

The Alabama Municipal JOURNAL

November/December 2014

Volume 72, Number 3



ALABAMA 200 BICENTENNIAL

Alabama became the nation's 22nd state on December 14, 1819. Between 2017 and 2019, Alabama's Bicentennial Commemoration will focus on our state's rich history by both looking back and building forward – and Alabama's cities and towns are encouraged to participate!

See page 31



When was the current state flag adopted?

Find the answer on page 3



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On the Cover:

During the 2014 Regular Session, the Alabama Legislature created the Alabama Bicentennial Commission to guide the state's Bicentennial Commemoration efforts, which will begin in 2017 to mark Alabama's nearly two-year territorial period before Congress approved it as the nation's 22nd state on December 14, 1819. (See page 31.)

Flag answer: February 16, 1895 by Act 383 of the Alabama Legislature.

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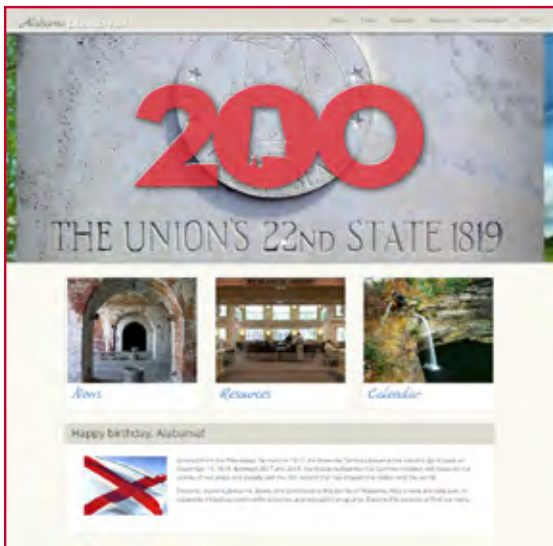
A Message from the EDITOR

There are many opportunities on the horizon as the League heads into its 80th year. On December 3rd, ALM will hold its first Mayors/Managers Summit which will examine three areas of municipal operation: management of municipal employees; how to select an auditor and prepare a budget; and dealing with the media. In addition, Summit attendees will have ample opportunity to discuss issues with each other. See page 16 for details. Register online at alalm.org. Preparations are also underway for the League's 2015 Annual Convention, which will be held in Tuscaloosa May 16-19. See pages 37-42 for more information, including registration information, Convention Quick Guide, Distinguished Service Awards, EXPO, Golf Tournament and the Municipal Flag Showcase. **Online registration will begin January 30th at alalm.org.**

The League's Committee on State and Federal Legislation met in Montgomery on September 18th to establish the legislative priorities our members will proactively support during the 2015 Regular Session of the Alabama Legislature. See page 17 for details and **please immediately begin discussing these issues with your local legislators.** Your engagement in the process is pivotal to municipal success during the Session!

Alabama 200: celebrating the past in the present for the future

During the 2014 Regular Session, the Alabama Legislature created the Alabama Bicentennial Commission, an



11-member committee chaired by Senator Arthur Orr of Decatur and co-chaired by Lee Sentell, Director of the Alabama Tourism Department. The Commission will guide the state's Bicentennial Commemoration efforts, which will begin in 2017 to mark Alabama's nearly two-year territorial period before Congress approved it as the nation's 22nd state on December 14, 1819. It is the Commission's hope that Alabama's cities and towns will be very active in the state's bicentennial efforts. To that end, I was asked by Sen. Orr to co-chair the Commission's Local Activities Committee with Tami Reist, Director of the Alabama Mountain Lakes Tourist Association and Commission member. I'm very honored to serve and look forward to working with the Commission, the Committee and our municipalities as Alabama prepares for this once in a lifetime opportunity. For more details, see the article on page 31 and then visit the Commission's recently launched website at alabama200.org. Of course, please stay tuned for more information on how your municipality can be a part of these efforts.

Alabama Voices: Department of Archives New Centerpiece Exhibition

I recently had the good fortune to sit down with Steve Murray, Director of the Alabama Department of Archives and History (ADAH) and a member of the Bicentennial Commission, to discuss the Department's incredible *Alabama Voices* exhibit, which was deliberately designed to immerse visitors in the drama, conflict, cooperation, successes and failures that tell the story of Alabama's history over a 300-plus year period. With nearly 1,000 artifacts, this \$7 million dollar exhibit (raised mostly through private contributions) is truly a point of pride for the entire state and I urge you to visit the next time you're in Montgomery. For more information on the *Voices* exhibit, as well as other ADAH projects, please turn to page 25.

I'll close by reminding you to subscribe to the League's weekly e-newsletter, *This Week*, if you've not done so already. Simply click on the blue box near the top left of our homepage at alalm.org and complete the information. You will also receive our weekly *State House Advocate* when the Legislature is in session.

Carrie

The President's Report

By Mayor Wally Burns, Southside



Education – The Foundation of a Successful Leader

As elected officials, we must be educated and aware of the laws governing our municipalities. Administering municipal government is complex and laws are constantly changing. It is our duty as municipal officials to become more knowledgeable and to build the skills needed to better serve and advocate for our communities.

Education is the foundation of any successful leader; you will never stop learning how to be a better city official. The Alabama League of Municipalities has been instrumental in providing educational opportunities to its members by offering a variety of informative training sessions throughout the year to help municipal officials grow and improve as elected officials and leaders. The League provides an educational forum allowing city leaders to connect with other government officials from across the state, develop new skills, learn about new developments in local government and discuss a variety of topics that are important to elected officials and their constituents. The knowledge and experience gained from attending these sessions is invaluable to both the seasoned and non-seasoned elected official.

The various training sessions held throughout the year are offered as voluntary continuing education programs for elected officials who are focused on carrying out their duties with competence and efficiency. The League's Certified Municipal Officials Training Program (CMO) was established in 1994. Until that time, no formal training was available for elected officials in Alabama. The CMO program requires officials to complete 40 hours of training in continuing education classes in order to earn the designation of Certified Municipal Official. The one-day classes are generally taught twice each year and five credit hours are given for each class attended. Credits can also be earned by attending the League's Annual Convention as well as other League-approved workshops. The Advanced CMO Program was added in 1997 for elected officials who wish to advance their knowledge and expertise of municipal government. An additional 40 hours of training is required to receive advanced certification.

Many years ago, as a newly elected official, I found myself in unfamiliar territory. I had little knowledge of municipal government and I learned very quickly I needed to be an expert in areas I knew little or nothing about. As an elected official,

I needed to have a basic understanding of an enormous range of public issues. My first step toward educating myself was to attend the CMO classes offered through the League. My first training session on Alabama Ethics Law was an eye-opening experience. As a city leader, I learned I would be faced with conflicts and dilemmas on a daily basis and that solutions and actions I assumed would be perfectly innocent were, according to the CMO instructors, a violation of the Ethics Law. This CMO Program provided guidelines and valuable information that proved to be beneficial in the everyday decision-making and problem solving required of me as mayor. The course highlighted my awareness of ethics and the important role it plays in municipal government.

The benefits of the CMO Program and the Advanced CMO Program are abundant. The continuing education classes offer extensive training on a range of topics such as Ethics Laws, Powers of Municipalities, Duties of Mayor and Council, Risk Management, Conflicts of Interest and the Competitive Bid Law. Each class is designed to provide a better understanding of the policies and procedures of the laws governing our state, as well as the duties and responsibilities of the elected position the member holds. Completing these programs and acquiring certified status is a significant achievement and demonstrates a willingness to become a more knowledgeable and dedicated elected official.

By establishing a support system through classes and workshops, city leaders are continually developing professionally while also gaining the opportunity to network with other city leaders, enabling them to share vital information that is important to municipal government.

Since 1935, the Alabama League of Municipalities has served as a voice for local government. The League is a frontrunner to municipal progress and is influential in providing the education, knowledge and support elected officials need to excel in their positions as city leaders, which directly benefits the communities they serve. If you're not yet involved in the CMO program, I urge you to take part. Educated leaders help build better communities. ■



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- Emma G., Defendant
Florida State Court

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- Danny B., Defendant
Marshall County, Alabama

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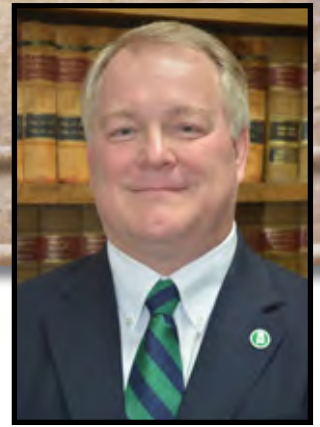
- Craig A., Defendant
Foley, Alabama

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Municipal Overview

By Ken Smith, Executive Director



The CMO Program at 20

At the ripe age of 20, the Certified Municipal Official (CMO) program is in a state of flux – and that’s a good thing. It’s also business as usual. Since its inception, the CMO program has been a study of experimentation and modification as the League staff works to keep the program relevant to the changing needs of our membership.

Educating our members has been one of the League’s core functions from the beginning. The League’s Constitution calls on the League to promote programs to educate municipal officials and employees on ways to better serve their communities. Over the years, our staff has helped train every level of municipal employee on any number of topics applicable to the operation of municipal government. But until the CMO program was created, there was no organized effort in place to help municipal officials increase their knowledge of local government operations. That changed on September 22, 1994, when the League conducted the first CMO training seminar at what was then the Adam’s Mark Hotel in Mobile.

CMO Program: History

The topics presented in Mobile were repeated in early to mid-October in Birmingham, Montgomery and Huntsville. Nearly 200 officials enrolled in the program during those first sessions. Two years later, in 1996, we held our first Basic CMO Graduation Ceremony with the commencement address being given by State Rep. Bill Dukes, a former Mayor of Decatur and former League President. Bill continued to give our commencement address for many years.

In 1996, the League added an Advanced CMO Program for those officials who had received CMO designations and desired further training. In June of 1999, we held a graduation ceremony for our first class of Advanced Certified Municipal Officials. At that time, a continuing education component was added to the program.

The Alabama League formed the second municipal officials training program in the country, modeling our training on a mandatory program established by the Georgia

Municipal Association. Unlike Georgia, the Alabama League’s Executive Committee established our program as voluntary – that is, state law doesn’t require municipal officials to participate. Our training program remains voluntary today, and has become the model for many other municipal Leagues and associations across the country.

CMO Program: Present and Future

The fact that our program is voluntary makes the level of participation even more amazing. As of today, more than 4,000 elected municipal officials have voluntarily enrolled in the CMO program and attended one or more courses. We’ve had 1,053 Basic CMO graduates and 503 Advanced CMO graduates. Participants in the CMO program have made it clear that they want the League to continue to develop and improve the program.

In the past few years, the League staff has worked diligently to give the CMO program more structure while at the same time seeking new ways to reach our target audience – elected municipal officials.

