or States may adopt stricter guidelines. Electronic and paper copies of the *Voluntary Voting System Guidelines* can be obtained online at <http://www.eac.gov>, or by contacting EAC, 866.747.1471; email, VotingSystemGuidelines@eac.gov.

Comments on the new guidelines will be accepted through September 30, 2005. For more information, contact Carol Paquette, 202.566.3125; email, cpaquette@eac.gov.

Firefighter Safety on the Web

That National Fallen Firefighters Foundation (NFFF) and PennWell Corp. recently announced a new web site established for Firefighter Life Safety Initiative Programs. The website, which can be found at www.everyonegoeshome.com, concentrates on several issues tied to firefighter deaths, including the two primary causes – heart attacks and vehicle restraints. For more information, visit <http://www.everyonegoeshome.com> or email NFFF at everyonegoeshome@firehero.org.

Planning Grants for Libraries

State and local governments, institutions of higher education, Native American tribal governments and nonprofit organizations are eligible to apply for a grant to refine the content and interpretive approach of projects prior to implementation. The deadline is September 16, 2005. For more information contact Peter Scott at (202) 606-8446 or psscott@neh.gov or visit <http://www.fedgrants.gov/Applicants/NEH/OPUB/OPO/NEH-GRANTS-062705-003/Grant.html>.

Consultation Grants for Special Projects

State and local governments, institutions of higher education, Native American tribal governments and nonprofit organizations are eligible for grant funds to help historical or community organizations develop a new public humanities project or chart a new interpretive direction of an existing program. The application deadline is September 16, 2005. For more information please contact Peter Scott at (202) 606-8446 or psscott@neh.gov or visit <http://www.fedgrants.gov/Applicants/NEH/OPUB/OPO/NEH-GRANTS-062705-002/Grant.html>

State Historical Records Advisory Boards

The National Historical Publications and Records Commission provides funds to established state boards for board administrative, planning, implementation and regranting projects. The application filing deadline is September 1, 2004. Please contact Richard Cameron at (202) 501-5610 or Richard.cameron@nara.gov for more information or visit <http://www.fedgrants.gov/Applicants/NARA/HQ/NHPRC/NHPRC-RecordsSHRAB-04/Modification1.html>.

Publishing Historically Significant Records Relating to the History of the United States

State and local governments, school districts, institutions of higher education, Native American tribal governments and nonprofit organizations are eligible for grant funds to support projects that publish historical documents important for the comprehension and appreciation of the history of the United States. The application deadline is October 1, 2005. For more information, contact Timothy Connelly at (202) 501-5610 or timothy.connelly@nara.gov or visit www.fedgrants.gov/Applicants/NARA/HQ/NHPRC/NHPRC-PublicationsOther-05/Modification1.html for more information.

Preserving and Providing Access to Records – *Deadline: Oct. 1, 2005.*

State and local governments, school districts, institutions of higher education, Native American tribal governments and nonprofit organizations are eligible for grant funds to assess records' conditions and needs, develop archival and records management programs, and provide support for historical photograph, news film and sound recording preservation and for microfilming. For more information, please contact Daniel Stokes at (202) 501-5610 or via email at Daniel.stokes@nara.gov. For additional information, please visit www.fedgrants.gov/Applicants/NARA/HQ/NHPRC/NHPRC-RecordsOther-05/Modification1.html.

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Mayor Al DuPont Retires continued from page 4

economy but also marked the beginning of a new period in the city's history. Steel mills, DuPont said, evoke images of sinewy, rough men in a hellish environment operating machinery and molds to create metal plates, pipe and tubing, but today's steel mills are much different.

"Nowadays, a man in a white shirt and suit just pushes a button," DuPont said.

The technological advances he has witnessed over the course of his lifetime and the growing segment of the population that is proficient with them leaves him awestruck. He jokes that his two-year-old granddaughter can operate a computer and even e-mail while he himself has to hunt and peck for keys using his index fingers. The changes, to him, are even more evident in business and industry.

"Things have changed now, we need a workforce that can work with and understand computers," DuPont said. "Back then... what we had, we thought we were really hot shots, [technology] was the slide rule."

