

THE ALABAMA MUNICIPAL JOURNAL

March 2006

Volume 63, Number 9

Labor Drives Alabama's Auto Industry

Story, page 4



Training a Modern Workforce – Alabama Industrial Development Training (AIDT) has training facilities throughout the state, many of which are located around auto industry centers. For plants located in more remote areas, AIDT has mobile training centers that can instruct workers on site.

Inside:

- **Urban and Community Forestry Financial Assistance**
- **NLC Analysis of Bush Administration's Fiscal Year 2007 Budget Proposal**
- **Reduction of Corporate Limits**
- **The Wireless Advantage**

Alabama League of Municipalities
PO Box 1270
Montgomery, AL 36102
CHANGE SERVICE REQUESTED

Presorted Std.
U.S. POSTAGE
PAID
Montgomery, AL
PERMIT NO. 340

ADD PEACE OF MIND



By joining our Municipal Workers Compensation Fund!

- Discounts Available
- Accident Analysis
- Personalized Service
- Monthly Status Reports
- Directed by Veteran Municipal Officials from Alabama
- Over 550 Municipal Entities Participating

Write or Call TODAY:

Steve Martin

Municipal Workers
Compensation Fund, Inc.
P.O. Box 1270
Montgomery, AL 36102
334-262-2566



Millennium Risk Managers

P.O. Box 26159
Birmingham, AL 35260
1-888-736-0210

THE ALABAMA MUNICIPAL JOURNAL

Official Publication, Alabama League of Municipalities

March 2006 • Volume 63, Number 9

OFFICERS

BOBBY HAYES, Mayor, Pelham, President
 CARROLL L. WATSON, Mayor, Lincoln, Vice President
 PERRY C. ROQUEMORE, JR., Montgomery, Executive Director

CHAIRS OF THE LEAGUE'S STANDING COMMITTEES

Committee on State and Federal Legislation

BOB BUNTING, Mayor, Ozark, Chair
 CHARLES WOODS, Councilmember, Childersburg, Vice Chair

Committee on Finance, Administration and Intergovernmental Relations

JAY JAXON, Mayor, Eufaula, Chair
 DEBBIE QUINN, Councilmember, Fairhope, Vice Chair

Committee on Energy, Environment and Natural Resources

BILL STEWART, Councilmember, Gadsden, Chair
 RON DAVIS, Mayor, Prichard, Vice Chair

Committee on Community and Economic Development

LEE GARRISON, Councilmember, Tuscaloosa, Chair
 THOMAS O. MOORE, Councilmember, Demopolis, Vice Chair

Committee on Transportation, Public Safety and Communication

TIM KANT, Mayor, Fairhope, Chair
 BOBBY PHILLIPS, Councilmember, Calera, Vice Chair

Committee on Human Development

RANDALL SHEDD, Mayor, Fairview, Chair
 ISABELL BOYD, Councilmember, Brundidge, Vice Chair

THE STAFF

PERRY C. ROQUEMORE, JR., Executive Director, perryr@alalm.org
 J. KENNETH SMITH, Deputy Director/Chief Counsel, kens@alalm.org
 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, 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
 MONTY PAGGEOT, IT Manager, montyp@alalm.org
 TWANNA WALTON, Legal Research, twannaw@alalm.org
 STEVE WELLS, President, AMIC, stewew@AMICentral.org

Contents

<i>Labor Drives Alabama's Auto Industry</i>	4
<i>President's Report</i>	5
2006 Awards for Municipal Excellence Program Call for Nominations	
<i>Urban and Community Forestry Financial Assistance</i>	6
<i>Municipal Overview</i>	7
NLC Analysis of Bush Administration's Fiscal Year 2007 Budget Proposal	
<i>Environmental Outlook</i>	11
EPA Budget Reflects Efficiency, Collaboration and Sound Science	
<i>The Legal Viewpoint</i>	13
Reduction of Corporate Limits	
<i>Legal Notes</i>	15
<i>Federal Legislative and Regulatory Issues</i>	17
<i>Municipal News Briefs</i>	20
<i>Does Your City Need Physicians?</i>	21
<i>The Wireless Advantage</i>	23
<i>Speaking of Retirement</i>	26

ACTIVE MEMBERS (442)

Abbeville, Adamsville, Addison, Akron, Alabaster, Albertville, Alexander City, Aliceville, Allgood, Altoona, Andalusia, Anderson, Anniston, Arab, Ardmore, Argo, Ariton, Arley, Ashford, Ashland, Ashville, Athens, Atmore, Attalla, Auburn, Autaugaville, Avon, Babbie, Baileyton, Baker Hill, Banks, Bay Minette, Bayou La Batre, Bear Creek, Beatrice, Beaverton, Belk, Benton, Berry, Bessemer, Billingsley, Birmingham, Blountsville, Blue Springs, Boaz, Boligee, Branchville, Brantley, Brent, Brewton, Bridgeport, Brighton, Brilliant, Brookside, Brookwood, Brundidge, Butler, Calera, Camden, Camp Hill, Carbon Hill, Cardiff, Carrollton, Castleberry, Cedar Bluff, Center Point, Centre, Centreville, Chatom, Chelsea, Cherokee, Chickasaw, Childersburg, Citronelle, Clanton, Clay, Clayhatchee, Clayton, Cleveland, Clio, Coaling, Coffee Springs, Coffeeville, Coker, Collinsville, Colony, Columbia, Columbiana, Coosada, Cordova, Cottonwood, County Line, Courtland, Cowarts, Creola, Crossville, Cuba, Cullman, Dadeville, Daleville, Daphne, Dauphin Island, Daviston, Dayton, Deatsville, Decatur, Demopolis, Detroit, Dodge City, Dora, Dothan, Double Springs, Douglas, Dozier, Dutton, East Brewton, Eclectic, Edwardsville, Elba, Elberta, Eldridge, Elkmont, Elmore, Emelle, Enterprise, Epes., Eufaula, Eutaw, Eva, Evergreen, Excel, Fairfield, Fairhope, Fairview, Falkville, Faunsdale, Fayette, Five Points, Flomaton, Florida, Florence, Foley, Forkland, Fort Deposit, Fort Payne, Frisco City, Fulton, Fultondale, Fyffe, Gadsden, Gainesville, Gantt, Garden City, Gardendale, Gaylesville, Geiger, Geneva, Georgiana, Geraldine, Gilbertown, Glen Allen, Glencoe, Glenwood, Goldville, Good Hope, Gu-Win Goodwater, Gordo, Gordon, Gordonville, Goshen, Grant, Graysville, Greensboro, Greenville, Grove Hill, Guin, Gulf Shores, Guntersville, Gurley, Hackleburg, Haleyville, Hamilton, Hammondville, Hanceville, Harpersville, Hartford, Hartselle, Hayden, Hayneville, Headland, Heath, Heflin, Helena, Henagar, Highland Lake, Hillsboro, Hobson City, Hodges, Hokes Bluff, Holly Pond, Hollywood, Homewood, Hoover, Hueytown, Huntsville, Hurtsboro, HyTop, Ider, Indian Springs, Irondale, Jackson, Jackson's Gap, Jacksonville, Jasper, Jemison, Kansas, Kellyton, Kennedy, Killen, Kimberly, Kinsey, Kinston, Lafayette, Lake-view, Laneit, Langston, Leeds, Leesburg, Leighton, Lester, Level Plains, Lexington, Lincoln, Linden, Lineville, Lipscomb, Lisman, Littleville, Livingston, Loachapoka, Lockhart, Locust Fork, Louisville, Lowndesboro, Loxley, Luverne, Lynn, McIntosh, McKenzie, Madison, Madrid, Malvern, Maplesville, Margaret, Marion, Maytown, Mentone, Midfield, Midland City, Midway, Millbrook, Millport, Millry, Mobile, Monroeville, Montevallo, Montgomery, Moody, Mooresville, Morris, Mosses, Moulton, Moundville, Mount Vernon, Mountain Brook, Mountainboro, Mulga, Munford, Muscle Shoals, Myrtlewood, Napier Field, Natural Bridge, Nauvoo, Nectar, Needham, Newbern, New Brockton, New Hope, New Site, Newton, Newville, North Courtland, North Johns, Northport, Notasulga, Oak Grove, Oak Hill, Oakman, Odenville, Ohatchee, Oneonta, Onycha, Opelika, Opp, Orange Beach, Orrville, Owens Cross Roads, Oxford, Ozark, Paint Rock, Parrish, Pelham, Pell City, Pennington, Petrey, Phenix City, Phil Campbell, Pickensville, Piedmont, Pike Road, Pinckard, Pine Apple, Pine Hill, Pine Ridge, Pisgah, Pleasant Grove, Pleasant Groves, Pollard, Powell, Prattville, Priceville, Prichard, Providence, Ragland, Rainbow City, Rainsville, Ranburne, Red Bay, Red Level, Reece City, Reform, Rehobeth, Repton, Ridgeville, Riverside, Riverview, Roanoke, Robertsdale, Rockford, Rogersville, Rosa, Russellville, Rutledge, Saint Florian, Samson, Sand Rock, Sanford, Saraland, Sardis City, Satsuma, Scottsboro, Section, Selma, Sheffield, Shorter, Silas, Silverhill, Sipsy, Skyline, Slocumb, Smiths Station, Snead, Somerville, South Vinemont, Southside, Spanish Fort, Springville, Steele, Stevenson, Sulligent, Sumiton, Summerdale, Susan Moore, Sweet Water, Sylacauga, Sylvan Springs, Sylvania, Talladega, Talladega Springs, Tallassee, Tarrant, Taylor, Thomaston, Thomasville, Thorsby, Town Creek, Toxey, Trafford, Triana, Trinity, Troy, Trussville, Tuscaloosa, Tusculum, Tuskegee, Twin, Union, Union Grove, Union Springs, Uniontown, Valley, Valley Grande Valley Head, Vance, Vernon, Vestavia Hills, Vina, Vincent, Vredenburgh, Wadley, Waldo, Walnut Grove, Warrior, Waterloo, Waverly, Weaver, Webb, Wedowee, West Blocton, West Jefferson, West Point, Westover, Wetumpka, Wilsonville, Wilton, Winfield, Woodland, Woodstock, Woodville, Yellow Bluff, York.