One of the most significant changes is the approval by the Executive Committee

of a core curriculum – a set of courses we feel every municipal official should know and understand. To satisfy the requirements of the core curriculum, graduates from the Basic CMO Program must complete ten (10) hours of certain specific topics, which includes two, one-credit-hour required topics and eight (8) hours of elective topics from an approved list. Graduates must also attend an additional



Educating municipal leaders since 1994

30 hours of approved Basic training. The required one-hour core credit topics are:

- General Powers of Municipalities
- Duties of Mayor and Council

The Elective Topics officials from which can selected eight hours of core training, ranging from 2 hours of credit to 30 minutes of credit, are:

- Conflicting Offices and Interests
- Council Meeting Procedure
- License Schedule Ordinance
- Municipal Liability
- Municipal Sales Tax in Alabama
- Public Records
- Public Works Bidding
- Sources of Revenue for Alabama Cities and Towns
- The Competitive Bid Law
- The Municipal Budget and Auditing Processes
- The Open Meetings Act
- Working with Municipal Boards

- Zoning in Alabama
- Basic Parliamentary Procedure
- Authority to Expend Municipal Funds
- Annexation and De-annexation of Municipal Property
- Alabama Ethics Law
- Legislative Advocacy

Other successful experiments for the CMO program over the past few years include sessions like the Mini Boot Camp that was held following the Montgomery Convention and the Summer Saturday Training Seminars we held this past summer. We are likely to conduct more of these sessions in the future. We also plan to create a CMO Calendar of Events for the upcoming year. We tested this several years ago and feel that providing advanced notice of upcoming events, times and locations will help our members better plan which sessions they want to attend.

You Ask - We Listen

When the CMO program began, it was built around regional training. We held regional training in four easy-to-access locations around Alabama. For some reason, though, in recent years we've seen a steady decline in attendance at our

continued on page 14

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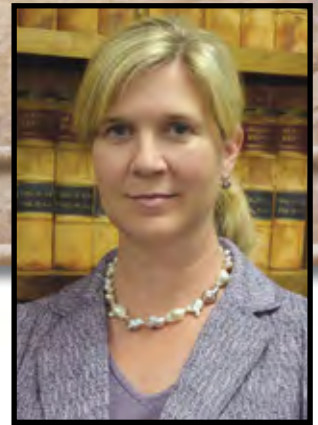
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The Legal Viewpoint

By Lori Lein, General Counsel



Working with Municipal Boards

As municipalities grow to serve the needs of their residents, it becomes difficult, if not impossible, for a municipal official to stay abreast of developments affecting all municipal departments and agencies. Some municipalities have created council committees which function as an arm of the council. Council committees, usually composed of members of the council, observe the work of the various municipal departments and report back to the council regarding implementation of needed changes. The formation of committees enables council members to split the workload and concentrate their efforts toward improving specific areas.

Often, though, a service becomes so complicated that the council no longer feels qualified to deal with it themselves. The solution is often the creation of a separate board.

What is a Board?

Black's Law Dictionary, Ninth Edition, defines a board as “[A] committee of persons organized under authority of law in order to exercise certain authorities, have oversight or control of certain matters, or discharge certain functions of a magisterial, representative, or fiduciary character.” In other words, a board functions in a representative capacity. The council may elect to delegate its power over a municipal function to a board which is created for a single purpose.

Municipalities in Alabama have the authority to create numerous types of boards. Some of the more common types include utility boards (water, sewer, electric and gas), library boards, industrial development boards, zoning boards and planning commissions. These boards exercise only the authority granted them by the Legislature.

Categories of Boards

It is important to remember that Alabama municipalities operate under the Dillon Rule, which provides that municipalities, being creations of the state legislature, can exercise only the powers the legislature chooses to delegate to them. So, in order to create a board and vest it with specific powers and duties, there must be legislative authority for the board. Under Alabama law, all municipal boards fall into one of three distinct categories, depending upon legislative

authority and the means of creation. There are incorporated boards, unincorporated boards and advisory boards.

Alabama law specifically provides for the creation of incorporated boards and unincorporated boards. An incorporated board is a totally separate entity from the municipality. Once it is created, an incorporated board has plenary power to act within its sphere of power, unfettered by the municipal governing body. Board members cannot be removed by the council. Generally speaking, board members serving on separately incorporated boards can only be removed by impeachment. AGO 1997-276.

Incorporated boards generally cannot be dissolved by the municipality except as provided for by law. For example, with regard to a water works board organized pursuant to Section 11-50-310 of the Code of Alabama 1975, the city council of the municipality which authorized the incorporation of the board may offer to pay the debt of the corporation, which if accepted by the board, would result in either the dissolution of the corporation or the corporation's dissolution by a resolution of the board, but only if it does not have outstanding bonded debt. AGO 2002-104; see also *Water Works Bd. Town of Bear Creek v. Town of Bear Creek*, 70 So.3d 1186 (Ala. 2011)

Unincorporated boards are less autonomous. They still have the power to act without interference from the governing body and the positions of the board members are secure. They cannot be removed other than according to the statutes governing them. However, unless otherwise provided by law, the council has the power to dissolve an unincorporated board and assume its duties or create a new board to perform those functions. AGO 1985-264 (to Hon. Anthony Miele, March 18, 1985).

Municipal boards may only exercise powers authorized by law. Unincorporated boards and incorporated boards are both created pursuant to statutory authority. The powers of these boards are outlined in the statutes under which they are created. Therefore, in order to determine who is eligible to serve on a board, whether they can be paid or what powers the board has, it is crucial to know the board's statutory authority.

The statutory authority for an incorporated board will be found in the board's articles of incorporation or in the ordinance

the council adopted authorizing the incorporation of the board. The code sections which govern an unincorporated board will be found in the ordinance the council adopted creating the board. Often, the statutory authorization for a board can also be found in the board's bylaws or other controlling documents. Once the statutory authority for the board is determined, it is a simple matter of checking the Code of Alabama to learn the board's powers and duties.

What if the articles of incorporation and bylaws are silent regarding the statutory authority for the creation of the board? This probably means that the board falls into the third category mentioned above and it is an advisory board.

Nothing in Alabama law specifically allows municipalities to create advisory boards. A municipality wishing to create a board for which no statutory authority exists should exercise caution in granting powers to the board. Legislative powers, or those exercised by the council as a public agency, cannot be delegated. McQuillin, *Municipal Corporations*, 3rd Ed., Section 12.38. Where the legislature has granted exclusive authority to the council to act, the council cannot delegate that power to a board. However, advisory boards, while they cannot act for the council, provide several benefits.

Like council committees, an advisory board enables the council to stay informed about the multiple activities of the city or town. The board can process information submitted by citizens to ensure that the council receives only pertinent data for decision making. Advisory boards are like subcommittees. They are responsible for seeing that the council is fully informed on matters within their authority.

Also, an advisory board can buffer the council's actions. Rather than the council acting alone, they are somewhat insulated by recommendations made by a board which was able to devote much of its time to the full study of an issue.

Because the Code is silent on the subject of advisory boards, the council can decide for itself who is eligible to serve. Membership requirements and an appointment procedure should be stated clearly in the ordinance creating the board. Many councils want a councilmember or the mayor to serve on all boards. As long as the board is advisory (and not created pursuant to statute), nothing prohibits elected officials from serving. Council members, however, may remain liable for the actions of advisory boards. Therefore, it is crucial that the council not exceed its authority to empower the board and board members fully understand the nature and limitations of their roles.



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Why Create a Board?

The simple answer to this question is that the municipal council may feel that the public is better served by the creation of an entity solely devoted to the performance of a single function. But the board may also have broader powers than the municipality itself, which allows them to do certain things the city is unable to do.

For example, municipalities are subject to Sections 68 and 94 of the Alabama Constitution, 1901. Section 68 states that no municipal employee may be paid for work which he or she has already performed. That is, retroactive raises are prohibited. Section 94 prohibits municipalities from giving anything of value to any private individual or group. Separately incorporated boards are not restricted by these sections of the constitution. In *Opinion of the Justices, No. 120*, 49 So.2d 175 (Ala. 1950), Gov. Jim Folsom requested an opinion on the authority of incorporated industrial development boards to spend funds to promote private industry. The court determined that these expenditures did not violate Section 94, holding that it is “clear that (the act authorizing the creation of industrial development boards) involves no expenditure of public money and the incurring of no liability that must or can be taken care of by taxation.”

The court reaffirmed this holding in *Alabama Hospital Association v. Dillard*, 388 So.2d 903 (Ala. 1980). In this case, the Department of Examiners of Public Accounts had determined that several expenditures by hospital boards, including flowers for hospitalized employees and for special events, payment of awards for employees and Christmas bonuses, violated Sections 68 and 94 of the Alabama Constitution. The department contended that hospital boards, although separately incorporated, remain political subdivisions of the county or municipality which created them. The Alabama Supreme Court disagreed, ruling that “a public corporation is a separate entity from the state and from any local political subdivision, including a city or county within which it is organized.” The only limitation on expenditures by these boards, according to the court, is that funds may only be spent to further legitimate powers of the board.

Bear in mind this does not authorize the council to use an incorporated board to accomplish things the municipality cannot do itself. For instance, funds the municipality gives to a board, generally speaking, remain subject to Sections 68 and 94. Additionally, a municipality gives up its right to control a function by creating a board. As the court pointed out in *Opinion of the Justices* cited above, the only connections between an industrial development board and the municipality which created it are: 1) approval of the formation of the corporation; 2) approval of amendments to the certificate of incorporation; 3) appointment of board members; and 4) absorption of the board’s property upon dissolution of the board. Other incorporated boards are similarly protected from interference by elected municipal officials.

While the extent of council participation in the activities of a separate board varies depending on the statutes, as a general rule the council is completely excluded from the board’s decision-making process. This can become frustrating for municipal officials who want to see the board take some particular action.

In *Water Works Board of the City of Leeds. v. Huffstutler*, 299 So.2d 268 (Ala. 1974), the city of Leeds sought to unilaterally increase the number of members serving on its water board from three to five, despite a contrary provision in the board’s articles of incorporation. The statutes governing the board were silent regarding the means for amending the articles. The court rejected this attempt, holding that a legislative amendment which authorized the increase could only be implemented “if the directors of the water board and the governing body of the city agree that more effective representation of the community interest will result from such an increase.” The court felt this was necessary to protect the independence of incorporated boards. See also, AGO 1996-174 and *Water Works of Wetumpka v. Wetumpka*, 773 So.2d 466 (Ala. 2000).

At least one court has held a separately incorporated utility board was acting merely as an agent of the municipality rather than as an autonomous body, thus making the board subject

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to restrictions that ordinarily would not apply. In *Wetumpka v. Central Elmore Water Authority*, 703 So.2d 907 (1997), the Alabama Supreme Court held that in this instance, a separately incorporated utility board was actually acting as an agent of the municipality, and therefore, was restricted by Section 11-88-19, Code of Alabama 1975, from duplicating the lines of an existing rural water authority. The court also held that 7 U.S.C. Section 1926(b) protected the rural water authority from encroachment by the municipal water board.

