

The Alabama Municipal JOURNAL

May 2010

Volume 67, Number 11



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Editor: CARRIE BANKS

Staff Writers: TRACY L. ROBERTS, KEN SMITH

Graphic Design: CARRIE BANKS

For a complete list of the ALM staff, visit www.alalm.org.

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On the Cover:

Municipal officials at the National League of Cities' Congress of Cities in Washington, D.C. March 14-17, 2010. For more pictures, visit the slideshow posted on the home page of the League's web site at www.alalm.org.

A Message from the Editor

It's Time to Celebrate!

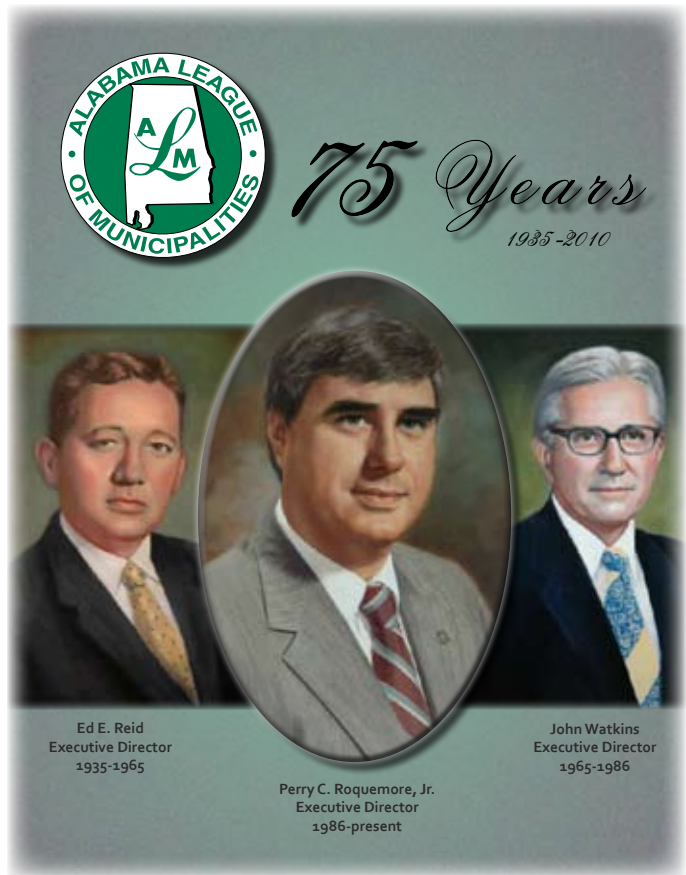
In a couple of weeks League staff will convene with municipal officials, clerks, personnel administrators, attorneys, spouses and other municipal employees for the League's 75th Anniversary Convention in Mobile, May 15-18. A Convention Quick Guide is on page 26 and an exhibitor list for this year's Expo can be found on pages 16-17.

This year's program is filled with timely topics. The Saturday, May 15, general session, "Improving Public Trust Through Government Transparency," should be quite interesting and will also include a broadband update. The ever-popular roundtable discussions are scheduled for Sunday afternoon and Monday's Opening Session will pay tribute to the League's 75th Anniversary. Quality of Life Award presentations will also be made during Opening Session to this year's winners: Abbeville, Moody and Opelika. Our Monday concurrent session topics will include: Social Media Liability; Employers Support of the Guard and Reserves Briefing; ACJIC Update/Criminal Background Checks; Municipal Landscaping & Beautification Tips; AMEA – Aftermath of Disaster; and Grant Writing as well as several topics led by our League attorneys including Open Meetings Act; Tort Liability; The Municipal Police Jurisdiction; and the Final Report on the 2010 Regular Session. Governor Bob Riley will speak during the Monday luncheon on May 17 followed by dessert in the Expo Hall where delegates and guests will have yet another opportunity to visit with this year's tradeshow vendors. Following the Tuesday morning Business Session, we will once again feature the "Ask Your Attorney" panel. The 75th Anniversary Convention will conclude with the installation of officers at the President's Luncheon Tuesday afternoon.

Municipal Clerks have a special program on Monday, May 17, that includes: Business License and Enforcement; IIMC 2010 Educational and Certification Guidelines for CMC and MMC; Parliamentary Procedures; and Implementing a Safety Policy. Personnel Administrators will also benefit from a program designed specifically for them, "Establishing a Personnel System," where participants will learn the essential elements of a personnel system in Alabama based on state/federal laws and regulations, discuss the essential functions of public sector personnel and discuss the relationship between public sector personnel and elected officials.