Published monthly by The Alabama League of Municipalities, 535 Adams Avenue, Montgomery, Alabama 36104, telephone (334) 262-2566. Web address: www.alalm.org. Single copies, \$2.00. By subscription, \$24.00 per year. Advertising rates and circulation statement available at www.alalm.org or by calling the above number. Statements or expressions of opinions appearing within this publication are those of the authors and not necessarily those of the Alabama League of Municipalities. Publication of any advertisement should not be considered an endorsement of the product or service involved. Material from this publication may not be reprinted without permission.

Labor Drives Alabama's Auto Industry

By Niko Corley, Communications Coordinator, ALM

Editor's Note: This is the last in a series of articles about Alabama's growing automotive industry.

Mercedes Benz's 1993 announcement that it would manufacture its then-new M-Class SUV in Alabama surprised many people, consumers and industry executives alike. Some called the international automaker's decision to locate to the state a bold move; others weren't so convinced it was a good idea.

Skeptics doubted the capabilities of Alabama's workforce and questioned whether the state could handle such a large-scale project. It wouldn't be the first time, but it may very well be the last.

Alabama's auto industry has grown exponentially since the early 1990s. Thirteen years after landing its first auto maker and a decade after manufacturing its first automobile, Alabama has become a destination state for the industry. To understand the reason for automotives' incredible success in Alabama, look no further than the faces on the assembly line at any one of the state's 263 plants.

David M. Miller, professor of management science and director of the Alabama Productivity Center at the University of Alabama, said the quality of the labor force tops his list of reasons why automakers and their suppliers continue to locate to Alabama.

While Alabama's education statistics aren't too impressive (barely 75 percent of people over age 25 have a high school diploma while the national average is 80 percent), time and again the state has proven a prime location for auto industry expansion. Workforce capability, Miller says, can't be assessed merely by the collective number of diplomas and degrees.

"I wouldn't argue about our level of formal education, but equally important [to a competitive workforce] are work ethic and worker productivity," Miller said.

Ron Davis, plant manager at ZF Lemforder in Tuscaloosa, agrees with Miller, attributing the strong work ethic of his plant's employees to Alabama's agrarian roots.

"Forty percent [of the plant's workers] come from Fayette," Davis said. "They have good, rural values and dedication."

The "rural values" of honest work and commitment have migrated with workers from the farm into auto plants where, combined with modern training and technology, they have

made Alabama's workforce one of the most competitive in the nation.

Alabama Industrial Development Training (AIDT), which celebrates its 35th year of service to Alabama in 2006, is a major reason why Alabama was able to recruit the automotive industry to the state and keep it here. AIDT was the first state workforce training group in the country to earn international certification for its quality management system and has trained 250,000 workers for 4,000 projects in Alabama.

AIDT Spokeswoman Phyllis Wesley explains the process of connecting workers and employers and how AIDT became such a valuable recruiting tool for Alabama's industries.

continued page 25



A Real Bargain - AIDT has helped make Alabama's industrial workforce one of the most competitive in the world. Sixty percent of its instructees are in the auto industry, and AIDT trains these individuals at no cost to employers or employees.



The President's Report

Bobby Hayes
Mayor of Pelham

2006 Awards for Municipal Excellence Program Call for Nominations

The Awards for Municipal Excellence recognize outstanding programs that have improved the quality of life in America's communities. Given through a partnership between the National League of Cities (NLC) and CH2M HILL, the Awards honor a range of population sizes, with two awards in each population category.

NLC and CH2M HILL began their partnership in 1989 to recognize exceptional urban programs. The Awards began by honoring James C. Howland, co-founder of CH2M HILL, as the James C. Howland Awards for Urban Enrichment. In 2005, the sponsors changed the name to Awards for Municipal Excellence to reflect the rising standards that have been applied by judges in evaluating excellence and creativity in municipal programs over the years of the Awards.

Nominated programs are judged on several criteria: successful public-private partnership ventures; productive citizen and community collaborations; effective management of municipal resources (public or private); innovative government policies; project implementation with tangible results; and the ability to replicate the project in other cities.

The programs are evaluated by a panel of judges. Eight winners are chosen from four population categories, with a gold and silver winner in each category. The winning cities are nationally recognized and celebrated during NLC's Congress of Cities Conference and Exposition held in November or December of each year. In addition, winners receive a donation to a local non-profit organization of their choice.

Nomination forms will be available in this month and the deadline for submission is June 21, 2006. Up to eight winners will be nationally recognized at a ceremony at NLC's Congress of Cities Conference and Exposition in Reno, NV, December 2006.

For more information about the Awards program, nomination forms and to learn about past Award winners, visit the following site: www.nlc.org/resources_for_cities/awards___recognition/7760.cfm. If you have any questions, send an email to mrs@nlc.org or call 202-626-3130. ■

The Power To Save A Life

Defibrillators to the Rescue

Each year Sudden Cardiac Arrest (SCA) strikes more than 250,000 people ... less than 5% survive!! Chances of survival from SCA are increased dramatically if an electric shock is delivered within the first few minutes.

That's why more and more municipalities are placing Automated External Defibrillators (AEDs) in their offices, vehicles, schools and parks. Give your employees and citizens the power to save lives by selecting a dependable, easy-to-use and rugged AED.

Our friends at the Alabama Municipal Electric Authority have agreed to make Philips HeartStart FR2+ AEDs available to the League's member cities and towns at a significant discount.

For more information, call **Tom Bartels** at **AMEA 1-800-239-AMEA(2632)** to discuss your situation or arrange a demonstration.

Urban and Community Forestry Financial Assistance Available to Municipalities

Auburn University has announced the availability of \$189,750 in Urban & Community Forestry (U&CF) Financial Assistance to help Alabama cities and towns build viable, long-term urban tree programs.

“We are very pleased to offer this federal financial assistance,” said Dr. Paul Mask, Assistant Director with the Alabama Cooperative Extension System. “It adds an effective dimension to Extension’s community forestry assistance program.”

This year’s funding will focus on four specific project categories:

- hiring urban foresters;
- completing urban forest management plans;
- developing tree ordinances; and
- creating tree boards.

The availability of funds marks the 15th consecutive year that Alabama has received federal financial assistance in support of its U&CF program. In that time, the state has funded more than 300 local urban forestry projects totaling

\$4 million. Auburn University has been the pass-through entity the last six years.

“The impact of the U&CF program in Alabama can not be underestimated,” said Neil Letson, State Urban Forestry Coordinator with the Alabama Cooperative Extension System. “Funds have been used to help build permanent tree programs throughout the state.”

According to Johnnie Adams, USDA Forest Service Grants Award Officer, “we’re encouraging Auburn University to use these funds to focus on specific urban forestry needs consistent with federal program authority. We also encourage the state to use the funds for capacity building at the local level.”

The Urban and Community Forestry Assistance Program is authorized by the Cooperative Forestry Assistance Act. The Catalog of Federal Domestic Assistance number for the program is 10.664.


For more information on how your community can submit a project proposal, visit www.aces.edu/ucf/. ■

prevent damages to buried utilities

Call before you dig



It may be quite surprising, but damage to buried utility lines can occur when doing typical home improvement projects such as putting up a fence, mailbox post, swing set, building a deck or planting a garden, trees or shrubbery. If you’re beginning a project that requires digging or adjusting the grade of your property, call Alabama One Call before beginning your work. This service is FREE.

Alabama  Call

cellular: #DIG | www.al1call.com

800.292.8525

252.4444 Birmingham Area



Municipal Overview

By
PERRY C. ROQUEMORE, JR.
Executive Director

NLC Analysis of Bush Administration's Fiscal Year 2007 Budget Proposal

The National League of Cities has released its analysis of the Bush Administration's proposed 2007 budget. The \$2.77 trillion fiscal year 2007 budget would increase overall spending by 2.25 percent above last year's budget but cut non-defense discretionary spending by \$2.2 billion from current levels, touching programs important to cities. For instance, the Community Development Block Grant (CDBG) program would remain at the Department of Housing and Urban Development (HUD); however, the budget proposal slashes the CDBG program to \$3.03 billion, 25 percent lower than its current funding level of \$4.178 billion.

The administration's budget plan proposes to save \$15 billion by eliminating or significantly reducing 141 federal programs, 42 of which fall under the Department of Education. The administration's plan also relies upon \$65.2 billion saved over five years by slowing the growth of entitlement spending, primarily on Medicare and Medicaid. However, the recent legislative struggle to enact a budget reconciliation bill (S. 1932) that limits entitlement spending by only \$39 billion over five years, or less than one percent of total entitlement spending, indicates the political and policy difficulties facing the administration's proposal.