In addition, in *The Water Works & Sewer Bd. of Talladega v. Consolidated Publishing, Inc.* 892 So.2d 859 (2004), the Alabama Supreme Court held that because the separately incorporated water board had the qualities of an agency of the city of Talladega, its employees are public officers and servants of the city for purposes of the Open Records Act. This case has far reaching implications for both cities and separately incorporated boards. As a result, in 2006, the Alabama Legislature, at the request of the League, passed Act 2006-548, now codified as Section 11-40-24 of the Code of Alabama 1975, which specifically provides that employees of a separately incorporated public corporation are not employees of the municipality which authorized the creation of the public corporation.

Limitations on Board Power

It is always important to remember that incorporated boards are created for specifically enumerated purposes. Although in many cases the powers of these boards are broad and these boards are frequently not subject to many of the constitutional restrictions applicable to cities and towns, the Attorney General has held that boards may expend funds only within their corporate powers and to further the purposes for which the board was created. *See, e.g.*, AGO 2001-238. Expenditures by separately incorporated municipal boards must be necessary, appropriate and consistent with the purpose for which the board was created. AGO 1998-018.

Open Meetings Law

The Alabama Supreme Court, in 2002, issued a decision indicating that the Alabama Sunshine Law did not apply to a public corporation organized under Sections 11-50-310 of the Code of Alabama 1975. *See, Water Works & Sewer Bd. Of Selma v. Randolph*, 833 So.2d 604 (2002). However, in 2005, the Alabama Legislature repealed the Sunshine Law and passed the Alabama Open Meetings Law which is codified at Section 36-25A-1, *et seq.* of the Code of Alabama 1975. The Open Meetings Law specifically applies to “all corporations and other instrumentalities whose governing boards are comprised of a majority of members who are appointed or elected by the state or its political subdivisions, counties or municipalities ...”. Section 36-25A-2, Code of Alabama 1975. All boards, whether incorporated or otherwise, are required to comply with the Open Meetings Law.

For more information on the Open Meetings Law, please see the article in *Selected Readings for the Municipal Official* titled “The Open Meetings Law.”

Conclusion

Municipalities desiring to delegate the responsibility and duties of overseeing municipal functions to a board should first be sure of their statutory authority. This authority should be clearly spelled out in the ordinance which created the board.

If no statutory authority exists and the council does not want to seek legislative authority, the only type of board which can be created is an advisory board. In this case, the council must clearly spell out the board’s powers and limitations in the creating ordinance. Also, the ordinance should specify who is eligible to be a member of the board and how members are appointed. Once appointed, board members must fully understand the nature of their position.

For a comprehensive listing of court cases and Attorney Generals Opinions relating to the authority and operation of municipal boards, please see *Selected Readings for the Municipal Official*. If you have any questions with regard to the various boards in your municipality, please contact the League Legal Department. ■

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regional training while costs of holding these sessions have continued to escalate. Somewhat to our surprise, attendance remains strong at the larger, stand-alone training events we've held. Despite the smaller attendance at the regional seminars, however, our surveys and evaluations continue to indicate a desire for localized training. We plan to continue to provide regional training. After all, our desire is to reach as many of our local officials as possible and everyone doesn't have the ability to travel to attend CMO training. We will, though, seek more cost effective ways to hold our sessions.

The League is also exploring the possibility of several new training options for officials participating in the CMO program that have been suggested by our members. For example, several members have asked about on-line training. We will likely explore the use of on-line training, although these sessions present their own set of concerns. Recently, I sat in on a conference call when one of the attendees abruptly put his line call on hold, which immediately started playing his office's on-hold music to entertain the rest of us. We tried to talk over the music for over 10 minutes before he came back on the call. This has happened more than once. Other times on calls and during training, we've been treated to dogs barking, kids screaming and toilets flushing. You've likely

had the same experiences with on-line training or conference call training events.

These examples are not offered to show any technical problem related to holding electronic seminars – rather, they simply demonstrate an inherent and recurring problem of human nature – it's easy to get distracted by work, family or other issues and lose focus on the training that is being provided. And yes, I have left on-line seminars myself to handle some immediate emergency that needed my attention. Most of us have.

Testing, then, would have to be part of any on-line training session. It takes time to develop and review questions to make sure they adequately and accurately reflect the training that will be provided, then to grade the responses. Testing is an additional component that has to be planned for and built into any on-line training event for which CMO credit will be provided.

An additional concern has been raised by officials with whom we've discuss the possibility of on-line training. While we don't think it is likely any official would try to cheat to receive credit for participating in an on-line session, these officials have raised questions regarding how we will verify that the registered official is who actually sits through the training and takes the test. Another concern is that because

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attention spans tend to shorten during on-line training, sessions are generally much shorter, generally no more than 60 minutes and often less. Of course, this means that less credit can be earned for each session that is attended. We also lose the connectivity we achieve by simply being in a room together.

While we recognize those issues, it is probable that some form of electronic training will, inevitably, become part of our training, just as we've found some CMO participants benefit from CD training. Webinars, streaming video or audio, satellite and similar types of training do provide benefits that are hard to ignore. Costs are potentially lower. Training sessions can likely be stored and viewed at the listener's schedule, although there are additional costs and security concerns. While the level of interactivity lessens with on-line training, participants in a live seminar may be able to e-mail or type in questions.

Still, electronic training in some form will likely be used to supplement other types of training we provide in the CMO program.

One of the most common requests we've had over the years is for a third level of training for those officials who complete Basic and Advanced Training. After much discussion, we are considering developing a Municipal Leadership level for those officials who want to continue their education in municipal government law once they graduate the Advanced program.

Another development will take place on December 3rd. As a result of many requests, the League will experiment by holding a new training seminar designed to provide training for municipal executive officials – specifically mayors and managers. The Alabama League of Municipalities is committed to helping our municipal members better serve the citizens who elect them. We recognize the unique role mayors and managers play in municipal government, and plan to hold a Mayors/Managers Summit to provide them with training that is specific to their needs.

While most Alabama mayors sit as voting members of the municipal governing body and have the same duties and responsibilities as councilmembers, the mayor's role extends well beyond service on the council. Mayors – like managers in municipalities that operate under a council/manager form of government – are also responsible for the effective daily operation of the municipality. As the municipal CEO, a mayor or manager must develop a broad base of knowledge and the interpersonal skills necessary to recognize and resolve countless issues on a daily basis while also satisfying a sometimes fickle public. In today's world, perhaps more than at any other time, it's not enough to just be in charge. Today's administrators must display a knack for leadership and the ability to build consensus, as well as the ability to command. Mayors and managers must be able to do more than react to circumstances. Whether facing a contract negotiation,

addressing a personnel matter, trying to land a new business, presiding over a meeting of the council, or any of thousands of other issues, training is necessary to help these officials anticipate issues before they become problems.

The Mayors/Managers Summit is designed to prepare these officials for the work world confronting them today. Attendees will have ample opportunity to hear topics related to their responsibilities and to share knowledge with each other. Although any municipal official may attend the Summit, sessions will be specifically designed to address the unique issues facing mayors as the supervisor of the executive branch of municipal government. By the time you read this article, preparations will be well underway for the inaugural session of this unique training seminar. We hope you will make plans to attend and participate.

Another major development will also take place following numerous requests. In January 2015, we plan to hold the first Mid-Term Orientation Seminar. Every four years the League holds orientation programs for those officials who are elected at the general municipal election. The Mid-Term Orientation Seminar will provide officials who are elected in off-year elections – or those who are appointed to fill vacancies – with an opportunity to learn the laws and regulations governing the municipalities they represent. Officials who simply want to update themselves on the latest information affecting municipalities will benefit from attending this session as well.

Conclusion

Effective government does not happen by accident. The better trained you are as a municipal official, the better you can anticipate issues before they become problems. And when problems do develop, you'll be better prepared to address them. The League will continue to explore new ways to provide our members with the training they need to become better informed and better able to perform the duties required by the offices they were elected to fill.

We hope all of Alabama's municipal officials will take advantage of the chance to participate in the League's CMO program and learn how to become better municipal officials. These sessions are not only an excellent platform to learn, they are a great way to meet your fellow officials, identify League staff members and programs and to start or continue your journey to become not only a Certified Municipal Official, but also a trained and prepared representative of the citizens who elected you.

I hope to see you at a CMO session soon! ■



Mayors/Managers Summit: Management, Money and Media

December 3, Montgomery Marriott Prattville Hotel
and Conference Center

The Alabama League of Municipalities is committed to helping our municipal members fulfill their obligations to the citizens who elected them. The League recognizes the unique role mayors and managers play in municipal government and is proud to announce the first League-sponsored Mayors/Managers Summit.

When is the Summit?	Wednesday, December 3, 2014
Where will it be held?	Montgomery Marriott Prattville Hotel and Conference Center at Capitol Hill, 2500 Legends Circle, Prattville, AL 36066
Cost to attend?	\$85 (includes lunch)
Who should attend?	This summit is designed specifically for mayors and managers.
How do I register?	Complete registration information is online at www.alalm.org

In most Alabama cities and towns, the mayor is the presiding officer of the city council as well as a regular member of the council. In addition to the duties performed while serving on the council, the mayor is also responsible for the daily operation of the municipality and must be familiar with a variety of functions in order to effectively manage the municipality.

As the municipal CEO, a mayor or manager must develop a broad base of knowledge and the interpersonal skills necessary to recognize and resolve countless issues on a daily basis while also satisfying a sometimes fickle public. In today's world, perhaps more than at any other time, it's not enough to just be in charge. Mayors must display a knack for leadership as well as the ability to command.

Designed to prepare executive officers for the work world confronting them today, the League's first Mayors/Managers Summit will concentrate on three areas of municipal operation: management of municipal employees; how to select an auditor and prepare a budget; and dealing with the media. In addition, Summit attendees will have ample opportunity to share knowledge with each other. Although any municipal official may attend, the Summit sessions are specifically designed to address the unique issues facing mayors and managers as the supervisors of the executive branch of municipal government:

8:30 – 9:00 a.m.	Registration
9:00 – 10:00 a.m.	Executive Powers of Mayors & Managers <i>League Attorneys</i>
10:00 – 10:45 a.m.	Preparing & Presenting Municipal Budgets <i>Jarrod Simmons, Revenue Officer, City of Jacksonville</i>
11:00 – 11:30 a.m.	Selecting an Auditor for your Municipality <i>Brian Barksdale, Partner, Carr, Riggs & Ingram</i>
11:30 a.m. – 1:00 p.m.	Luncheon with Roundtable Discussions
1:00 – 2:30 p.m.	Media Panel: <i>Michael Briddell, Director of Public Information and External Affairs, City of Montgomery; George Talbot, Senior Director of Communications and Public Affairs, City of Mobile; Dean Argo, Government Relations Manager, ABC Board and former Council President, City of Prattville</i>
2:45 – 3:30 p.m.	Ask Your Attorney Panel: <i>League Attorneys</i>

Municipal officials will receive CMO credit for this Summit. Visit www.alalm.org for more information.