This month, in honor of the League's 75th Anniversary, we're featuring a profile of the League's current Executive Director, Perry Roquemore (see page 9), who has led our organization since 1986 following the retirement of John Watkins, the League's second Executive Director. Perry was hired as League Staff Attorney in 1974 just after graduating from law school and is the longest-serving employee in League history. I've had the good fortune to work with and learn from Perry for nearly 13 years, and there's no doubt in my mind that he is *the* authority on Alabama's municipal issues as well as municipal law in Alabama. His knowledge is truly priceless.

I'm certainly not telling you anything you don't already know, but it's worth reiterating: our organization is extremely fortunate to have had outstanding leaders at the helm for the past 75 years. Thanks to Ed Reid, John Watkins and Perry Roquemore, the Alabama League of Municipalities is a solid, successful and well respected association. These three dynamic (yet very different) directors have made sure that municipal issues were – and continue to be – in the forefront during each legislative session. They hired skilled employees, developed invaluable programs and forged relationships that have made the Alabama League second to none. Join us in Mobile May 15-18 as we honor our outstanding organization during its 75th Anniversary!



Carrie

The President's Report

Roy H. Dobbs
Mayor of Berry



Our League: A 75-Year Success Story

The Alabama League of Municipalities. That's what you hear when someone references the Montgomery-based membership organization created in 1935 to represent cities and towns. However, for municipal officials and employees, *the* League is really *our* League. Our League has valiantly served *us* – Alabama's local officials and municipal personnel – for 75 years. In so doing, our League has protected and empowered cities and towns; nurtured and cultivated municipal leaders; and refined and expanded services critical for municipal growth and wellbeing.

Our League is successful because we support its efforts. For 75 years, our organization has consistently maintained an exemplary staff guided by leaders who have garnered great respect while continuously moving municipal government forward. In 1935, there were 24 member municipalities and one staff member, the executive director, who worked out of a single (rent-free) room on the top floor of the State Capitol. Grants from the American Municipal Association (now the National League of Cities) and the Rockefeller Foundation were important revenue sources those critical early years. By 1965, there were five full-time staff members representing 286 member municipalities who were responsible for all League activities: the executive director, the staff attorney, two secretaries and a "janitor-messenger". They operated out of a small, seven-room, leased office building on Hull Street several blocks from the Capitol with an annual budget of approximately \$60,000 – generated essentially through membership dues.

At that time, it was estimated – based on the total amount of state-shared municipal revenue (\$16,500,000) generated as a result of League-sponsored legislation and bills passed by our League – that League members received a nearly 400 percent return on their membership. And this was prior to the inception, through League efforts, of the Municipal Workers Compensation Fund (MWCF), the Alabama Municipal Insurance Corporation (AMIC) and the Alabama Municipal Funding Corporation (AMFund). This was also well before contract lobbyists, fax machines, high-speed copiers, 24-hour cable news and nearly *a quarter century*

before computers became commonplace in office settings (much less homes). Today, in 2010, I've no doubt the value of League services to cities and towns is priceless.

Our League has only had three executive directors in its 75-year history – Ed Reid (1935-1965), John Watkins (1965-1986) and Perry Roquemore (1986 to present). This is, indeed, a true testament to the strength, integrity and ability of our organization. Thanks to the dedication, resolve and foresight of outstanding leadership, our League is a standard bearer among other municipal leagues throughout the country as well as one of the most respected membership organizations in Alabama. Today our League has more than 60 employees; owns a 22,000 square foot headquarters building within walking distance of the State House; and is a fiscally sound organization that continuously strives to add services and provide additional support to our cities and towns.

Since its inception, our League has been nonpartisan and does not contribute to campaigns. We have always had a good relationship with members of the State Legislature – after all, we represent the same constituencies. Ours is a success story many times over – one that reaches well into the 21st Century. That being said, our organization – the Alabama League of Municipalities – is successful through the fruits of unity. *We*, the locally elected officials of Alabama, are ultimately responsible for the growth and vitality of our League. It is imperative that we continue to support League efforts at the Legislature, serve on League committees and attend state-wide meetings – particularly CMO training sessions and annual convention. It is through collaboration and networking that our municipalities become stronger and that our League remains stalwart in its efforts to empower municipal government in our worthy common purpose of providing for our growing populations.

It has truly been an honor to serve as your League president this year. I look forward to seeing you at our Annual Convention in Mobile this month. I guarantee your attendance will be beneficial to you and your municipality! *Happy 75th Anniversary to our Alabama League of Municipalities!* ■



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- Court Clerk
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-Judge
Georgia Municipality

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- Former Director of Corrections
Large Florida State Court

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- Court Clerk
Large Municipal Court

"...we found that a full service probation provider like JCS can be instrumental in controlling the growth of the jail population and assuring the appropriate use of expensive jail cells."

- Judge
Alabama Court

Benefiting the Defendants...