The administration's budget blueprint also relies on assumptions for the years beyond 2007 including no military expenditures in Iraq or Afghanistan, making permanent tax cuts that would cost \$280 billion over five years, and no reform of the alternative minimum tax, which would generate tremendous tax revenue but at the expense of the middle class. Many economists and budget experts discount these long-term assumptions as unrealistic because the economic future is difficult to predict with certainty, as are the actions of Congress. "We can't grow our way out of these problems,"

former Congressional Budget Office Director Douglas Holz-Eakin said.

For cities, the FY07 budget proposal represents continued assaults on key programs. NLC will continue its national leadership role to save CDBG and preserve sufficient funding. The collaborative efforts of state leagues with NLC last year helped preserve CDBG, and advocacy efforts are already underway this year. The following highlights of policy areas provide more details about the administration's fiscal year 2007 budget proposal.

Community Development Block Grant

Pres. Bush's budget includes a modified version of the "Strengthening America's Communities Initiative" (SACI) NLC persuaded Congress to reject last year. This year, the SACI proposal keeps the CDBG program at the Department of Housing and Urban Development, which is a victory for NLC members. Unfortunately, the new SACI proposal consolidates three programs under CDBG: the Section 108 Loan Guarantee program, the Brownfields Revitalization Program and the Economic Development Initiative grant program.

The budget proposal would slash the CDBG program in FY07 to \$3.032 billion, 25 percent below last year's enacted level of \$4.178 billion. The administration's budget would cut formula funding for direct grants to cities and states to \$2.774 billion from \$3.711 billion in FY06. NLC and its coalition partners are calling on Congress to reverse the trend in de-investment in cities and fund CDBG formula grants at \$4.5 billion.

The president's budget also calls on Congress to consider reforms that would re-focus the CDBG formula on poorer communities. Given the drastic cuts in funding to the CDBG program, altering the formula in the way envisioned by the administration would likely result in cutting off CDBG funding to hundreds of cities. Moreover, the administration would award "bonus CDBG funds" on a competitive basis to cities demonstrating progress in expanding homeownership, making a program praised for its reliability more difficult for cities to access.

No legislation has been introduced yet to enact the administration's CDBG proposals and indications are that in this election-shortened legislative year, the congressional committees responsible for CDBG oversight may find it difficult to address CDBG reform.

Housing

The president's budget is generally good for federal housing programs, increasing funding for the Section 8 rental

continued next page

assistance program by almost \$1 billion. The HOME program for construction of affordable housing is increased by nine percent to \$1.9 million. In 2005, the HOME program completed over 80,000 units of affordable housing. Homeless assistance grants are increased by \$212 million, which will be used to help create and run approximately 12,000 new units of supportive housing.

The HOPE VI program, designed to demolish uninhabitable public housing and rebuild as mixed income communities is again not funded in the administration's budget. Pres. Bush has proposed eliminating the HOPE VI program every year while in office, to the consternation of many supporters in Congress. Normally a safe bet for funding, however, the HOPE VI program is in real danger of complete elimination this year due to perception that the program is "excessively costly" compared to other programs.

Homeland Security

The administration's FY07 budget contains an overall seven-percent increase in homeland security funding and increases funding for the State Formula Grants Program. The budget, however, proposes to change the program's distribution formula structure from a formula grant to a discretionary grant. It would also move toward more risk-based allocations with each state receiving a minimum allocation of one-quarter of one percent (.25 percent) of the total funds appropriated. Additionally, the administration proposes reallocating approximately 13 percent in the first responder grants programs to underwrite the Department's overall funding increase.

The FY07 budget would eliminate the Law Enforcement Terrorism Prevention Program (LETPP), currently funded at \$385 million. The Firefighter Assistance Grants Program is cut by \$361 million to \$294 million for FY07. Emergency Management and Performance grants (EMPG) - the federal government's main grant program for emergency management agencies - would also face a \$15 million cut.

On a more positive note, the administration is dedicating more funding toward the Urban Area Security Initiative (UASI) Program which provides additional funding for metropolitan regions with large populations and key assets. Under the administration's budget proposal, however, states must spend at least 20 percent of their UASI and state homeland security grants on law enforcement. The administration has also increased funding for customs and border protection.

In response to the various natural disasters that pummeled the nation in 2005, the administration's budget proposal would raise funding for the Federal Emergency Management Agency (FEMA) to \$3.1 billion, an increase of \$363 million from last year's level. The administration's budget also contains a new \$50 million program, the National Preparedness Integration

Program, to address preparedness planning at the state level, including evacuation plans and emergency communications plans.

Finally, the administration's budget proposal for the Department of Justice cuts or eliminates programs benefiting state and local government by approximately \$1.4 billion. The State Criminal Alien Assistance Program (SCAAP), which provides funding for the incarceration of illegal immigrants, was eliminated for the fifth year in the FY07 budget request. Congress funded SCAAP at \$400 million in Fiscal Year 2006.

Transportation

The administration's \$65.6 billion FY 2007 transportation budget proposal, while encouraging in some areas, contains cautionary signals that should concern municipalities. The FY07 budget proposal fully funds the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), the federal surface transportation program that Pres. Bush signed into law last summer (P.L. 109-59). "Our transportation network is the backbone of the strongest and most dynamic economy in the world," Secretary of Transportation Norman Mineta said. "So this budget looks to the future, setting the stage for modernizing our financing as well as our infrastructure."

For the Airport Improvement Program (AIP), the future looks uncertain because the administration's budget would reduce AIP capital grants to \$2.75 billion, a 22 percent cut from last year's budget proposal. The administration claims this lower figure is sufficient to fund construction of all planned new runways, while reallocating AIP funds to pay for more air traffic controllers and safety inspectors.

The administration's budget suggests airports "can meet infrastructure needs through revenues generated from passenger facilities charges." Despite this suggestion, Mineta warned the current system for financing transportation is inadequate. The administration's budget, for instance, sets aside \$100 million for a five-state pilot program to test alternatives to the gasoline fuel tax. "There is a growing consensus that traditional gasoline taxes and airline ticket taxes are not adequate to the task of supporting 21st century transportation needs," Mineta said. He also said the administration would soon propose a reauthorization plan for the Aviation Trust Fund, which expires at the end of fiscal year 2007, that creates a more direct relationship between revenues collected and services provided.

Related, the administration continues to use its budget proposal as a hammer to leverage reform of Amtrak, the national passenger rail service. "In last year's budget, [the administration] demanded reform," Mineta said. "Amtrak needs a sustainable framework for convenient, high-quality passenger

rail service.” The administration’s proposed budget for Amtrak is \$900 million, 44 percent less than Amtrak’s current funding level. This figure includes \$500 million for capital needs and \$400 million for operating grants allocated by Mineta, not Amtrak.

The administration’s fiscal year 2007 proposal for transportation spending also includes these components important to municipalities:

Highways - The budget would obligate \$39.1 billion for highways, which is \$3.4 billion more than last year’s enacted amount, reflecting the implementation of SAFETEA-LU and its commitment to improved highway safety and mobility.

Public Transportation - The Bush Administration budget obligates \$8.875 billion in funding for public transportation, which is \$371 million more than last year’s enacted total. Within this total is a request for \$1.466 billion in major capital investment grants for the “New Starts” program to finance commuter rail, light rail, heavy rail and bus rapid-transit projects. While SAFETEA-LU expanded eligibility for New Starts, this figure is slightly lower than the FY 2006 request of \$1.53 billion. The administration’s proposal also calls for approximately \$7.3 billion in formula grants, the authorized amount under SAFETEA-LU, which is more than the \$6.9 billion enacted last year.

Airport Improvement - The proposed FY07 budget preserves funding for the Essential Air Services program at \$50 million, which was last year’s level. The administration’s budget does not include new money for the Small Communities Air Service Development Program, which will operate until its current funds are spent.

Energy, Environment & Natural Resources

The administration’s FY07 budget proposes a significant increase in energy research but continues to reduce funding for water infrastructure. Continued funding battles also loom over the Low Income Home Energy Assistance Program (LIHEAP), as the timely issue of high energy prices for home heating remains an ongoing discussion. The administration’s budget proposes \$1.8 billion for LIHEAP for fiscal year 2007 and assumes the additional infusion of another \$1 billion, which has already been appropriated by Congress for this year. However, if Congress credits back the \$1 billion to FY2006 as currently under consideration, the remaining \$1.8 billion would represent a significant decrease from previous levels.

The Clean Water State Revolving Fund is hit hard in the administration’s budget, dropping to \$688 million from \$877 million last year and \$1.1 billion in FY2005. The Drinking Water State Revolving Fund essentially holds steady at \$842 million. The administration’s plan contains a new \$7 million

research initiative for the U.S. Environmental Protection Agency (EPA) to evaluate new technologies aimed at reducing the costs of operating and replacing water infrastructure.

Finally, the administration’s budget proposes a slight increase for the Superfund program bringing it to \$1.26 billion, while the brownfields grant program remains flat at \$89 million.

Social Services

The administration’s FY07 budget includes drastic cuts to two important programs delivering social services funding to local governments. The Social Services Block Grant (also known as Title XX), a federal entitlement program, faces a \$500 million cut. The budget proposal also eliminates the Community Services Block Grant (CSBG), a \$640 million program to fight poverty in local communities and help serve needy immigrant families.