Photo by Elinore Demott

2015 Municipal Legislative Priorities

Gregory D. Cochran • Director of Intergovernmental Affairs
Alabama League of Municipalities

For nearly 80 years, the League has served as the primary legislative advocate for Alabama's municipalities, representing its members at the Alabama Legislature, in Congress and with numerous administrative agencies. The League's Committee on State and Federal Legislation met in Montgomery on September 18th to establish the legislative priorities our members will proactively support during the 2015 Regular Session of the Alabama Legislature. Each year, the League relies on this important committee to guide the process of narrowing legislative priorities – generally between five and 10 – that will then be advocated by the membership and League staff during the upcoming Session.

This process actually begins with the League's five policy committees, which meet during the summer months and are charged with reviewing current policies and identifying legislative initiatives within the scope of each committee. ALM's five policy committees are: Finance, Administration and Intergovernmental Relations chaired by Councilmember Charles Black of Priceville; Energy, Environment and Natural Resources chaired by Councilmember Hermon Graham of Florence; Community and Economic Development chaired by Mayor Alberta McCrory of Hobson City; Transportation, Public Safety and Communications chaired by Mayor Kenneth Coachman of Fairfield; and Human Resources chaired by Mayor LaFaye Dellinger of Smiths Station.

During these meetings, policy advisors present the latest information on topics pertaining to each committee. These recommendations are considered by the committees and, if accepted, proposed for adoption into ALM's policy statements. They may also be referred to the League's Committee on State and Federal Legislation for consideration. Either route, policy or legislative, these recommendations guide the League forward during the upcoming year.

The Committee on State and Federal Legislation convenes to consider the policy committee recommendations along with other issues that may arise from the members. The Chair, Councilmember Donald Myers of Guntersville, led this year's meeting as legislative initiatives were discussed. From that meeting, six priorities were recommended for proactive support during the 2015 Regular Session:

Local Government Employee Liability Protection – the League and its members advocate passage of legislation granting immunity from certain liability when an employee is in the line and scope of his/her job. This would require amending the legislation passed during the 2014 Regular Session of the Alabama Legislature granting certain immunity to state employees and local education personnel.

Municipal Election Reforms – the League and its members advocate the passage of updated municipal election laws to continue compliance with federal and state laws.

Mayoral Vacancy Procedures – the League and its members advocate the passage of legislation clarifying the procedures for filling a mayoral vacancy in a class 7 or 8 municipality having a population greater than 12,000.

State Revolving Loan Funding – the League and its members advocate the funding of the State Revolving Loan programs administered through ADEM for low cost financing of municipal drinking water and wastewater infrastructure projects.

Island Annexation – the League and its members advocate the passage of legislation amending the current annexation laws to allow the incorporation of unincorporated *island* or *donut* territories within a municipality.

Payday Loan Reforms – the League and its members will work with the coalition of advocates for passage of legislation reforming the laws regulating the payday loan industry. This industry is consistently recognized as preying on the less advantaged and having become a blight on our communities.

Please immediately begin discussing these issues with your local legislators. Your engagement in the process is pivotal to municipal success during the Session. Legislators are much more responsive to their local officials than special interest advocates in Montgomery and should be considered your partners in the continued process of growing your municipality. After all, no one cares more for your municipality than *you*.

The League sincerely thanks the mayors and councilmembers serving on our Committee on State and Federal Legislation as well as our five policy committees. Legislative victories in Montgomery are dependent upon their time and commitment to this process. ■

Legal Clearinghouse

Rob Johnston, Assistant General Counsel

NOTE: Legal summaries are provided within this column; however, additional background and/or pertinent information will be added to some of the decisions, thus calling your attention to the summaries we think are particularly significant. When trying to determine what Alabama law applies in a particular area or on a particular subject, it is often not enough to look at a single opinion or at a single provision of the Code of Alabama. A review of the Alabama Constitution, statutory law, local acts, administrative law, local ordinances and any relevant case-law may be necessary. We caution you *not* to rely solely on a summary, or any other legal information, found in this column. You should read each case in its entirety for a better understanding.

Alabama Supreme Court Releases Opinion on Municipal Employee Liability:

On Friday, September 26, 2014, the Alabama Supreme Court issued its decision in *Alabama Munic. Ins. Corp. v. Allen*, --- So.3d ---, 2014 WL 4798918 (Ala.2014). The case involved an automobile accident in 2008 where Amber Holmes and Willie Allen were injured when the car they were in was struck by a police car driven by Richard Beard, who was employed by the City of Madison Police Department as a patrol officer. Officer Beard was driving at a high rate of speed at the time of the accident. He was on his way to work and was late for his shift.

The case was brought in the Circuit Court of Madison County. During the course of the case, Officer Beard filed a motion for partial summary judgment on the issue of damages, arguing the \$100,000 damage cap on recovery against municipalities in Section 11-47-190 and Section 11-93-2, Alabama Code 1975, applied because he was on duty when the accident occurred. His motion was denied. Following a trial, the trial court entered a judgment in favor of Allen in the amount of \$700,000 and in favor of Holmes in the amount of \$1,100,000. The trial court determined that the damages caps did not apply because Officer Beard was sued in his individual capacity and was not on duty at the time of the accident. The trial court also determined that the Alabama Municipal Insurance Corporation (AMIC), as insurer of the vehicle Beard was driving, was responsible for payment of the full judgments and denied the City of Madison's motion to deposit \$100,000 in court in satisfaction of its subrogation obligations. The City and AMIC appealed. The

Supreme Court granted oral argument which was heard on June 4, 2014.

The Alabama Supreme Court held that the \$100,000 municipal damages cap pursuant to Section 11-47-190, Alabama Code 1975, does not apply when a police officer, acting outside of his employment, is sued in his individual capacity. Further, the city was not obligated to indemnify a police officer, who was sued in his individual capacity, for negligent actions occurring outside the performance of his official duties.

ALABAMA COURT DECISIONS

Legislature: Constitutional amendment allowing a city water board to take over the water and sewer systems currently being operated by another city water board was invalid because the amendment affected only the county where the water boards were located. Legislature was required to use the limited procedure for proposing and adopting an amendment that applied to only one county, which procedure required a majority of the Local Constitutional Amendment Commission to approve the proposed amendment, rather than the general procedure for amending the constitution. *Water Works and Sewer Bd. of City of Prichard v. Board of Water and Sewer Comr's of City of Mobile*, 141 So.3d 958 (Ala.2013)

Tort Liability -Immunity: Former city councilor's claim against city for bad-faith failure to pay legal expenses was precluded by local-governmental immunity, and city councilors were not protected by legislative immunity from a §1983 racial discrimination claim. *Ex parte City of Bessemer*, 142 So.3d 543 (Ala.2013)

Employees: Board of education, which indicated that school employee's proposed termination was due to financial circumstances, was required to prove the existence of poor financial circumstances and that a rational response to that condition would be to decrease the number of employees in the school system. Once the board made such a showing, the burden shifted to employee to prove that the supplemental reduction-in-force (RIF) plan was not a rational response to the board's financial circumstances, the board failed to follow its supplemental RIF plan, that the board terminated employee's employment for personal or political reasons, or that the board had retained a probationary employee. *Code 1975, § 36-26-102, (Repealed). Huntsville City Bd. of Educ. v. Johnson*, 140 So.3d 469 (Ala.Civ.App.2013)



Forfeiture: City, as successor in title to forfeited property following federal district court forfeiture judgment, was entitled to res judicata benefit of federal judgment in a quasi in rem action filed in state court by individual from whom property had been seized. Federal judgment was final, and individual had not appealed it; abrogating *Ex parte Bingham*, 129 So.3d 1017 and overruling *Alexander v. City of Birmingham*, 99 So.3d 1251. *Payne v. City of Decatur*, 141 So.3d 500 (Ala. Civ.App.2013)

Zoning - Signs: City ordinance prohibiting structural modifications or alterations to off-premises, nonconforming signs in order to “extend [sign’s] useful life” was not so ambiguous as to render ordinance unenforceable against restaurant’s owner’s off-premises nonconforming sign that was damaged during tropical storm. Words “extend,” “useful,” and “life,” were commonly understood words, and phrase “extend its useful life” meant to cause to lengthen period during which nonconforming sign was serviceable for its purpose, which was consistent with city’s intent to ultimately eliminate all nonconforming signs. *Board of Zoning Adjustment of City of Trussville v. Tacala, Inc.*, 142 So.3d 624 (Ala.Civ.App.2013)

UNITED STATES COURT DECISIONS AFFECTING ALABAMA

Tort Liability: A statute extending immunity to county jailers did not apply retroactively to conduct which occurred prior to its enactment. The statute did not contain an express statement or clear legislative intent of retrospective application, and the statute affected the substantive rights of parties. *Johnson v. Conner*, 754 F.3d 918 (C.A.11 Ala. 2014)

Tort Liability – Due Process: Driver was not injured by alleged insufficient process to challenge traffic tickets issued by automated traffic camera citation system, and therefore, driver lacked standing in § 1983 action alleging system violated Fourteenth Amendment due process. Driver voluntarily paid fine without taking advantage of process that was provided. *Stubbs v. City of Center Point, Ala.*, 988 F.Supp.2d 1270 (N.D.Ala.2013)

DECISIONS FROM OTHER JURISDICTIONS

Civil Rights – Elections: State statute barring persons convicted of certain crimes from holding office does not

violate equal protection. Since the right to run for or hold public office is not a fundamental right, and felons are not a suspect class, a ban on felons running for elective office is valid if it is rationally related to a legitimate state interest to ensure public confidence in the honesty and integrity of those serving in state and local offices. *Parker v. Lyons*, 757 F.3d 701 (C.A.7 Ill. 2014)

Nuisances - Noise: A city ordinance prohibiting unreasonable noise that “annoys” a reasonable person of normal sensitivities imposed an objective standard of conduct on its enforcement, and thus the ordinance was not unconstitutionally vague in violation of due process, even if enforcement would not be uniform and a police officer would be required to apply his or her judgment in determining a violation. *Munn v. City of Ocean Springs, Miss.*, 763 F.3d 437 (C.A.5 Miss. 2014)

Zoning - Due Process: Town board’s delay in granting wind farm developer’s application for building permits was not sufficiently arbitrary to violate developer’s right to substantive due process, where board delayed its decision because of substantial public opposition to proposed wind farm. Wind farm developer’s failure to pursue available state remedies, including appeal to town’s zoning board of appeals or mandamus petition in state court, barred its claim that town board’s delay in granting its application for building permits violated its substantive due process rights. *Cenergy Glenmore Wind Farm No. 1, LLC v. Town of Glenmore*, --- F.3d ---, 2014 WL 3867527 (C.A.7 Wis. 2014)