The ripple effect for Tuscaloosa and west Alabama caused by the arrival of new industries resulted in the creation of, according to DuPont, 15,000 new jobs in the past 10 or 12 years in the services and supply sector. As more higher-technologically jobs arrived in Tuscaloosa the city changed.

As the southeast slowly became more industrial and urbanized, low-paying industries like textiles that produced T-shirts and undergarments were forced to relocate. Better paying and more advanced industries like electronics and automotives took textiles' place, capitalizing on the generally lower cost of operating and living in the South. DuPont said industries' movement south was hard for people in other areas of the country to grasp.

"There is this stigma that just because you're from the South, because we talk a little slow, we don't know what we're doing, that we're ignorant," Dupont said. "They think they're much smarter than us, but we're taking their jobs."

DuPont says the need to attract more industry to the region pushed cities like Tuscaloosa to make plans to accommodate the transformation. Land had to be cleared and zoned for development, industrial infrastructural requirements were always kept in mind and the city had to be willing to work and negotiate with prospective large-scale employers.

When representatives from Mercedes approached him about building a plant near Tuscaloosa, DuPont said they were amazed that their land requirement, 1,000 acres, could be available that very day to begin construction, and the many miles of water and sewer pipe that would have to be laid were not a problem.

"You have to prepare yourself; it's dog-eat-dog as far as industry [is concerned]," DuPont said.

DuPont, who is the only individual to have served as president of the League twice, has been working with the League for nearly as long as he has worked for the city of Tuscaloosa.

"Before I was mayor we had some very good mayors but they didn't like to travel, so they'd designate me to do the traveling for them. I was doing the League's work even before I was mayor," DuPont joked.

Perry Roquemore, executive director of the League, noting DuPont's prominence in Tuscaloosa's history, his roles as vice president and two-time president of the League and also his work with the National League of Cities' as an advisory committee and board of directors member, says the mayor's contributions are invaluable.

"He has been a great ambassador for the city of Tuscaloosa, our League and the state of Alabama," Roquemore said.

Though he will end his sixth and last term as mayor of Tuscaloosa in October, DuPont says he's certain there will be something around town for him to do. He is grateful to the people of Tuscaloosa for keeping him in office for nearly two-and-a-half decades, and attributes his long stay in office to an understanding of the public.

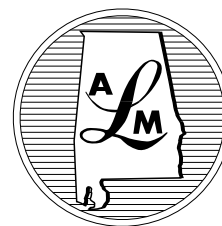
"I've held so many jobs in the city and I know what people go through," DuPont said. "In my dealing with the public I have been upfront and people appreciate that."

His door is always open, and DuPont welcomes both criticism and praise.

"The biggest thing is you listen to people... most of the time [they] just want to be heard and talk about their frustration. I care, some would say that I just say that but I do," DuPont said.

The League thanks Mayor Al DuPont and his wife, Margaret, for their many years of service to the League and Alabama's municipalities. We wish him well in his much-deserved retirement. ■

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a few industry representatives and special interest groups interested in air quality, a place-based program affects all individuals, groups, and industries concerned with the health and sustainability of a certain geographic area. Collaboration between diverse public and private stakeholders within a specific geographic area facilitates:

- comprehensive identification of local environmental concerns;
- the setting of priorities and goals that reflect overall community concerns; and
- the forging of comprehensive, long-term solutions.

Typical CBEP Stakeholders:

- EPA Headquarters officials;
- EPA Regional officials;
- State officials;
- City planners;
- Environmental groups;
- Non-Governmental Organizations (NGOs);
- Tribal leaders;
- Regulated communities;
- Community groups;
- Academics; and
- Concerned citizens.

The CBEP approach also connects and broadens the issues dealt with by environmental protection programs. Often a particular environmental problem, such as non-point source pollution, is affected by and related to several other environmental and resource issues in a geographic area. In order to solve one environmental problem, the related and connected environmental concerns must also be addressed.