Health Care

The administration’s budget proposal increased funding for Community Health Centers, a top priority for Pres. Bush, by \$181 million to provide health services to 1.2 million additional persons. The FY07 budget also includes \$169 million for implementation of health information technology nationwide. Though this money does not go directly to local governments, NLC’s Working Group on Health Care concluded this initiative will be a key factor in reducing health care cost overall.

Education

The administration’s budget plan proposes important modifications to federal education programs. Under the administration’s budget, Title I grants to low-income school districts received a modest increase of \$200 million. This \$200 million will be specifically directed to the new Title I School Improvement Grant Program for schools identified in need of improvement, corrective action or restructuring under the No Child Left Behind law. The Individuals with Disabilities Education Act (IDEA) that provides federal funding for local special education programs would receive an increase of \$100 million, which remains insufficient to meet the federal law requirement of 40 percent to local education agencies for IDEA costs. The proposed amount moves the federal share to special education to under 20 percent.

Finally, both Head Start and the 21st Century Community Learning Centers (after school) program were level funded from last year at \$6.7 billion and \$981 million, respectively. ■

**N
A
F
E
C
O**



Attention:
Mayors, Council Members, Purchasing Agents, City Clerks

Fire Apparatus, We're Talking Delivery...



- ✓ International 7400 Two Door Chassis
- ✓ 330 hp Engine, Exhaust Brake
- ✓ Allison Automatic Transmission
- ✓ Hale Q-Flo 1250 GPM Pump
- ✓ 2000 Gallon Poly IIE Tank With 10' Newton Dump
- ✓ Top Mount Pump Panel
- ✓ Aluminum Fire Body
- ✓ Zico Quick-Lift Portable Tank System
- ✓ Through The Tank Ladder Storage
- ✓ Code 3 Emergency Lighting Package



...to the Lafayette Fire Dept.
Congratulations!

1515 West Moulton Street, Decatur AL 35601
800-628-6233 • 256-353-7100 • Fax 256-355-0852 • www.nafeco.com



ENVIRONMENTAL OUTLOOK



By Gregory D. Cochran
Director, Intergovernmental Relations

EPA Budget Reflects Efficiency, Collaboration and Sound Science

Pres. Bush's 2007 budget for the Environmental Protection Agency reflects the need for spending restraint while accelerating environmental protection, maintaining economic competitiveness and strengthening homeland defenses. EPA Administrator Stephen L. Johnson and key agency officials announced the budget at a Washington, D.C., news briefing.

"EPA shares in the responsibility of being good stewards of our nation's environment, and good stewards of our nation's tax dollars," Johnson said. "This budget fulfills every presidential environmental commitment and maintains the goals laid out in EPA's Strategic Plan, while spending less."

The president's budget requested \$184 million for EPA Homeland Security efforts, an increase of \$55 million over the FY 2006 enacted budget. This funding includes:

- \$33 million to protect our drinking water from terrorist attack, including additional Water Sentinel pilots;
- \$10 million to develop Environmental Laboratory Preparedness and Response capability; and
- \$10 million to provide for environmental decontamination, including related research and development.

What the President's Budget Provides

- More than \$100 million to support EPA's new priorities outlined in the Energy Policy Act of 2005, including:
 - \$50 million for the new Diesel Emissions Reduction Program to support cleaner fuels and diesel retrofits, rebuilds and replacements. EPA estimates this amount will attract at least \$100 million in funding assistance and reduce particulate matter by approximately 7,000 tons, achieving an estimated \$2 billion in health benefits;
 - \$38 million in underground storage tank funding, a \$26 million increase over FY 2006 enacted levels, to prevent future releases from such tanks;
 - \$11 million for the development and implementation of the renewable fuel standard which leads to increasing market share of ethanol and renewable fuels;

- More than \$70 million to clean and protect the Great Lakes. This includes \$50 million for Great Lakes Legacy Act programs, an increase of more than \$20 million from last year's enacted budget, to support four to six sediment remediation projects, which will result in cleanup of approximately 500,000 cubic yards of contaminated sediments; and,

- \$26 million for the Chesapeake Bay Program, an increase of \$4 million over last year's enacted budget, for improving water quality, overall protection and restoration of the Chesapeake Bay and its tributaries. The funding includes \$6 million for the Corsica River pilot project in the state of Maryland to help establish 200 acres of forested buffers on non-agricultural land and restore 50 acres of wetlands, two miles of stream channel, 10 acres of aquatic vegetation and 20 acres of oyster beds.

Pres. Bush's Budget Requests for Scientific Research

- \$7 million for a water infrastructure initiative, a major research effort to generate the science and engineering needed to evaluate promising innovative technologies to reduce the cost of operation, maintenance and replacement of aging and failing systems for drinking water and wastewater treatment;
- \$4 million in additional support for 2007, for a total of \$8.6 million, to study the impacts of manufactured nanomaterials on human health and the environment and nanotechnology's potential beneficial uses;
- \$8.9 million 2007 funding for the Integrated Risk Information System (IRIS), an internet database of information on the potential human health effects of environmental substances; and
- \$15 million 2007 funding for the Computational Toxicology Program.

continued next page

In addition, the president requested nearly \$1.3 billion for the Superfund program, a \$17 million increase over last year's enacted budget. The program will achieve 40 construction completions. For more information, visit www.epa.gov/ocfo/budget/index.htm.

EPA, States Promote Clean Energy

A first-ever guide, released in February by the U.S. Environmental Protection Agency, lays out state-level policies that achieve clean, low-cost energy. The Clean Energy-Environment Guide to Action details states' experiences with cost-effective clean energy policies and strategies that meet energy, environmental and economic objectives. The guide covers energy efficiency, clean energy supply and clean distributed generation.

"Through the help of our state partners, Pres. Bush and EPA are spreading the advances in innovation and technology that power our nation's economy and drive our environmental successes," Johnson said. "This best practices guide can serve as a blueprint to help communities throughout the nation deliver their residents clean, reliable and low-cost energy."

EPA issued the guide at the National Association of State Energy Officials (NASEO) Energy Outlook Conference in Washington, D.C. "The guide to action will help us avoid recreating the wheel. We look forward to learning from the experiences of other states what works and which policies yield the biggest bang for the buck," Sara Ward, director, Ohio Office of Energy Efficiency, said.

EPA estimates that if all states implemented cost effective clean energy and environment policies, the expected growth in demand for electricity could be cut in half by 2025, and more demand could be met through cleaner energy supply. This translates into an annual savings of \$70 billion in energy costs by 2025, while preventing the need for more than 300 power plants and eliminating greenhouse gas emissions equivalent to those from 80 million vehicles.

The Clean Energy-Environment State Partnership also welcomed its twelfth partner, North Carolina, at the conference. The state joins the 11 charter states of California, Colorado, Connecticut, Georgia, Minnesota, New Jersey, New Mexico, New York, Ohio, Pennsylvania and Texas.

Under the Clean Energy-Environment State Partnership program, EPA assists states in developing and implementing a comprehensive clean energy strategy. The guide to action is part of a package of planning, policy, technical, analytical and information resources EPA provides to help state partners establish and implement sound action plans. EPA also tracks and disseminates successful state clean energy policies and provides opportunities for training and peer exchange. For more information or to download the Clean

Energy-Environment Guide to Action, visit <http://epa.gov/cleanenergy/stateandlocal/guidetoaction.htm>.

EPA Administrator Names John Howard as Head of Policy Advisory Group

EPA Administrator Johnson appointed John L. Howard, Jr., as the new chair of the National Advisory Council for Environmental Policy and Technology (NACEPT), a group that since 1988 has provided advice to the EPA administrator on a broad range of environmental policy, technology and management issues. NACEPT represents diverse interests from academia, industry, non-governmental organizations, environmental groups and local, state and tribal governments. It has directed the work of approximately 30 standing committees (each one established to address a specific issue), and has produced over 50 major reports containing over 1,000 recommendations to the EPA administrator.

Howard currently is a Partner at Vinson & Elkins LLP, one of the world's largest international law firms. He has previously served as the senior associate director for the White House Council on Environmental Quality and the environment and natural resources policy director for Pres. Bush when the president was the governor of Texas. He also served as the federal environmental executive, promoting environmental stewardship throughout the federal government. For more information on the council, visit www.epa.gov/ocem/nacept. ■



FULL SERVICE MAINTENANCE PROGRAMS
GASB 34 Compliant
Interior and Exterior Painting, Repairs, Safety Accessories
Inspections, Washouts, Disinfections

WIRELESS COMMUNICATIONS SERVICES
Antenna Site Management • Antenna Installations
Design Reviews/Project Management

TAX EXEMPT FINANCING
Asset Acquisition and Infrastructure Growth
Extremely Competitive Rates
No "Red Tape"

NEW TANK SALES
Expedited Delivery
Any Style, Design, Capacity

Utility Service Co.
I N C O R P O R A T E D

CONTACT: R. Michael Szabo, Jr., 6529 Big Oak Court Columbus, GA 31909 Phone: 706-575-1456 Fax: 706-563-4888 m.szabo@utilityservice.com	CORPORATE OFFICE: P.O. Box 1350 Perry, GA 31069 Phone: 800.223.3695 Fax: 478.987.2991 www.utilityservice.com
---	--



THE LEGAL VIEWPOINT

By Ken Smith
Deputy Director/Chief Counsel

Reduction of Corporate Limits

The corporate limits of a municipality may be reduced in one of two ways: (1) through a local act of the legislature or (2) pursuant to Sections 11-42-200 through 11-42-213, Code of Alabama 1975.