Employees – Social Media: Police officer who posted comments on social networking website criticizing the police chief spoke pursuant to her official duties, not as a citizen on a matter of public concern. Even if the police officer spoke as a citizen, the chief’s interest in promoting efficiency of department’s services outweighed officer’s interests as a citizen commenting on a matter of public concern. *Grazionski v. City of Greenville*, 985 F.Supp.2d 808 (N.D. Miss. 2013)

Fourth Amendment: A town’s interest in accurately appraising a property owner’s home by means of an interior inspection did not outweigh the property owner’s privacy and property interests in precluding the warrantless entry and search of her home. Thus, the town’s interests did not support an order compelling the property owner to grant

continued on next page

access to the town's appraiser to conduct an interior appraisal inspection. The appraiser's affidavit demonstrated that assessments could be performed without gaining access to property and in absence of an interior inspection. *Jacobowitz v. Board of Assessors for Town of Cornwall*, 990 N.Y.S.2d 551 (N.Y.A.D. 2 Dept. 2014)

First Amendment – Establishment Clause: Ten Commandments monument placed on city-owned land did not violate First Amendment's Establishment Clause, since the monument was a passive display, it had not been physically altered, it had been in place undisturbed for many years, and Board of City Commissioners, in adopting ordinance mandating that the monument could not be removed and adopting a policy of not accepting additional monuments on the same land, did not adopt a religious point of view and did not necessarily endorse any specific meaning that might be seen in the monument. *Red River Freethinkers v. City of Fargo*, --- F.3d ---, 2014 WL 4178341 (C.A.8 N.D. 2014)

First Amendment – Free Speech: Protesters were not likely to succeed on claim that city ordinance designed to create an area surrounding health care facilities that was quiet and free from shouting or other amplified sound violated their First Amendment right to free speech, and thus preliminary injunction barring enforcement of the ordinance was not warranted, where ordinance was content neutral, city had a substantial interest in protecting citizens and the area surrounding health care facilities from unwelcome noise, ordinance was narrowly tailored to target only loud, raucous, or unreasonably disturbing noise, and ordinance left open robust alternative channels of communication. *Pine v. City of West Palm Beach, FL*, 762 F.3d 1262 (C.A.11 Fla. 2014)

ATTORNEY GENERAL'S OPINIONS

Utilities Board: A town may require the utilities board of the town incorporated under section 11-50-230, *et seq.*, of the Code of Alabama, to purchase a business license. The utilities board is required to purchase a business license for the years prior to and including the current tax year. Unless the town can identify another ordinance that contains the penalty provision for an entity's failure to pay its business license tax, the utilities board is not required to pay penalties for violating the business license ordinance. A business license for the utilities board for the town may not exceed three percent of the gross receipts of that utility for the preceding year. The utilities board of the town is a separate entity from the town. The utilities board may not amend its articles of incorporation to authorize the Board itself to make its own appointments. AGO 2014-083

Gasoline Tax: A town may pay a proportionate share of the cost and maintenance of a backhoe used for resurfacing, restoration, and rehabilitation of roads, bridges, and streets within the municipality from the \$.05 and \$.04 gasoline tax funds. AGO 2014-084

Employees: A city civil service board is required to establish a classification for public safety director. AGO 2014-085

Electronic Security Board: The mere deactivation of a normally functioning lock is not a locksmith "service" as defined by section 34-1A-1 of the Code of Alabama. Persons engaging in this activity are not subject to regulation by the Alabama Electronic Security Board. AGO 2014-086

Public Records: A sub-list of the statewide voter registration list that is created by the Alabama Secretary of State, which has been modified by the Alabama Department of Public Safety, is a product of a commingling of information housed within two different agencies, and should not be considered a public record or writing that is subject to disclosure. AGO 2014-087

Libraries: If personnel of a municipal Public Library have knowledge of the commission of a specific criminal offense by a patron on library property, including viewing child pornography on the internet on a library computer, personnel may report the patron to law enforcement by furnishing the patron's registration records. In making such a report of viewing child pornography, library personnel may also furnish any other information concerning computer use for that purpose. AGO 2014-092

Appropriations: A city may donate funds to the Rotary Club, a nonprofit organization, for the purpose of assisting with "The Theatre Project" if the city council determines that the project is a cultural or related facility open to public use. AGO 2014-094

ETHICS OPINIONS

Conflicts of Interest: A member of the Legislature, who is approached by a city to provide consulting services, may do so; however, he may not use any State resources under his discretion or control as a member of the Legislature to assist him in either obtaining the opportunity or in performing the consulting contract. In addition, should the contract still be in effect when the Legislature goes back into session, should an issue relating to the consulting agreement appear before the Legislature, the legislator may not vote, attempt to influence or in any manner participate in the issue if his consulting contract could potentially be affected by the legislative action. AO 2014-04 ■

F.A.Q.

Your Frequently Asked (Legal) Questions Answered
by Assistant General Counsel Teneé Frazier



Public Funds

Can municipal funds be used to pay for training expenses?

Although there is no specific statutory grant of power to pay for training expenses, the Attorney General's Office has previously determined that public funds could be used to pay for the training of public employees. AGO 2014-057. However, the training must be related to the duties of the employee and serve a public purpose. Likewise, the general rule appears to be that public funds can be used to pay for a municipal official's training expenses so long as they are reasonable and necessary for the performance of his official duties and serve a public purpose. AGO 2004-169. This determination must ultimately be made by the municipal governing body. ■



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2014 CMO Graduates

The League held its 2014 CMO Graduation Ceremony in Montgomery on August 12th honoring 41 graduates who earned their Basic Certification and 32 who earned their Advanced Certification. The first CMO sessions were held in 1994 and nearly 200 officials enrolled in the program. In 1996, the League held its first Basic CMO Graduation and then added an Advanced CMO Program for those officials who received CMO designations and desired further training. In June 1999, a graduation ceremony for the first class of Advanced Certified Municipal Officials was held and a continuing education component was added to the program. Twenty years since its 1994 launch, 4,061 elected municipal officials have voluntarily enrolled in the CMO program and have attended one or more courses. This year marks the 19th graduating class from the Basic CMO Program and the 16th graduating class of the Advanced Program.

2014 Certified Municipal Officials

Council Member Reginald L. Crawford, Adamsville
 Council Member Steve W. Johnson, Adamsville
 Council Member Ralph C. Wells, Andalusia
 Council Member Betty M. Bradley, Argo
 Mayor Paul D. Jennings, Argo
 Council Member Ann Brown, Argo
 Council Member Cleophus M. King, Bessemer
 Council Member James E. Morrow, Boligee
 Council Member Tracy A. Sanders, Brent
 Council Member Joseph Edwards, Sr., Brighton
 Council Member Steven L. Coleman, Brundidge
 Council Member Ben R. Thackerson, Clay
 Council Member Joe L. Powell, Eutaw
 Council Member Sheila H. Smith, Eutaw
 Council Member Danny J. Wagon, Glencoe
 Council Member Sharon M. Hawkins, Goodwater
 Council Member Samuel L. Hollis, Grimes
 Council Member Cynthia Jackson, Grove Hill
 Council Member Kathy R. Alexander, Guin
 Council Member Felicia T. Edwards, Jackson's Gap
 Council Member Vivian H. Bean, Lake View
 Council Member Shannon M. Phillips, Lake View
 Mayor Jason Q. Ward, Lisman
 Council Member Timothy R. Holcombe, Madison
 Council Member Jonathan Dow, Montgomery
 Council Member Neal Willis, Muscle Shoals
 Council Member Allen H. Noles, Muscle Shoals
 Mayor Kathryn Holley, New Brockton
 Council Member Arlin B. Davis, Sr., Opp
 Council Member Charles M. Booth, Opp
 Mayor John E. Bartholomew, Opp
 Council Member Mary H. Brundidge, Opp
 Council Member Gail N. Head, Phenix City
 Mayor Steve A. Bell, Phil Campbell
 Council Member Wayne E. Biggs, Saraland
 Council Member James M. Butler, Satsuma
 Council Member Darrell R. Wilson, Tallassee

Mayor Jean Nelson, Thorsby
 Council Member Harrison L. Taylor, Tuscaloosa
 Council Member Andrew J. Sims, Wedowee
 Council Member Fred R. Lynch, West Blocton

2014 Advanced CMOs

Council Member Terry L. Allums, Abbeville
 Council Member Terry Powell, Andalusia
 Council Member Carole M. Barfield, Ashford
 Mayor Larry J. Fetner, Ashland
 Mayor William R. Marks, Athens
 Council Member David A. Bradshaw, Calera
 Mayor Charles K. Webster, Clay
 Mayor William O. Burkhalter, Coaling
 Council Member Billy J. Harris, Gadsden
 Council Member Ted Thompson, Hartford
 Council Member Cris A. Nelson, Helena
 Mayor Tommy Joe Alexander, Irondale
 Mayor G. Richard Long, Jackson
 Council Member Jerry T. Parris, Jacksonville
 Council Member Shirley B. Motley, Lanett
 Council Member Jeffrey T. Knight, Loxley
 Council Member Lane Gilliam, Millport
 Mayor James O. Adams, Mount Vernon
 Mayor Ross L. Norris, Oneonta
 Council Member Bobby Ray Owens, Opp
 Council Member Phillip E. Gardner, Oxford
 Council Member Chris Spurlin, Oxford
 Mayor Billy Blackwell, Ozark
 Council Member Kenneth C. Kelley, Piedmont
 Council Member Norman A. McKnight, Pinckard
 Council Member Donald L. Livingston, Priceville
 Mayor Richard A. Herston, Rogersville
 Council Member Steven R. Stanley, Sheffield
 Council Member Morris J. Jackson, Smiths Station
 Council Member Richard E. Key, Smiths Station
 Mayor Doug I. Murphree, Sylacauga
 Mayor Sheldon A. Day, Thomasville



2014 Certified Municipal Official Graduates



2014 Advanced Certified Municipal Official Graduates



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ALABAMA VOICES: PAST, PRESENT, FUTURE

DEPARTMENT OF ARCHIVES AND HISTORY OFFERS MANY RESOURCES; NEW CENTERPIECE EXHIBITION

BY: CARRIE BANKS, COMMUNICATIONS DIRECTOR, ALM

Created by an act of the Alabama Legislature on February 27, 1901, the Alabama Department of Archives and History (ADAH) was the first publicly funded, independent state archives agency in the United States. It quickly became a model for establishing state archives around the country.

Originally housed in the Alabama State Capitol, museum collections were displayed in the legislative chambers when the House and Senate weren't in session. ADAH's permanent location on Washington Avenue across from the Capitol's south wing was finalized in 1940 with the completion of a three-story building constructed with federal New Deal funds secured by Marie Bankhead Owen, the department's second director who served from 1920 until 1955. An east wing was completed in 1974 and a west wing in 2005. Marble quarried in Sylacauga, Alabama, lines the walls of the central building and permanent Museum of Alabama exhibitions are housed on the second floor featuring *The Land of Alabama*, which highlights the geology and natural resources that shaped the state's history; *The First Alabamians*, which uses artifacts, murals and a diorama to explore thousands of years of Native American culture; and *Alabama Voices*, ADAH's centerpiece exhibition that opened in February 2014 depicting Alabama's

unfolding history from the 1700s to the beginning of the 21st Century.