Additionally, the CBEP approach recognizes the place of humans in ecosystems. Humans are the main agents of change in an ecosystem, and in order for ecosystem change to be benevolent and beneficial, the agents of change themselves need to feel healthy and productive. Therefore, human economic and social needs must be developed in concert with environmental solutions to promote a sustainable future. A place-based focus allows stakeholders

to identify the inter-related problems and forge a comprehensive, long-term plan that addresses the needs of the environment and its citizens. Therefore, the CBEP approach to environmental protection is holistic, not linear and isolated.

Finally, the CBEP approach can improve environmental program management. A large, diverse group of stakeholders can provide a wide array of expertise and knowledge when properly informed of an area's interrelated problems. This encourages the development of effective and appropriate problem-solving tools. For example, a tool that may improve air quality levels but exacerbate other ecosystem pollution problems would be avoided under a CBEP approach. Widespread stakeholder collaboration also improves environmental protection management by providing a means and forum for adaptive problem solving. If a problem-solving method is not working, the relationships established under collaborative work should facilitate discussion and implementation of alternative approaches. Therefore, the CBEP approach, by tapping into a high level of expertise and collaborative relationships, is an effective management tool.

If you'd like more general information on CBEP, link to the EPA's national CBEP site.

EPA Announces Southeastern Recipients of Sun-Safety Awards

The McWane Center in Birmingham, Ala., Sea Gate Elementary in Naples, Fla., Lighthouse Christian Academy in Brandon, Fla., and Eagle Point Elementary in Weston, Fla. were recognized last month for protecting children from the damaging effects of overexposure to the sun. The third annual U.S. Environmental Protection Agency SunWise Awards recognized schools and other organizations for extraordinary efforts in teaching sun safety to prevent skin cancer, cataracts, and other health effects caused by too much sun.

Sea Gate Elementary won the 2005 Helios Award for providing shade on school playgrounds. The Helios Award recognizes schools and other organizations for their work changing school policy, involving parents and the community, erecting shade structures on school playgrounds, allowing sun screen to be worn in school and providing sun safety information to the community. ■

Services and Programs continued from page 5

searching for court decisions and opinions of the attorney general that are of interest to municipalities) and *ALM Library* (contains the searchable text of many League publications).

League-Endorsed Programs

Cable Television Franchise Management Service

– This League-endorsed program provides technical assistance to municipalities relating to cable television franchise management.

City Net – This League service was established by the League and DeltaCom Long Distance Services. Any municipality or municipal entity may contract with DeltaCom for long distance telephone service. The rates for all entities, regardless of size, are the cheapest offered by DeltaCom. There is no charge to switch to this program.

Benefits for America – Catastrophic illness insurance for municipal employees as well as other services relating to fringe benefits are offered by this League-endorsed program.

GovDeals – This program is an online auction company that provides services to municipalities that allow them to sell surplus and confiscated assets via the Internet.

AIG-VALIC – This program offers access to a broad range of investments and insurance products, including deferred compensation plans.

The League continues to look for even more programs to benefits its member municipalities. Besides saving money for our members, all of these programs contribute to the operation of the League and help keep membership dues down.

The Legislative Function

In every session of the Alabama Legislature for the past 70 years, the League has served as the guardian and the voice of municipal interests. This is a vitally important function, since Alabama municipalities are creatures of the Legislature and are dependent upon it for their powers and their very existence. League legislative programs through the years have produced over 400 general acts which directly benefit municipal government and its citizens. Cities and towns in Alabama now receive many millions of dollars each year in state-shared revenues as a direct result of the League's legislative efforts.

Besides working for passage of League legislative proposals, the League staff must continually monitor and report on all types of legislation, at both the state and federal levels, which may affect cities and towns.

Training Programs

Over the past years, the League has worked closely with the University of Alabama, Auburn University, Jacksonville State University, the University of North Alabama and other educational institutions and groups to sponsor training programs for municipal officials and employees. In 1987, the League, in cooperation with the College of Continuing Education at The University of Alabama, established the John G. Burton Endowment for the Support of Municipal Programs. The fund honors the League's first president and the "Father of Municipal Education in Alabama." This perpetual fund, to which municipalities, individuals and corporations may contribute, is used to increase training programs and opportunities for municipal officials and employees.