Local Act of Legislature

Section 104(18) of the Constitution of Alabama of 1901 specifically allows the extension of municipal boundaries by local act of the legislature. The only special legal requirements which must be met for the valid adoption of such an act are prescribed by Section 106 as amended by Amendment 341 to the Constitution. Those sections require that notice of the intention to apply for extension of the boundaries shall have been published, without cost to the state, in the county or counties where the matter or thing to be affected may be situated. The notice must state the substance of the proposed law and must be published at least once a week for four consecutive weeks in some newspaper published in such county or counties, prior to the introduction of the bill. Proof by affidavit that such notice has been given shall be exhibited to each house of the legislature and spread upon the journal.

While these are the legal requirements, attention must be called to the fact that the municipal governing body should discuss the proposed extension with its state representatives and state senators before taking any steps to seek passage of the local act. It is customary for local bills of this nature to be introduced in the House of Representatives.

Section 11-42-6, Code of Alabama, 1975, provides that any bill introduced in the legislature which attempts to change the boundary lines of any municipality shall contain an accurate description of the territory proposed to be removed from such municipality. This section also states that a plat or map of the territory, showing its relationship to the corporate limits of the de-annexing municipality, must be attached to the bill. Copies of this map must also be furnished to the probate judge

for the county or counties where the territory proposed to be annexed is located.

In *Town of Brilliant v. City of Winfield*, 752 So.2d 1192 (Ala. 1999), the Alabama Supreme Court held that typographical errors in the description of land annexing territory did not violate the advertising requirements in Section 106, Alabama Constitution, 1901. A provision that attempted to limit the extent of the police jurisdiction by local act was stricken as an unconstitutional variation from general law. The court, though, held that the partial unconstitutionality of the act did not render the entire act invalid, when it struck the offending portion.

If a municipal governing body decides to seek passage of a local bill to reduce the corporate limits of the municipality, a resolution should be adopted.

After the reduction is complete, the Department of Justice must review for compliance with the Voting Rights Act.

Section 11-42-200, et. seq., Code of Alabama 1975

Resolution

If a municipal council wishes to reduce the corporate limits of the municipality, the council must pass a resolution defining the proposed corporate limits. See Section 11-42-200, Code of Alabama, 1975. Once the resolution is adopted, the mayor or council president must file the following with the probate judge of the respective county:

- a certified copy of the resolution that defines the proposed corporate limits;
- a plat or map correctly defining the corporate limits proposed to be established; and
- the names of all qualified electors residing in the territory proposed to be excluded from the area of such corporation.

See Section 11-42-201, Code of Alabama 1975.

continued next page

Hearing

After the above has been filed with the probate judge, the probate judge shall call a hearing at which those individuals residing in the area to be excluded may appear before the judge of probate and show cause as to why the proposed reduction of corporate limits should not take place. See Section 11-42-202, Code of Alabama 1975. All persons residing in the affected area should be notified by the probate judge. See Id. The date of the hearing must be no less than 10 days from the filing of the resolution and not more than 30 days from the filing. See Id.

If no one appears at the hearing to object to the reduction, the judge of probate shall order the corporate limits reduced as outlined in the council resolution and map or plat. See Section 11-42-203, Code of Alabama 1975. The order shall be recorded in the minutes and the map or plat shall be recorded in the probate office. See Id.

Residents who appear at the hearing and protest the reduction must show reasonable cause as to why the reduction should not take place. See Section 11-42-204, Code of Alabama 1975.

Election

If the judge of probate determines reasonable cause is shown, he or she shall order an election be held by the qualified electors of the municipality. See Id. The election shall take place not less than 10 days and not more than 30 days from the order for election. See Id. The election will be directed by the probate judge. See Id.

The judge shall give notice of election as provided in Section 11-42-205, Code of Alabama 1975. Section 11-42-205 requires one publication of the notice for at least seven days in a newspaper published in the city or town. See Id. If there is no newspaper published in the city or town, the probate judge shall post a notice of election at three public places. See Id. The notice shall state the date of the election, describe the proposed limits as stated in the resolution and state that a map of territory to be de-annexed is provided for public inspection in the probate judge office of the respective county. See Id. The election shall be held at the regular voting places in the city or town and all qualified electors residing in the city or town shall have a right to vote on the reduction of corporate limits. See Section 11-42-206, Code of Alabama 1975. The statute is ambiguous as to polling places, but the League's interpretation is that polling places shall be those designated for the municipal elections.

The probate judge shall conduct the election in accordance with the general election laws and any additional provisions found in Section 11-42-200, et. seq., Code of Alabama 1975. See Section 11-42-207, Code of Alabama 1975. The probate judge is not required to provide an official ballot; however, the probate judge is responsible for the appointment of clerks,

inspectors and a returning officer. See Section 11-42-207, Code of Alabama 1975. Each voter may furnish his or her own ballot with one of the following phrases written or printed:

- "For adoption of the proposed corporate limits." or
 - "Against the adoption of proposed corporate limits."
- See Section 11-42-208, Code of Alabama 1975.

Results

Once the polls are closed, the election inspectors are responsible for determining the result of the election at their respective polling locations and delivering the results to the returning officer, who shall immediately return the results to the probate judge. See Id. The judge of probate is responsible for canvassing the results of the election. See Id.

If a majority vote favors a reduction of the corporate limits, the judge must order on the record adjudging and decreeing that the corporate limits reflect the corporate limits as described in the council resolution. See Id. The probate judge shall also designate that the resolution and map or plat have been duly adopted and recorded of the records in the probate office. See Id.

If a majority vote does not favor a reduction in the corporate limits, the probate judge shall enter an order dismissing the proposal. See Section 11-42-208, Code of Alabama 1975.

Contest

The results of the election may be contested by any qualified elector who voted in the election in the manner provided for in Section 17-15-1, et. seq., Code of Alabama 1975. See Section 11-42-209, Code of Alabama 1975. The party contesting the results of the election shall be responsible for the costs associated with the contest. See Section 11-42-213, Code of Alabama 1975.

The city or town shall be the contestee. See Section 11-42-209, Code of Alabama 1975.

Election Costs

The city or town proposing the reduction in the corporate limits shall be responsible for the costs and expenses incident thereto. See Section 11-42-210, Code of Alabama 1975.

Powers as to New Corporate Limits

The municipal governing body shall exercise the same jurisdiction over the new corporate limits as it exercised over the original corporate limits, including enforcement of laws and ordinances. See Section 11-42-212, Code of Alabama 1975.

Fees Associated with Election

The municipality seeking to reduce its corporate limits is responsible for paying the probate judge \$10 for services surrounding the election. See Section 11-42-213, Code of Alabama 1975. All other election officials are entitled to

continued page 18



Legal Notes

By Lorelei A. Lein
Staff Attorney

COURT DECISIONS

Tort Liability: The six-month period to file notice of a claim against a city for negligently issuing a building permit to a contractor began to run pursuant to Section 11-47-23 of the Code of Alabama 1975, when the city issued the building permit and not the date the city issued the stop work order. *City of Mobile v. Cooks*, 915 So.2d 29 (Ala. 2005).

DECISIONS FROM THE UNITED STATES SUPREME COURT

Americans with Disabilities Act (ADA): A disabled inmate may sue for money damages under Title II of the Americans with Disabilities Act so long as the claimed violation of the law would also make out a violation of rights protected by the 14th Amendment to the United States Constitution. *United States v. Georgia*, — US —; 126 S.Ct. 877 (2006).

DECISIONS FROM OTHER JURISDICTIONS

Discrimination: Evidence that a municipality’s English-only policy for employees on the job led to the taunting of Hispanic employees, that the municipal managers anticipated that the policy would lead to such taunting and that there were no substantial work-related reasons for the policy raises a justiciable issue of whether the policy creates a hostile work environment as a result of the disparate impact upon and disparate treatment of bilingual Hispanic workers because of their race and national origin. *Maldonado v. Altus, OK*, 433 F.3d 1294 (10th Cir. 2006).

ATTORNEY GENERAL OPINIONS

Capital Improvement Fund: The meaning of “capital improvement,” as used in Section 11-66-2 of the Code of Alabama 1975, does not apply to the purchase of a dump truck and a bulldozer and as such, capital improvement funds may not be used to purchase such items. 2006-043.

Elections: United States citizenship is a fundamental prerequisite for voting in state and federal elections. As such, it must be demonstrated to the reasonable satisfaction of the board of registrars. An error or omission that is material is grounds for denying the application. As such, an application form containing a material error or omission regarding citizenship fails to demonstrate an applicant is qualified to vote and should be rejected. 2006-042.