Alabama Voices

According to Steve Murray, who was named ADAH Director in 2012 following the retirement of Ed Bridges who had been at the helm since 1982, the *Alabama Voices* exhibit was deliberately designed to immerse visitors in the incredible drama, conflict, cooperation, successes and failures that tell the story of Alabama's history over a 300-plus year period.

"We've done that by using a fantastic artifact collection – there's almost 1,000 artifacts in the *Voices* exhibit alone plus hundreds more in the other galleries that tell the earlier periods of our history," he said. "We've made it artifact centric and artifact heavy because people really want to see the actual items – authenticity is very important to museum visitors and they want to make that kind of connection with something that comes to them from history. We've further enriched that experience by providing a context through graphics, images and voices of Alabamians who lived in the past to really help our visitors understand the significance of the items they're seeing – and to help them understand the larger arc. One of the things we were very conscious



Photo provided by Alabama Department of Archives and History

about was using the breadth of resources we have here in our collections, including public records, private records, photographs, newspapers, diaries, manuscript collections of all kinds – to mine those materials to find the perspectives and experiences of Alabamians and to let them tell our visitors the story so that when you walk through the *Voices* exhibit, you're surrounded by the artifacts; you're surrounded by the incredibly rich images; you're surrounded by the words of the Alabamians who built our state," he explained. "We think that creates a much richer experience for our visitors – they can relate more readily to the experiences of the people who'd come before us and better understand what their lives were like and some of the tough decisions they had to make along the way."

Discussing the decade-long planning process that eventually became *Alabama Voices*, Murray described a carefully crafted storyline with input from many experts that went through several phases, including a master plan developed with consultation and advice from scholars as well

how to support that with materials from our collections and occasionally with items from other institutions."

One of the most significant achievements of the three permanent exhibitions housed in the Museum of Alabama is that they were, for the most part, privately funded. "The recession hit during the middle of the process, which put a big dent in our capacity for raising funds quickly," Murray said, "but the great success story is we wound up raising about eight million dollars cumulatively that supported two different phases of the project during some very difficult years."

In 2009 ADAH decided to break the Museum of Alabama project into two phases, beginning with compact exhibits the agency had the resources to build and that would then help facilitate raising the remaining funding. "In 2010 and then 2011 we opened Phase One, which included the *Land of Alabama* and *The First Alabamians* exhibits," Murray said. "These are small exhibits in the original portion of the building outlining the state's geology and geography,



Photo provided by Alabama Department of Archives and History

as the Virginia-based PRD Group, a design firm specializing in museum exhibits that walked ADAH through the iterative process of understanding the big picture, the types of materials necessary to tell the story and how to assign components to a space. "We had 10,500 square feet of space on the second floor in which to work," Murray said. "In the end, it's a creative design that's densely populated – we packed a whole lot into that space. At the heart of the team was our staff here of curators, archivists and educators who worked on this but we also brought in the perspectives of historians, archeologists, folklorists and people from all over the state who were the leading experts in Alabama history," he said. "They helped us to identify what that big message should be and then

stressing how important it is to understand Alabama's natural resources before you can understand our history. So much of what's happened here has been shaped by resources in the land, whether it's the Black Belt's prairie soil or pine trees in South Alabama or the coal, iron ore and limestone in Central Alabama – all those types of natural factors shaped the way the state grew over time. That then feeds into the whole story of the social development of the state, the politics of the state – you really can't understand those things unless you understand why people settled where they did and what their interests were in various parts of the state."

The First Alabamians, which was the second exhibit completed, tells the story of native Americans beginning

with the first arrival of humans in Alabama about 14,000 years ago and following their progression through several different archeological cultures including the Paleo, Archaic and Woodland periods with emphasis on the Mississippian Period, the 500-year timeframe starting around 1000 A.D. with a unified economic structure and culture that dominated the southeastern part of North America. “Places in Alabama, like Moundville and Bottle Creek down in the Tensaw Delta, were very important spheres of influence to that culture,” Murray said. “Native society reached a high-water mark in Alabama during this time – a tremendously sophisticated culture with beautiful artwork, ceremony and religion. We have great archeological evidence of that; we wanted our visitors to understand that people have been here for 14,000 years and had a society that rivaled those that were in other parts of the world at the time in terms of their sophistication and trade networks and their rich language, art and religion.”

In late 2012, ADAH released RFPs for the fabrication, media production and dioramas for *Alabama Voices – Phase Two* – and metaphorically broke ground in February 2013 on the cinderblock room located at the far end of the second floor. “It took almost exactly a year to build out, which was a breakneck pace by any measure because we had to get the exhibits, which were mostly built off site, shipped and



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assembled,” Murray said. “There were so many different layers – from the thematic flooring, which is this really special type of concrete that was poured and then molded and colored to make it look like different natural environments, to the fantastic murals that are on all the walls, to the photography, the graphics, the cases, the lighting – incredible layers of complexity there.”

While Phase Two did benefit from some public source grants, the great majority of the \$7 million needed was privately donated – given by individuals, corporations and family foundations from around the state. Murray said the ability to raise the necessary funding was a testament to several things: the reputation of former director Ed Bridges (1982 until he retired in 2012); the agency’s excellent statewide standing; and the relationships built over many years with people who came to understand and respect the quality of ADAH’s work and that it strives to maintain the integrity of interpreting and understanding the past – a sometimes complicated and divisive process. He also emphasized that a great deal of credit goes to the hard work of everybody on the team, including ADAH staff and designers as well as volunteers from across the state who sat on ADAH’s foundation and friends boards to raise money and serve as statewide ambassadors for the project.

Since its debut earlier this year, Murray said the feedback for *Alabama Voices* has been overwhelmingly positive. “We’ve had glowing reviews,” he said. “Especially from our citizens. Even though it tells some difficult stories and

there are some things we’re not proud of in that story, I think visitors have a real sense of pride in the fact that the state is now able to tell the story in a very full way.”

School Tours and Special Programs

ADAH is a small agency with approximately 40 fulltime employees. Staffing is supplemented with several part-time positions as well as many volunteers who go through rigorous training requiring them to develop their own mastery of the content and understanding of ADAH’s programs and exhibits.

In addition to the Alabama Museum, ADAH offers several entertaining, interactive and educational resources for children, families and guests, including tours and a special hands-on gallery. “We’ve had school tours in this building since the building opened in the 40s,” Murray said. “*Alabama Voices* has definitely given us new opportunities in what we can do with our school tour program. From March 1st until mid-May, we had over 13,000 school kids come through. The challenge for us now is we’ve got so much to see and do we’ve had to ask teachers to make some decisions about which part of the Archives they want to focus on. We now have a great menu of options for 4th grade teachers – from a high-level stroll at a quick pace through the exhibits to get the whole story as best you can in the time allotted to looking at specific themes such as Native American history, Civil War or a Civil Rights tour that goes all the way back to the Colonial period and takes a long view of the progress of civil rights in Alabama. We’re also introducing some new



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90-minute tours and some longer format experiences that incorporate some classroom time where our staff can spend more time with the groups.”

ADAH is open Monday through Saturday from 8:30 a.m. until 4:30 p.m. Admission is always free. Additional information can be found at the *Alabama Voices* website at www.museum.alabama.gov.

ADAH and Local Governments

In addition to being an important resource for Alabama through its meticulously maintained archives and permanent museum exhibits in Montgomery, ADAH also has a broader mission to serve every local government in the state. “For many years we’ve had a very effective outreach program to county and municipal governments in the areas of records management,” Murray said. “We provide staff support for the Alabama Local Government Records Commission, which is the body that makes decisions about which local records are to be of permanent value and have to be preserved permanently by local governments as well as what can be destroyed and when. Our staff helps provide guidance on how to implement those policies set by the Commission, which has the power of law, and to help them develop resources to better implement those policies. We work with municipal clerks, probate judges and municipal courts to help them understand their responsibilities. Sometimes we’re a resource in administering federal funds to local governments to help improve their capacity for accurate records keeping.”

Murray said ADAH also answers questions and provides guidance regarding local museums and other efforts to better develop community history: “That’s something we’re now going to do more proactively. We’ve developed a museum services program over the last few months that is going to help local museums – some of which are owned by the cities or operated by the cities or have some cost-share support from the city. We want to help them make good decisions about how to care for collections, how to interpret their history and, if they’re a 501c3, how to have good governance and develop a strong mission for their organization. We’re beginning this process by implementing a program called StEPS (Standards for Excellence and Programming), a self-assessment program that’s been developed by the American Association for State and Local History that helps to measure your organization against national standards. It’s not a pass/fail situation – every organization is going to have strengths in some areas and weaknesses in others – it just helps you to identify what areas you need to improve in and provides you guidance in how to do that.”

Looking Ahead

Murray is very enthusiastic about the next few years. Alabama will celebrate its bicentennial in 2019 and the Bicentennial Commission, which was established during the 2014 Regular Session of the Alabama Legislature and is led by Senator Arthur Orr of Decatur, is working closely with ADAH to adequately acknowledge this milestone throughout the state. Murray, who serves on the Commission, is also co-chairing the Commission’s Education Committee. “The Bicentennial Commission is very interested in this commemoration period being something that is enjoyed and joined by every part of the state,” Murray said. “I think our obligation as a Commission, and as some of the state agencies that are involved, is to find ways to help Alabamians find genuine experiences to better understand our past and to celebrate all the things that are good in our communities today. We want the end result to help us make better decisions about the future and what we can do moving forward. As we also look for ways to build partnerships locally, the Bicentennial is going to give us plenty of opportunities to do that.”

In addition to planning for bicentennial activities, a wholesale revision of the ADAH website is also underway and will be launched in 2015. The current site, which is content-rich and provides details about specific services and programs, can be accessed at www.archives.state.al.us. For bicentennial information, visit www.alabama200.org. ■



Photo provided by Alabama Department of Archives and History

Alabama Voices
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ALABAMA



BICENTENNIAL

Celebrating the past in the present for the future

By: Carrie Banks, Communications Director, ALM

During the 2014 Regular Session, the Alabama Legislature created the Alabama Bicentennial Commission, an 11-member committee chaired by Senator Arthur Orr of Decatur and co-chaired by Lee Sentell, Director of the Alabama Tourism Department. The Commission will guide the state's Bicentennial Commemoration efforts, which will begin in 2017 to mark Alabama's nearly two-year territorial period before Congress approved it as the nation's 22nd state on December 14, 1819.