In 1994, the League established the Elected Officials Training Program for elected municipal officials. This voluntary program was the second in the nation and provides elected officials an opportunity to receive continuing education training. Upon obtaining 40 credit hours of training, the elected official is presented with the designation of Certified Municipal Official (CMO). Several years later, due to the program's popularity, an Advanced CMO Program was established.

Publications and Communications

The League publishes *The Alabama Municipal Journal*, a monthly magazine prepared by the staff which annually provides more than 400 pages of timely information on the operation of city and town governments. *The Alabama Municipal Journal* is mailed to all elected officials and to top administrative and legal personnel of member cities and towns. Members of the Legislature also receive the magazine as well as the Alabama Congressional Delegation, sister leagues throughout the country, subscribers and friends. The total circulation of *The Alabama Municipal Journal* is approximately 4,500.

As mentioned earlier, the League's *Bulletin on State Legislation* is electronically transmitted or mailed weekly to each member municipality when the Legislature is in session.

In addition to these regular publications, the League staff prepares numerous books, information bulletins and special reports on specific subjects of interest to municipal officials.

The League staff continually attempts to keep the public and the news media informed about issues affecting municipal government in Alabama and to promote the objectives of the League and its member municipalities. Press releases are issued as needed to wire services,

newspapers and radio and television stations. In addition, members of the League staff make appearances before a number of organizations, on request, throughout the state to discuss the problems and goals of municipal government.

The League is a multi-purpose organization, the goals of which are to promote more efficient and effective government for the citizens of Alabama. As such, the League is a tremendous resource for municipal officials and personnel. Members are urged to take advantage of the programs and services offered through the League and to call on the League staff whenever necessary. Members are also encouraged to attend as many educational programs, seminars and conventions as possible. The rewards will benefit you as municipal officials and the citizens that you have been elected to serve. ■

Committee Appointments

continued from page 19

Council Member Garlan Gudger, Jr., Cullman
Mayor Phil Segraves, Guin
Council Member Craig Grissom, Russellville
Mayor Wally Burns, Southside
Council Member Richie Sparkman, Trinity
Mayor William R. West, Winfield

5. Council Member Jimmy W. Gill, Athens
Council Member Jerry Jennings, Madison
Council Member Frank Stevens, Sheffield
6. Council Member Timothy Buckelew, Adamsville
Mayor Theoangelo Perkins, Harpersville
Mayor James "Tac" Whitfield, Leeds
Council Member Edwin Brasher, Odenville
Council Member Don Smith, Odenville
Mayor Al DuPont, Tuscaloosa
Mayor Mark McLaughlin, Westover
Council Member Ed Bahr, Westover
Council Member Annette S. Tyler, Westover
7. Council Member Jesse Matthews, Sr., Bessemer
Council Member Valeria Abbott, Birmingham
Mayor Cecil P. Williamson, Demopolis
Council Member Velma Johnson, Midfield
Council Member Roberta Jordan, Pine Hill
Council Member Jean T. Martin, Selma

Technical Advisors: City Administrator Perry Wilbourne, Foley; City Manager Sam Gaston, Mountain Brook ■

VENDOR PROFILE

North America Fire Equipment Company, Inc. (NAFECO)

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NAFECO is headquartered in Decatur, Alabama, with seven regional offices located in the southeast. Most products are inventoried at our corporate warehouse and available for immediate shipment. We take great pride in our customer service. Customers today desire and expect a high level of service to take care of their needs. Our inside sales staff works diligently to answer questions and process orders on a daily basis. Our outside sales force will come to your city and work with your fire department to identify specific needs. We offer a lease payment finance plan customized to your budget.

Great value is placed on **EXCELLENCE** in all that we do. Our vision is to be recognized by our customers, suppliers and competitors as the best in our industry. We pledge courtesy, integrity, honesty and respect. NAFECO understands customers have a choice and believes superior customer service, timely delivery and competitive prices are the foundation of our success. **See NAFECO's full-age ad, page 10.**



Vendor Profiles are included in the League's Gold and Platinum advertising packages. For more information on how your company can purchase a package, contact Greg Cochran at 334-262-2566 or gregc@alalm.org.

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