HENDON ENGINEERING ASSOCIATES
CONSULTING ENGINEERS

Quality, Full Service Engineering

Municipal, Civil, Environmental,
Natural Gas, and Electrical Engineering
Instrumentation and Controls



1025 MONTGOMERY HIGHWAY
P. O. BOX 660348
BIRMINGHAM, ALABAMA 35216

PHONE: (205) 823-7480
FAX: (205) 823-7483

e-mail: staff@hendonengineering.com

JohnstonBarton

SALUTES THE ALABAMA LEAGUE OF MUNICIPALITIES

PUBLIC FINANCE LEGAL SERVICES TO STATE AND LOCAL GOVERNMENTS

GOVERNMENT SERVICES	HOUSING
INFRASTRUCTURE	UTILITIES
RATE SWAPS AND DERIVATIVES	RESTRUCTURING
TRANSPORTATION	PRIVATIZATION
INDUSTRIAL DEVELOPMENT	EDUCATION
ECONOMIC DEVELOPMENT INCENTIVES	ARBITRAGE REBATE

JOHNSTON BARTON PROCTOR & POWELL LLP

2900 AMSOUTH HARBERT PLAZA 1901 SIXTH AVENUE NORTH
BIRMINGHAM, ALABAMA 35203
TELEPHONE (205) 458-9400 TELECOPIER (205) 458-9500

WWW.JOHNSTONBARTON.COM



MUNICIPAL AND PUBLIC FINANCE GROUP

E. ALSTON RAY CHAIRMAN

In accordance with the Alabama State Bar requirements, no representation is made that the quality of the legal services to be performed is greater than the quality of legal services provided by other lawyers.

Serving Alabama's Cities and Counties for More Than 20 Years

AlaTax
www.alatax.com

Increased revenue. . .

- through an increased taxpayer base.
- from interest accrued on multiple deposits.
- from prompt compliance measures.
- through our staff of fully certified and experienced auditors.

Increased control. . .

- with detailed daily, weekly and monthly reporting.
- through online access to your revenue and taxpayer reports.
- through directly deposited funds into your account.
- with our convenient 800 number - 800-556-7274.

AlaTax Public Sector Solutions
3001 Second Avenue South • Birmingham, Alabama 35233
Phone 205-324-0088 • Fax 205-324-1538
www.alatax.com



Federal Legislative and Regulatory Issues

Mary Ellen Wyatt
Staff Attorney

Mayors Address DHS on Preparedness

The U.S. Conference of Mayors recently criticized funding cuts to the Department of Homeland Security. Mayors also voiced concern to DHS officials over the Department's goals in awarding aid to cities.

When addressing the U.S. Conference of Mayors, Tracy Henke, the new DHS grants and training chief, said she has identified a severe communication problem in the DHS and that the office is working toward a solution. Henke acknowledged that DHS funding has decreased but assured mayors funding will not disappear.

DHS officials also heard complaints about the DHS grant application process. One DHS official addressed the issue saying the department is working toward a grant notification process that would not jeopardize the safety of citizens by showing terrorists where weaknesses exist.

Boost in LIHEAP Funds on Horizon?

There is a recent movement to add \$2 billion in emergency funding for the Low-Income Home Energy Assistance Program. Fifteen House Republicans currently support the increase. Negotiations concerning the amount of funding needed are now taking place.

Federal Grant Watch

NEH Challenge Grants

Local governments are eligible for grants to assist institutions and organization secure long-term improvements in and support for humanities programs and resources. The deadline is May 1, 2006. For more information, contact Peter Scott at pscott@neh.gov or visit www.neh.gov/grants/guidelines/challenge.html.

America's Treasures

Local governments are eligible for funds to assist in preserving and/or conserving nationally-significant intellectual and cultural artifacts, collections and historic

properties. The deadline is April 18, 2006. For more information contact Save America's Treasures at (202) 354-2020 or at NPS_Treasures@nps.gov. More information may also be obtained from www.cr.nps.gov/hps/treasures/index.htm.

Coastal Grants

Coastal local governments are eligible for grants to assist in providing assessment and planning tools to identify priority habitats needing protection and restoration. The deadline is Sept. 30, 2006. For more information contact Sally Valdres at (703) 358-1734 or visit www.fws.gov/coastal/CoastalProgram.

Air Service for Small Communities

Local governments from small towns and cities are eligible for grants to help enhance air space. The deadline is April 7, 2006. For more information contact Brooke Chapman at 202-366-0577 or brooke.chapman@dot.gov. Information may also be obtained on-line: www.grants.gov/search/search.do?mode=VIEW&oppld=7655.

ENGINEERING

Multi disciplined,
Nationally recognized,
Locally dedicated

SA
STRAND
ASSOCIATES, INC.
ENGINEERS

www.strand.com | 251-343-7775

compensation as provided in the general election laws as found in Section 17-6-3, Code of Alabama 1975.

Voting Rights Act

The Voting Rights Act imposes reporting requirements on municipalities when changes are made in the election process. All de-annexations of property come within the coverage of this act.

Section 5 of the act prohibits the enforcement in any jurisdiction covered [Alabama is covered] of any voting qualification or prerequisite to voting or standard, practice or procedure with respect to voting which is different from that in force or effect on the date used to determine coverage, until the authority proposing enforcement either (1) obtains a declaratory judgment from the District Court of the District of Columbia or (2) the plan has been submitted to the U.S. attorney general and he or she has no objection within 60 days.

All de-annexations submitted to the attorney general should be addressed to Chief, Voting Rights Division, Department of Justice, Washington, D.C. 20035.

Notice of Annexations

Once an area is no longer a part of the municipality due to a de-annexation, the municipality should notify the following federal and state agencies of their new boundaries:

- **Administrator, ABC Board:** 2715 Gunter Park Drive, West, Montgomery, AL 36109. A change in boundaries could increase revenue received from state ABC Board profits. Boundary change information will also aid the ABC Board in determining whether county or municipal approval is necessary in the granting of licenses. Telephone: (334) 271-3840; Website: www.abcboard.state.al.us

- **State Treasurer:** State Capitol, Room S-106, Montgomery, AL 36130. A boundary change could affect the municipal share of the tag tax distributed by the state treasurer. Telephone: (334) 242-7500 or (334) 242-7501; FAX: (334) 242-7592; Website: www.treasury.state.al.us

- **State Comptroller:** RSA Union, 100 North Union, Suite 220, Montgomery, AL 36130. A boundary change could affect the proceeds from the State Oil and Gas Severance Tax distributed by the comptroller. Telephone: 334-242-7050; FAX: 334-242-7466; Web: www.comptroller.state.al.us

- **State Revenue Department - Individual and Corporate Tax Division:** Gordon Persons Building, 50 North Ripley Street, Montgomery, AL 36132. A boundary change could affect the municipal share of the State Financial Institution Excise Tax. Telephone: (334) 242-1170; Website: www.ador.state.al.us

- **State Department of Revenue - Property Tax Division:** Gordon Persons Building, 50 North Ripley Street, Montgomery, AL 36132. A change in boundaries could affect utility ad valorem taxes which are assessed by this office. Telephone: (334) 242-1170; Website: www.ador.state.al.us

- **State Department of Revenue - Sales, Use and Business Tax Division:** Gordon Persons Building, 50 North Ripley Street, Montgomery, AL 36132. A change in municipal boundaries could affect the amount of sales and use tax revenue collected by the state revenue department for the municipality. Telephone: (334) 242-1170; Website: www.ador.state.al.us

- **Probate Judge:** A boundary change may affect the revenue distributed to the municipality by the probate judge based on the automobile tag tax.

- **County Tax Assessor and County Tax Collector:** Boundary changes will affect ad valorem tax revenues.

- **County Commission:** Boundary changes may affect proceeds from the TVA money received from the state to be shared with counties and municipalities.

- **County Board of Registrars:** Boundary changes will affect the municipal voting list prepared from county voting lists compiled by this office. ■

CAE CARR & ASSOCIATES ENGINEERS, INC.

CIVIL ENGINEERS & SURVEYORS

Municipal Engineering Services

Roads & Drainage Design

Land & Topographic Surveys

Utilities, Water, Gas, Sewage

Structural Engineering

Site Planning

Plans Review for Code Compliance

**2052 Oak Mountain Drive
Pelham, Alabama 35124
205-664-8498 / FAX 205-664-9685**

Municipal Code Corporation



- Codification
- Online Hosting
- Supplement Service
- Legal Review
- Custom Publishing
- Multi Code Search

Municode.com

MCCi

- Document Imaging
- Large Format Scanning
- System & Data Conversion
- Site Analysis
- Education & Seminars



www.municode.com info@municode.com 1.800.262.2633

Power That Works For You!™

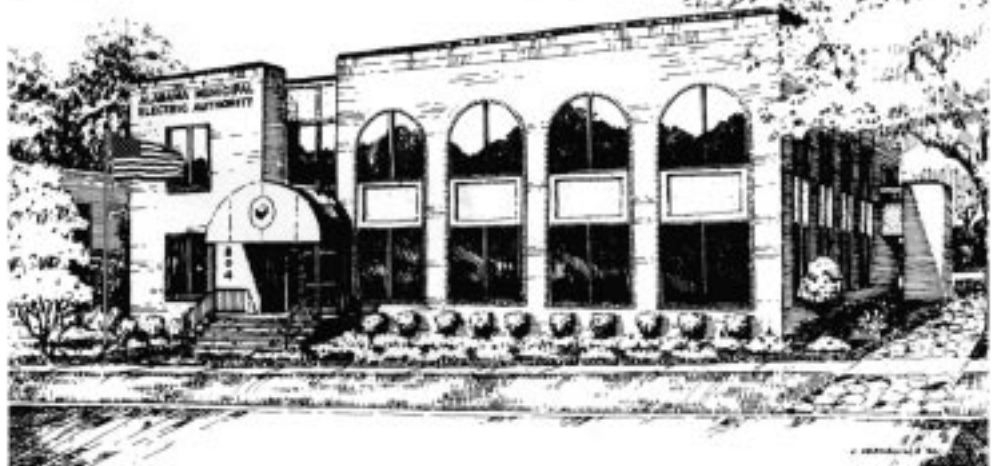


www.amea.com

ALABAMA MUNICIPAL ELECTRIC AUTHORITY

804 South Perry Street • Montgomery, Alabama 36104
 P.O. Box 5220 • Montgomery, Alabama 36103-5220
 (334) 262-1126 • Alabama Toll-Free: (800) 239-2632

- Alexander City
- Dothan
- Fairhope
- LaFayette
- Lanett
- Luverne
- Opelika
- Piedmont
- Riviera Utilities, Foley
- Sylacauga
- Tuskegee



AMEA is Alabama Sales Affiliate for Hometown Connections™

Municipal News Briefs

Compiled by Donna Morrill, Communications Intern, ALM

Leadership Prichard to Start in April

A leadership program designed to give community leaders a better understanding of Prichard's history and the issues affecting the southern Alabama city will begin in April. *Leadership Prichard* participants will learn about the city's resources, work on solutions for some of Prichard's problems and help officials construct an economic development plan for the city's future. Participants will go through an orientation session to learn about the city's landmarks and educational and economic development. Prichard residents and people in the bay area employed in social or professional service fields may take part. The first class is limited to 15 spots. Tuition for the six-month program is \$200.