The idea for the Bicentennial Commission came from a discussion between Orr and Sentell regarding Alabama's 200th anniversary. "I wanted to talk about what we were doing as a state to prepare for our bicentennial in 2019," Orr said. "I told Lee we needed to start preparing now rather than waiting until a year prior and make it a big series of events all through the state to 1. – spark tourism, economic development and getting people out and about spending money throughout the state and 2. – educate and inform people about our history as a state – with both of these being equally important to do at all levels, whether it's a large event in our most populous area or a small event in a small Alabama town in a rural county. It will be the only bicentennial that any of us will ever be able to celebrate as Alabamians, and I think we can send a

message that's important – that we're a different state today than we were 50 years ago, and, of course, 100 years ago and that we have a lot of positive things going for Alabama."

Orr envisions the Commission guiding a comprehensive, statewide effort involving local governments, schools, chambers of commerce, historical commissions, area nonprofits and other organizations to not only celebrate Alabama's history but unite Alabamians in support of the future. "It seems that in the 21st Century people find it easy to find division," he said. "I don't think there'll be any opponents to celebrating our 200th birthday; this is something we can all rally around. We are Alabamians – some for many generations – and this is a cause that fosters unity as opposed to the usual divisions we face as we go through our daily lives. This is a galvanizing occurrence that I think we should use to bring us together – a common theme to celebrate our history as Alabamians with all the different influences, cultures and backgrounds – that's a mosaic that will last well beyond the bicentennial party that happens once and is over."

Both Orr and Sentell want as many municipalities as possible to join the state's bicentennial efforts. "This is not some top-down, Montgomery-centered effort,"

Orr said. “It’s a grassroots effort through which the local communities will choose how they want to participate. The Commission will provide them with support – templates and resources. Of course, we know the years in which we’ll want activities occurring and we’ve got some cities across the state that predate our state’s anniversary and were formed and organized in 1818 so they’ll be celebrating their 200th birthday before the state itself, but that will be a good ramp up and we want to support them as well as we all go through this process.”

According to Sentell, the Commission will be modeling some of the bicentennial activities after the 2010 “Year of Small Towns and Downtowns” campaign where the Alabama Tourism Department partnered with the Alabama League of Municipalities to encourage participation throughout the state. “The Small Towns campaign was a huge success because of the League’s involvement and leadership,” Sentell said. “It exceeded our expectations by a country mile. It was up to the community and was a no-fail campaign. The smaller the town, the more excited they got. So many towns don’t realize that they actually can do events. That’s why the Year of Small Towns succeeded.”

Sentell hopes to see that same level of enthusiasm and participation with Alabama 200. “For the Bicentennial, if you already have a festival, wrap it around the existing event,” he said. “If you don’t have a festival, this is a way to get started – without Tourism saying you have to continue to do it every year. It’s completely up to the community. The

Alabama Legislature gave those of us who will be involved in the bicentennial efforts a great gift of several years of planning time. Based on the research we’ve done as to what other states did for their bicentennials, we believe Alabama will set the bar very high for states that follow us – and Alabama’s municipalities will, again, have the opportunity to be very visible.”

On October 21st at the Alabama Constitution Hall Village in Huntsville (the site where the original Alabama state constitution was signed in 1819), Senator Orr announced the formation of three planning committees by the Commission: Statewide Initiatives, Local Activities and Education. Working both individually and in partnership, the committees are tasked with fulfilling the Commission’s vision of engaging Alabamians of all ages by designing and supporting bicentennial activities and initiatives that create capacity, develop expertise, educate and generate opportunity for the future. The committees will help develop and support such projects and activities as traveling exhibitions, historical marker dedications, arts and culture fairs, preservation and genealogy workshops, educational events and a variety of tours, festivals, lecture series and contests throughout the state. Between 2017 and 2019, the Bicentennial Commemoration will focus on Alabama’s rich, unique history while developing opportunities for the future.

Steve Murray, director of the Alabama Department of Archives and History, serves on the Commission and is co-chair of the Education Committee. He is very

interested in the Bicentennial being something that is enjoyed by every part of the state. “Sometimes commemorations can offer opportunities for communities to perform a self-assessment and think about where they are and opportunities they have to do things differently – which could be as simple as getting the city park in shape, doing something with a historical marker or small things to help people feel better about their community when they walk down the street,” he said. “But it could also be an opportunity to think about new partnerships and organizations that could make a real difference in the lives of the citizens. So we



Alabama Bicentennial Commission chair Sen. Arthur Orr of Decatur announced committees and co-chairs for the state’s bicentennial commemoration at an Oct. 21 press conference at Constitution Hall Village in Huntsville.

see this as a window of opportunity to bring some attention to things that are happening in the state.”

All three committees have met at least once to begin forming a comprehensive package around the Commission’s vision. Concerted strategic planning efforts will take place over the next two years to prepare Alabama for its multi-year celebration. Murray sees this process as a wealth of opportunity: “In 2019, we should and will have a big party. That’s what anniversaries are about. But we’ll have a more meaningful experience collectively if we use this as a time to put a spotlight on the state – it’s an opportunity to do so much more than just have some fireworks and cake late in 2019. The Commission is interested in extending this period and doing some things that aren’t just one moment in time remembering Alabama’s statehood. We’re interested in making this a capacity developing process – some of the things that come about during the Bicentennial are going to have a life that continues past 2019.”

Murray said capacity building could happen in a variety of ways, such as local institutions that take on a new mission during the commemoration period and continue that type of work moving forward; partnerships between historical societies, chambers of commerce and colleges or universities to determine ways to continue bringing heritage tours to their communities; or a large, visible reminder such as a monument of some kind to either a community’s history or the state as a whole. “It takes time to develop that kind of energy,” Murray said. “It’s not something you can do within a couple of months in 2019. There will be an extended planning process to give us some time to really develop some coherent programs – something with visibility and legs. By the time we get to 2019, we want people to be conversant in the Bicentennial. They will have been hearing about it and going to programs in their communities, seeing exhibits and hearing from their children when they come home from school about the importance of Alabama’s past and the fact that we’re approaching the Bicentennial. We want it to be very familiar to Alabamians by the time we get to that anniversary year.”

With that in mind, the Commission hired Jay Lamar as its Director. “She is going to be the hub of all our thinking and talking and communications over the next several years,” Murray said. “Jay comes to us from Auburn University where she was working at the Center for the Arts and Humanities in the College of Liberal Arts for many years and more recently with the provost’s office at the University. She brings with her an incredible network of people from across the state working in the humanities and related concerns.” With an



Steve Murray, director of the Alabama Department of Archives and History and a member of the Alabama Bicentennial Commission, discussed the Commission’s vision with members of the Local Activities Committee during its inaugural meeting.

office located in the Alabama Tourism Department, she has begun the process of directing all Bicentennial initiatives, including the development of a bicentennial logo and specific branding that can be used by communities as they move forward with bicentennial activities and the launch of a bicentennial website at www.alabama200.org, which will grow exponentially over the next two years and already has committee descriptions as well as a number of resources and ideas to help local governments and other organizations begin thinking about bicentennial options and opportunities.

“For example, if your community has an annual festival, you could use the Bicentennial branding via Tourism to broaden your festival by incorporating the history of the festival, the history of your community and highlight some of the elements that make your community unique and historically significant,” Murray said. “Your community could develop a local exhibit that could be part of the festival from 2017-2019 and ask people to contribute photographs and artifacts.”

continued next page

ALABAMA 200

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Murray said the occasion of the Bicentennial could also be used to conduct comprehensive surveys of the cultural resources that exist in Alabama's communities – everything from historical architecture to archeological resources, historical resources and human resources as well as things like oral history projects to help capture a well-rounded portrait of a place. "What that could lead to is something like a consolidated guide to Alabama as a whole that allows you to really understand the roles of communities in our past and what communities are trying to do today," he said. "So many cities are struggling with change. Some of it is change that happened 30 or 40 years ago and they're still trying to deal with that change. There other things happening today that can be identified – things we could all make use of to move forward that include everything from broadband access to better educational opportunities and plugging into some larger networks that will provide resources to our children."

According to Murray, the Education Committee is already working towards improving and expanding

educational resources and has started developing a survey of all existing supplemental curricula resources developed by Archives and other organizations throughout the state that are then used to develop lesson plans for teachers. "They are all in different formats," he said, "so one real service we can provide during this Bicentennial period is to inventory those, update the ones that need to be revised, fill in the gaps that exist and then provide everything in a clearinghouse for educators."

The Statewide Initiatives and Local Activities Committees will also be promoting projects that support bicentennial observances with an eye towards the future, thus helping to fulfill the Commission's vision that Alabama's 200th birthday is the perfect opportunity to both look back and build forward. ■

**For additional information:
www.alabama200.org**

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LOCAL ACTIVITIES COMMITTEE

CO-CHAIRS:

- Carrie Banks, Communications Director, Alabama League of Municipalities
- Tami Reist, President/CMO, Alabama Mountain Lakes Tourist Association and Bicentennial Commission member

The Local Activities Committee seeks to promote activities by and in communities across Alabama that support bicentennial observances and to assist communities in celebrating their special history. It includes departments and agencies that serve and regularly communicate with communities, as well as individuals who are leaders in community programming and service.

STATEWIDE INITIATIVES COMMITTEE

CO-CHAIRS:

- Al Head, Executive Director, Alabama State Council on the Arts
- Donna Cox Baker, Editor-in-Chief, *Alabama Heritage* magazine, University of Alabama Press

The Statewide Initiatives Committee seeks to encourage, develop, and promote statewide events across a wide range of activity areas that foster an improved understanding and appreciation of Alabama's bicentennial and of the history and culture of the state. It includes representatives of statewide organizations and offices, including state and federal departments, arts/culture/history organizations, business, media, parks/outdoors, higher education, and funding.

EDUCATION COMMITTEE

CO-CHAIRS:

- Steve Murray, Director, Alabama Department of Archives and History and Bicentennial Commission member
- Karen Porter, Alabama Department of Education, Education Administrator, Deputy Superintendent's Office, Teaching and Learning

The Education Committee seeks to promote improved teaching relating to the state's bicentennial and to state and local history in general. It includes representatives of agencies and organizations that are involved in history education in Alabama.

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2015 Annual Convention Information

Tuscaloosa, Alabama • May 16 - 19, 2015

NOTE: Use the form provided in this issue of the Journal or register online at www.alalm.org. **Online registration will be available January 30.** (Registration materials will not be mailed.)

Online Registration: To make the registration process more efficient, delegates are encouraged to pre-register. Pre-registration will assist the League staff in making arrangements for attendance at this year's convention. **The deadline for pre-registration is 5:00 p.m. on April 24, 2015.** After 5:00 p.m. April 24, delegates must register at the Convention Registration Desk. It is also important for delegates and their spouses/guests who plan to participate in the golf tournament to register as soon as possible.

In order to ensure that there are not duplicate registrations, each registrant must use a separate email address. In the event that you do not have a separate email address for each registrant, you can go to Gmail.com, Yahoo.com, and create a free email account.