Vice President Visits Priceville

Vice Pres. Dick Cheney spoke at a fundraiser for U.S. Rep. Robert Aderholt (R-Haleyville) on Feb. 6 at Priceville's Celebration Arena. Aderholt, whose district covers 14 north Alabama counties, is running for his sixth congressional term. Aderholt Chief of Staff Hood Harris said organizers sold over 550 luncheon plates at \$250 each. Donors contributing \$2,000 had their picture taken with the vice president.

WW II Vets Push County for Property

Mobile-area World War II veterans want a national cemetery in Baldwin County so their final resting places can be on Alabama soil. The Mobile National Cemetery reached capacity in 1962 and veterans are dissatisfied with the idea of being buried outside Alabama in either of the two closest national cemeteries in Pensacola or Biloxi. The proposed site for the cemetery, appraised at \$1.8 million, is near Historic Blakeley State Park on Alabama 225. The South Alabama Veterans Council has recruited Baldwin County Commissioner Frank Burt to come up with a plan for the county to acquire the property. He is working with the county's budget director to devise a plan to fund the project.

Conference Center Brings New Visitors to the Shoals

The Shoals area is experiencing an influx of meetings and conferences thanks to the construction of the Marriott Shoals Hotel, Spa and Conference Center in Florence. Numerous state organizations and regional companies are holding meetings at the hotel, bringing many people to the Shoals area for the first time. Local tourism officials are pleased with recent convention bookings, especially since these events are often held in Alabama's larger cities or near the beach. The four-star hotel is a joint project between local governments and the Retirement Systems of Alabama.

Demopolis Extends Aid to Katrina-Damaged Mississippi City

The Demopolis City Council has decided to lend a helping hand to Waveland, MS, one of several Mississippi cities destroyed by Hurricane Katrina. On Feb. 8, twelve department heads from Demopolis traveled to Waveland to assess the city's needs. From their reports, Demopolis will take steps to provide the city with some of the resources it needs.

Moulton City Council Buys Star Theater

The city council has voted to purchase the Star Theater, which has been idle for 30 years, for \$12,500. According to Luke Slaten, one of several businessmen involved in the project, a non-profit entity will be formed to handle matters such as grant applications.

Local Government Corporation

Providing Hardware and Software to Local Governments for over 28 years!

Financial Management ~ Revenue Management ~
Document Management ~ City Court Management ~
GIS/Mapping Solutions ~ Hardware and Networking
Solutions ~ Software Support and Training Solutions



714 Armstrong Lane ~ Columbia, TN 38401

Phone: 800-381-4540 Fax: 931-381-0678

Email: marketing@lgdpc.com

www.localgovcorp.com

Does Your City Need Physicians?

The small-town physician may be a dying breed but the Alabama Medical Education Consortium (AMEC) wants to make sure the hometown doctor doesn't disappear from Alabama's communities.


According to current data, medical school graduates are more likely to remain in the area where they received their training than to go off elsewhere in search of employment. AMEC is working to establish and maintain a supply of physicians for rural Alabama and the state's other medically-underserved areas by making sure Alabama doesn't lose its medical talent once students graduate.

To accomplish this goal, AMEC has developed a medical training program for Alabama's future physicians. The process begins with Alabama's universities recruiting undergraduate students in the state for admission to three osteopathic medical schools outside Alabama. After completing the first two years of medical school at one of the out-of-state universities, students return to Alabama

for their final two years of medical instruction at a core training site in the state.

The system gives student an opportunity to study, live and work in Alabama and helps the state retain many of the physicians its universities graduate. Recruiting exceptional students with an interest in the program is a high priority for AMEC and input is needed in developing strategies to do this.

By becoming involved in attracting students to this program, communities assure that rural and other medically-underserved areas of Alabama have an adequate supply of physicians for the future. If you are interested in knowing more about the AMEC solution for physician supply needs, contact Dr. Wil Baker at (251) 947-6288 or visit AMEC's website, www.amec.uwa.edu. We look forward to hearing from you and seeing you at the League's annual convention in May. ■



Luck has
nothing to
do with it.

A retirement plan based on luck instead of proper planning is the gamble of your life. What you do today may determine what you do when you retire. So if your retirement role isn't assured yet, now's the time to start writing your script.

So call us. Today.

Jimmy Gauld
(205) 967-8974

Securities and investment advisory services are offered by VALIC Financial Advisors, Inc., member NASD, SIPC and an SEC-registered investment advisor.

AIG VALIC is a marketing unit comprising VALIC Financial Advisors, Inc., VALIC Retirement Services Company, and The Variable Annuity Life Insurance Company (VALIC), all members of American International Group, Inc.

Copyright © 2004, American International Group, Inc.
All rights reserved.
Houston, Texas
www.aigvalic.com

VL16330-B 08/2004

AIG VALIC
*"Power
Service"*

Visit the League On-line



www.alalm.org

SAVE A MILLION \$\$\$\$\$ ON WORKMAN'S COMP

Schedule an appointment today to learn more
and receive a **FREE** padfolio.

Our Visual Safety Incentive Program Advantages Are:

- No Start-Up Costs
- Customization
- Fixed Budget
- No Inventory
- Quality & Service
- Experience

OSHA Concerning Incentive Programs:
"By increasing awareness and rewarding
behavior through incentive programs,
employers have seen a reduction in
all injury categories."

"Join the Winning Team"



Junior Davis & Associates, Inc.
2041 Oak Mountain Drive
Pelham, Alabama 35124
205-620-9961 ext. 221
www.juniordavis.com



- Preventive Maintenance Programs
- Painting • Washout / Inspection
- Underwater Inspections • Repairs
- Failure Investigation • Cost Budgeting
- Scheduling • Safety Devices
- Custom Art, Designs and Logos

Phillip C. Stearman

P.O. Box 2669 • Tuscaloosa, AL 35403

Phone: (205) 750-0444 • 1-888-621-8896

Fax: (205) 750-0464

The Wireless Advantage

By Donna Morrill, Communications Intern, ALM

Huntsville is installing a Wi-Fi network in its downtown area, adding the city to the growing list of wireless municipalities across the country.

Wi-Fi, or wireless fidelity, is used by mobile devices and for browsing the Internet via a local area network. Someone with a wireless card installed in his or her laptop can browse the Internet within working proximity of a wireless access point (WAP), which allows wireless devices to connect to the Internet. Users can check e-mail, download directions, find local shopping destinations, read restaurant reviews or perform any other type of Internet activity on a Wi-Fi connection.

Huntsville City Councilmember Bill Kling was first exposed to municipal wireless networks at a National League of Cities (NLC) convention in Seattle, where he saw the Washington state city's own Wi-Fi network. Last fall, he pitched the idea of installing a wireless network in Huntsville to the city council during a work session and the proposal was met with much support.

The project was then handed over to the city's Information Technology Services Department for further research. Department Head Kenneth Holcomb advised the council to solicit bids from Internet service providers willing to provide wireless connectivity to the city. Traveller Internet Solutions was chosen as the network provider and, as part of the franchise agreement with the city, Huntsville will receive 13 percent of the advertising revenue generated by the project.

"One of the best things during a time of tight budgets is that the network comes at no cost to the city," Kling said.

Initially, the network will cover the Big Spring International Park area but, according to Holcomb, "other areas will be considered depending upon constituent response."

So far, at least, citizen response to the network has been good. In January alone, Big Spring's Wi-Fi saw 1,000 different devices log in. An open wireless network could bring in more conventions and tourists, lure in new businesses and revitalize the downtown area. For a technology-minded city such as Huntsville, Wi-Fi is a good idea, supporters say.

Each person using the city's downtown wireless network gets three hours of use per month at no charge, with additional connectivity available for \$9.95 a month. Instructions for using the wireless network will be available on the ITS website, www.hsvcity.com/ITS/index.php.

Cities are well aware of the need to attract people and Wi-Fi networks are an excellent way to do just that. Wireless networks have gone from novelties to the standard by which the technological capabilities of a municipality are judged. Businesses and workers are becoming more conscious of the potential of wireless networks. In many areas, a municipal Wi-Fi network is no longer an attraction; rather, it is something businesses have come to expect.