IF NOT REGISTERING ONLINE:

1. Complete the convention registration form in this issue of the *Journal* to register yourself and your Spouse/Guest (if applicable). Use one form for each delegate registered.
2. If applicable, complete golf tournament section on convention registration form.
3. Enclose a payment for the appropriate convention registration fee and golf tournament fee (if applicable). Payment in full must accompany each registration form.
4. Return the form and payment or credit card number to Alabama League of Municipalities, Attention: Convention Registration, P.O. Box 1270, Montgomery, AL 36102. (You may fax your forms with credit card payment to 334-263-0200.) **Credit card numbers will not be accepted by email.**

NOTE: Although a separate convention registration must be completed for each delegate, the municipal clerk may send registration forms and a payment for all municipal officials and employees to the League in a single envelope.

NO CONVENTION REGISTRATIONS BY PHONE OR EMAIL WILL BE ACCEPTED.

CONVENTION REGISTRATION FEES:

\$350 through April 10, 2015 by 5:00 p.m.	(\$50 non-refundable registration fee for one (1) Spouse/Guest*)
\$375 from April 11 - April 24, 2015 by 5:00 p.m.	(\$60 non-refundable registration fee for one (1) Spouse/Guest*)
\$425 after April 24, 2015 (on-site registration)	(\$80 non-refundable registration fee for one (1) Spouse/Guest*)
Additional Guest Registration	(\$125 per additional Guest, fee is non-refundable**)

Envelopes must be postmarked by the dates above. Registration forms and payment must be received by the deadline or they will be subject to a fee increase. There is no extra charge for children under 6; however, children must be pre-registered. The full convention fee covers the following events for each delegate and children under 6: Saturday Night Welcome Reception, Sunday Night Exhibitors Showcase and Reception, Expo Hall Breakfast, Monday Luncheon, and Monday Reception and Banquet. The registration fee for Spouses/Guests includes Saturday Night Welcome Reception, Sunday Night Exhibitors Showcase and Reception, Expo Hall Breakfast, and Monday Reception and Banquet.

**Spouse/Guest registration cannot be paid by the municipality; therefore, registration must be paid by the official at the time of registration. Spouse/Guest registration fee is restricted to persons who are not municipal or public officials, are not affiliated with any exhibitor, and would have no professional reason to attend the convention.*

***To register additional guest(s), there is an additional non-refundable fee of \$125 per guest. Spouses/Guests are not eligible to attend the convention training sessions or obtain credit hours in the Certified Municipal Officials Program.*

The astronomical cost of putting on a convention makes it impossible to allow free admittance of guests of delegates at any function. Delegates may register additional guest(s). For children ages 6 and over and additional guests, the non-refundable fee of \$125 must be paid. There is an option for this on the convention registration form. For convention registrants who have a guest that would like to attend one of the following events, single event tickets may be purchased at the discounted fees listed below. To purchase a single event ticket, please contact Melissa Chapman by April 24, 2015 at (334) 262-2566. These single event tickets are non-refundable.

Monday Luncheon - \$30.00 Monday Banquet - \$60.00

If you need assistance due to disability or other special services, please call Theresa Cook at (334) 262-2566 before April 24, 2015. For additional guest information, please contact Melissa Chapman at (334) 262-2566.

CONVENTION REFUND / CANCELLATION POLICY:

In order to receive a partial refund of your registration fee, your cancellation request must be received in writing by **April 24, 2015**. A \$60 administrative fee will be charged for all cancellations regardless of the reason for cancellation (including medical emergencies). No refunds will be given after this date. Registration fees for Spouses/Guests are non-refundable. **ALM cannot make exceptions to this policy.**

Distinguished Service Awards: The Alabama League of Municipalities presents municipal service awards during its annual convention to municipal officials and staff recognizing 20, 30 and 40 years of service earned during the previous calendar year. **Awards are only presented to individuals who notify the League of a service milestone by March 20, 2015.** Awards will not be given to those who fail to notify the League by the deadline. However, if a person reaches 20, 30 or 40 years of service but fails to notify the League, he or she may receive an award during the following convention, provided the League is notified by the deadline for that convention. Service awards will not be given beyond the second year for which they were earned. You can download a form for this purpose at www.alalm.org.

2015 MUNICIPAL FLAG SHOWCASE:

The League will hold its Fifth Annual Municipal Flag Showcase at this year's ALM Annual Convention in Tuscaloosa. More information and registration form for the Municipal Flag Showcase can be downloaded from www.alalm.org.

Hotel Accommodations: Hotel information was mailed in November to all municipal officials and clerks. Please note that Municipal Officials are responsible for making their own reservation at their choice of hotel. Please visit www.alalm.org for hotel contact and room block information.

2015 ANNUAL MUNICIPAL GOLF OUTING:

May 17, 2015 • 7:30 a.m. Shotgun Start
Ol' Colony Golf Complex • 401 Old Colony Road, Tuscaloosa, Alabama, 35406

The fee is \$70 for each participant, including riding cart, green fees, driving range and breakfast sandwich. The deadline for refund requests is April 24, 2015. You will return in plenty of time for the afternoon sessions.

For additional information go to www.alalm.org.

- \$70 per player
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- 18-Hole Golf Tournament
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2015 Convention Quick Guide

Tuscaloosa, Alabama • May 16-19

www.alalm.org

All information subject to change. CMO credits can be earned.
See convention program for details.

Saturday, May 16

8:00 a.m. - 5:00 p.m.	Registration
8:00 a.m. - 2:30 p.m.	Municipal Clerks Conference
11:00 a.m.	Resolutions Committee Meeting
1:00 p.m.	AMIC Annual Meeting
3:00 p.m. - 5:00 p.m.	OPENING SESSION: Welcome; ALM President's Address; Governor Bentley (invited)
8:00 p.m.	City of Tuscaloosa Dessert Reception

Sunday, May 17

7:30 a.m.	Annual Municipal Golf Tournament
8:00 a.m. or 11:00 a.m.	Church of the Highlands
1:00 p.m. - 5:00 p.m.	Registration
2:00 p.m. - 3:15 p.m.	Concurrent Sessions: TBD
3:30 p.m. - 4:45 p.m.	Concurrent Sessions: TBD
5:30 p.m. - 7:00 p.m.	Exhibitors Showcase and Reception in the Expo Hall *

Monday, May 18

8:00 a.m. - 5:00 p.m.	Registration
8:00 a.m. - 10:30 a.m.	Breakfast in the Expo Hall (All convention registrants, spouses/guests and municipal clerks) *
8:30 a.m. - 5:00 p.m.	Alabama Association of Public Personnel Administrators
11:00 a.m. - 3:15 p.m.	Roundtables by Population (Lunch provided)
3:45 p.m. - 5:30 p.m.	ANNUAL BUSINESS SESSION
6:00 p.m.	Reception
7:15 p.m.	President's Banquet and Entertainment

Tuesday, May 19

8:00 a.m. - Noon	Registration
8:30 a.m. - 10:00 a.m.	Ask Your Attorney Session
10:30 a.m. - Noon	GENERAL CLOSING SESSION: Speaker(s); Passport Prize Drawings (must be present to win) *
Noon	Adjourn

* **PASSPORT PRIZE PROGRAM:** The League will once again offer this popular program – a fun opportunity for our members and vendors during the 2015 EXPO. Our Passport Prize Program is uniquely designed to give convention delegates the opportunity to speak more directly with participating vendors during convention EXPO hours (May 17 and 18) as well as the chance to win a prize during the Tuesday morning closing general session. **Delegates MUST be present to win!** See convention program for additional details.

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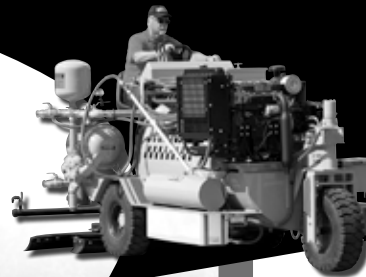
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EXPO 2015 TUSCALOOSA May 17 - 18, 2015

On May 17, 2015 EXPO Hall doors will open to more than 50,000 square feet of city solutions! This unique showcase offers an excellent opportunity for the League's 1,000+ delegates and guests to network and make valuable connections with more than 300 vendor representatives. **The League will kick off its 38th annual EXPO on Sunday evening at 5:30 p.m.** with the Exhibitors Showcase – a casual reception featuring music, heavy finger foods and an open bar in the EXPO Hall. **Monday the Hall will open at 8:00 a.m. with breakfast served for all attendees.** The morning will offer events and additional time for face-to-face interaction with exhibitors for convention attendees.

ALM vendors are here for you! This one-stop shopping opportunity only happens once a year. Take the time to experience the entire EXPO Hall and visit ALM's vendors to get answers to questions, learn solutions for problems and return home with key information for your municipality. A vendor listing for this year's EXPO can be previewed at www.alalm.org. To reserve a booth space in Tuscaloosa, contact Cindy Price at (334) 262-2566, or via e-mail at cindyp@alalm.org.



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2015 Annual Convention Registration

Tuscaloosa, Alabama • May 16 - 19, 2015

DELEGATE REGISTRATION FORM

(Mayors, Councilmembers, Clerks and Municipal Personnel) Please print or type all information

Mail completed application to: Alabama League of Municipalities, Attn: 2015 ALM Convention, P O Box 1270, Montgomery, AL 36102

Name _____ Municipality _____

Name _____ Title _____
(to appear on badge)

Daytime Phone # _____ E-mail _____

Address _____ City/Town _____ Zip _____

Spouse/Guest Name: First _____ Last _____
(see registration fees below)

Through April 10, 2015 by 5:00 p.m.

- \$350 Delegate Registration** *(Cancellation request must be received in writing by April 24, 2015)*
- \$50 Spouse/Guest Registration** *(One (1) Spouse/Guest registration, non-refundable)*

April 11 - April 24, 2015 by 5:00 p.m.

- \$375 Delegate Registration** *(Cancellation request must be received in writing by April 24, 2015)*
- \$60 Spouse/Guest Registration** *(One (1) Spouse/Guest registration, non-refundable)*

After April 24, 2015 *(On-site registration only)*

- \$425 Delegate Registration**
- \$80 Spouse/Guest Registration** *(One (1) Spouse/Guest registration, non-refundable)*

ADDITIONAL GUEST REGISTRATION

- \$125 Additional Guest Registration** *(Per additional Guest, fee is non-refundable)*

- \$70 Golf Registration** Please indicate the number of Golf Registrations _____
Choose a Category (A, B, C, or D) for each registrant Category ____, ____, ____, ____ *(Email required for Foursome Info)*

Golf Teams must be as equal as possible. Use this list of Player Categories to help form a foursome. Each team registering as a foursome must consist of an A, B, C, and D player. Please list your category in the appropriate place on the registration form.

A Player = Average Score 80 or below
B Player = Average Score 81 - 90
C Player = Average Score 91 -100
D Player = Average Score 101 +

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