Savvy tourists and business travelers, for example, consider the availability of open, reasonably-priced wireless Internet access when they review destinations. Today's average vacationer demands 24/7 access to tourist information, and many use mobile devices to book flights, reserve rental cars and make other travel arrangements. They also expect to be able to pull up maps and directions at a moment's notice.

Wi-Fi has also been a useful tool in bridging the digital divide that prevents many from taking advantage of the multitude of opportunities the Internet offers. Because they may not be able to afford wired broadband access, some people miss out on educational and employment opportunities available online.

To ensure privacy protection, Huntsville's ITS department took the necessary steps to secure the Big Spring network. "We have filtering and monitoring software and devices installed," Holcomb said.

By implementing tools such as the Wireless Intrusion Prevention System (WIPS) Firewall, which complements wired security solutions like firewalls and virtual private networks (VPNs), Holcomb's department is making certain the Big Spring network is safe for users. VPNs prevent data interception and use encryption and other security mechanisms to ensure only authorized users can access a network while WIPS firewalls stop attacks before they penetrate and harm a network.

Wireless networks have become an increasingly important asset for municipalities. Huntsville has realized the benefits of Wi-Fi technology and taken steps to make it a part of every citizen's life. The network's implementation means greater and easier access to the Internet and will make Huntsville competitive with other techno-friendly municipalities in the region in attracting business and economic development. Huntsville has learned, as have other wireless municipalities nationwide – in the wired sense at least – less is more. ■



Pac-Mac is an original equipment manufacturer located in Bay Springs, MS. As part of the Hol-Mac Corporation our products include several models of knuckleboom loaders, trash trailers, dump bodies, and refuse bodies. With our primary focus on the knuckleboom line we offer options such as sit-down or stand-up operator, boom lengths up to 20' with bodies up to 25 yards. Our larger units have boom lengths up to 25' with bodies up to 40 yard capacity.

Pac-Mac Equipment
 PO Box 349 / Hwy 15 S.
 Bay Springs, MS 39422
 (800) 844-3019



Rachel was 4 when she learned to tie a shoe.

Rachel is just a child, but there are days when she has to act like a grown-up. Her mom has multiple sclerosis, a chronic, disabling disease of the central nervous system, which means that sometimes even the simplest tasks are virtually impossible to do.

Rachel is not alone. She is one of more than a million children in families living with the devastating impact of multiple sclerosis.

But there is help. We are the National MS Society, and we fund more MS research, offer more services for people with MS, and provide more professional education programs than any other MS organization in the world.

People with MS count on us. Can we count on you? For more information about MS, or to find out how you can help, call 1-800-FIGHT MS, or visit us online at nationalmssociety.org.

MS NATIONAL MULTIPLE SCLEROSIS SOCIETY

Labor Drives Industry ————— continued from page 4

“We help encourage companies to create jobs in the state and help them find the best quality people to fill those jobs,” Wesley said.

In a 2004 national survey of site selection consultants, AIDT ranked number one among state workforce placement programs. AIDT trains and delivers top quality workers, as the first crop of automotive trainees from the Mercedes plant in Vance proved true.

Mercedes-Benz’s initial group of trainees, after completing initial training in Alabama, was sent to Germany for additional training. It was August, a major vacation month in Europe, and German plant workers were concerned they would have to skip their vacations to train the American group. But because of the quality of their training, the AIDT group was “put on site and did the work,” Wesley said, much to the surprise of the German plant workers.

“At the end of the first week, they [German plant workers] said ‘we don’t need to stay here,’” Wesley said.

AIDT trains Alabama’s industry workers at no cost to employers or employees and provides, through its total workforce management system, an attractive incentive for businesses and industries considering locating to the state. AIDT personnel perform a number of tasks that save businesses time and money, including recruiting and training employees; developing and providing training materials and facilities; and delivering customized workforce services.

But by far, one of AIDT’s greatest strengths is its ability to undertake any size training project from small manufacturing facilities employing a dozen people to full-scale production operations with thousands of workers. This has allowed Alabama to attract not only major auto makers but also the smaller tier suppliers that deliver parts and services to the vehicle manufacturing plants. If a business commits to creating 10 jobs in Alabama and commits to paying those employees at least eight dollars an hour, AIDT will undertake training the workers.

“The return on investment is great for businesses and industries,” Wesley said.

The top quality training and job placement services Alabama industrial employees receive from AIDT makes for satisfied workers and employers. Wesley says that after AIDT training, the turnover rate for workers is less than five percent, sometimes as low as two and three percent.

“People are happy with the jobs they get and with their new employer ... [and] they stay there,” Wesley said.

Alabama’s auto workers are the highest-paid industry employees in the state. With average weekly wages of \$1,318 in 2003, workers in motor vehicle manufacturing made more than double the average weekly wage of workers

in other industries in the state (Economic Development Partnership of Alabama study).

Wesley says 60 percent of current AIDT trainees are being trained for jobs in automotives, not surprising considering Alabama has been an industry hot spot for the past 10 years. With the number of employment positions it has provided in Alabama over the last decade (nearly 125,000 total jobs) and the higher wage levels the industry has brought in, auto manufacturing has not only created more jobs but also improved the standard of living for the state’s workers.

Since 1993, auto industry projects have created 44,000 direct jobs in Alabama and accounted for more than \$7 billion in capital investments. In 2005, vehicle production capacity in the state hit 760,000 and engine production capacity reached one million. Alabama’s record low unemployment rate in 2005 was due in part, no doubt, to the success of auto manufacturing in the state.

Alabama’s workforce was instrumental in recruiting the automotive industry to the state. It is as capable a labor force as any other in the nation, proven by the state’s success in the auto industry. The creation of tens of thousands of jobs, the investment of billions of dollars and the continued growth and expansion of the auto industry in the state proves once and for all that not only is Alabama’s workforce as good as the competition, it’s better. ■



A Good Start – Students in AIDT’s high school apprenticeship program receive a technical education while earning their diplomas. Young people participating in the industrial maintenance program can be placed in auto plant jobs upon graduating from high school and earn up to \$50,000 a year.

Speaking of Retirement

ERS Retirement Preparation Seminars

If you are within 4 years of retirement eligibility, you are invited to attend a free **full-day seminar** to help you plan your retirement with confidence. The schedule and registration forms for the seminars have been sent to all state and local agencies. You may also view the schedule and download a registration form from our Web site at www.rsa.state.al.us. Click the Retirement Planning, Seminars and Counseling Services button. These seminars are for all employees who are covered under the Employees' Retirement System (ERS).

Seminar Topics

Various topics and speakers are highlighted in the seminar program.

- Social Security
- Insurance issues
- An up close look at adjustments after retirement
- A thorough explanation of the retirement options, the retirement process and deadlines, etc.
- A thorough explanation of the Deferred Retirement Option Plan (DROP)
- RSA-1 Deferred Compensation Plan information
- Various retiree organizations will be represented

Remember: *The key to a successful retirement is preparation.*

Registration Process

Complete the **Registration Form**. Be sure to select 2 seminar sites.

1. Mail your completed form immediately to the address given on the form.
2. If your spouse is to accompany you, please indicate so on the form.
3. You will receive a confirmation letter including exact time and location. If your seminar choices are filled or you do not meet the requirements for participation, you will receive a denial letter.
4. If you have not received a letter within 2 weeks of the seminar, please contact us at 1-800-214-2158 ext. 1509 or ext. 1617 to confirm.

Note: *Registration is on a first come basis. No faxes or phone registrations will be accepted.*

If you have questions about the Ret Prep Seminars, please feel free to call 1-800-214-2158 and speak to Judy (ext. 1617) or Maxine (ext. 1509).

Frequently Asked Questions

Where are these Seminars being held? Ret Prep Seminars are held all across the state on various dates. Exact locations will be given in a confirmation letter. **Remember:** You must be at least within 4 years of retirement eligibility to attend.

Must I be pre-registered to attend? Yes – All members and spouses must be registered.

May I bring my spouse? Absolutely – but please register your spouse.

Do I have to take leave to attend? Yes – but the benefits from attending will be well worth the time.

People today are spending up to 1/3 of their lifetime in retirement – PLANNING is a must.

Prepared by the Communications staff of the Retirement Systems of Alabama. To have your questions answered in “Speaking of Retirement”, please address them to: **Mike Pegues, Communications, Retirement Systems of Alabama**
135 South Union St, P O Box 302150, Montgomery, Alabama 36130-2150

PUT OUR EXPERIENCE TO WORK FOR YOU.

Over 300 Alabama Municipalities Have.

The League's **Municipal Revenue Service** for collection of delinquent insurance license taxes has more than 50 years experience of responsible and aggressive collection of lost revenue, currently for over 300 communities in Alabama.

Contact us today and let our proven professionals get the job done efficiently and effectively.

Together our strength in numbers works for you.

ALABAMA LEAGUE OF MUNICIPALITIES

535 Adams Avenue • Montgomery, AL 36104

334-262-2566 or 888-255-0434



**ADVERTISE WITH
THE LEAGUE!**

Call

334-262-2566

or visit our web site at

www.alalm.org

for more information.

**Visit the League
On-line**



www.alalm.org

Insuring the Future of Local Government



Is *YOUR* future covered?

STEVE WELLS, PRESIDENT
334-386-3863

Rated A- by
A.M. Best

JIM CHAMBLEE, SALES MANAGER
334-386-3863

Toll Free at 866-239-AMIC(2642)

110 N. Ripley Street • Montgomery, AL 36104 • www.AMICentral.org