"JCS has helped me understand the bad decisions I have made in my life. Through their guidance I have been given a chance to start over."

- Emma G., Defendant
Florida State Court

"...thank you for getting me into a treatment program. I'm loving my sobriety. It's a wonderful life. It does work One Day At A Time."

- Danny B., Defendant
Marshall County, Alabama

"Thank you for everything. Even though you did not have to do it, you did it anyway and it was much appreciated. You kept me out of jail."

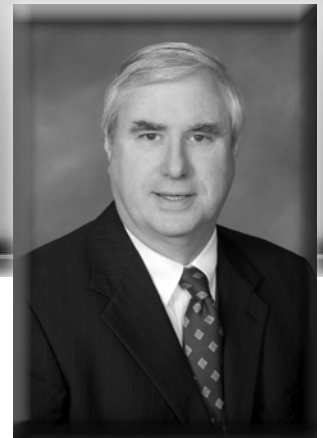
- Craig A., Defendant
Foley, Alabama

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Municipal Overview

Perry C. Roquemore, Jr.
Executive Director



Health Care Reform Act – 1st Look

As you know, the President recently signed into law a bill that will fundamentally change health care delivery in the United States. While there are many outstanding issues and questions regarding the law, NLC has provided a summary of the law highlighting key provisions that will impact local governments as employers. This is the first of several updates on the new law that we will be providing to you as new information becomes available.

There has been much debate as to whether the cost of health insurance premiums will go up, down, or remain the same as a result of the new law. While there is no consensus as to the law's ultimate impact on the cost of specific health insurance plans, most economists agree that insurance costs for current coverage will go down. They also agree that, under the new law, the rate of increase of the cost of health care will be reduced and will result in federal savings of nearly \$140 billion over the first ten years and \$1 trillion over the first 20 years.

New Requirements for Employers

In general, while local governments will need to review their health plans to determine if they comply with the new law and may have to modify their plans to meet new requirements, two fundamental and basic aspects of the way in which cities and towns provide health insurance will be retained: Local governments will be able to continue to self-insure and to participate in state-wide risk pools through which they can provide health insurance.

That being said, the new law is not without its controversial requirements, including employer mandates to provide and individual mandates to purchase health insurance; minimum coverage standards that apply to all health plans; public state-wide health insurance exchanges, where health insurance will be sold to individuals and small businesses of 100 or fewer employees; and a 40 percent excise tax on "Cadillac" health care plans that exceed a certain dollar level of benefits beginning in 2018.

Despite any controversy over these requirements and other provisions called for in the law, such as achieving near-

universal coverage and expanding Medicaid, nothing in the law appears likely to force cities and towns to dramatically change the ways in which they currently provide health insurance to their employees.

This does not mean that cities and towns will be able to avoid making any changes to their health care benefits packages. New requirements on employers include the following:

- Local governments that self-insure must, after two years, demonstrate to the Secretary of Health and Human Services that their self-insurance plans are sufficiently funded or capitalized to cover all likely medical claims.
- The health care insurance local governments, like all employers, provide to their employees must meet coverage minimums.
- Local governments, like all employers, that already offer insurance to some workers must provide insurance to all workers—both full and part-time. This insurance will have to meet certain minimum cost, coverage, and reimbursement requirements that are prescribed by the law and the Department of Health and Human Services.
- In addition, all plans must include an "essential health benefits package" that would provide a comprehensive set of services that covers no less than 60 percent of the cost of the covered benefit. The "essential health benefits package" components will be defined and annually updated by the Secretary of Health and Human Services, but will have to include hospitalization and general health care by primary and specialty physicians.
- Under the law, out-of-pocket expenses for any plan are limited to no more than \$6,000 for individuals and \$12,000 for families, and all plans must reduce out-of-pocket expenses for lower-income individuals and

continued next page

households by nearly 40 percent, without increasing overall costs.

- Public sector employers, like all employers, may opt out of providing employees with health benefits, but if they do they must either provide subsidies for the purchase of insurance or may face penalties as high as \$3,000 per full-time worker depending on the nature of non-compliance.
- A 40 percent excise tax applies to employment-based health plans with premiums exceeding \$10,200 for single coverage, \$27,500 for a family plan, \$11,850 for retirees, and \$30,950 for employees in high-risk professions, such as police officers and firefighters.

Immediate Changes in Health Insurance

Several key provisions of the law take effect immediately (for a new federal law this means within six months) and will require changes in health insurance plans and documents.

The law:

- Prohibits pre-existing condition exclusions for children in all new plans;
- Provides immediate access to insurance for Americans who are uninsured because of a pre-existing condition through a temporary high-risk pool;
- Prohibits dropping people from coverage when they get sick;
- Lower seniors' prescription drug prices by beginning

to close the donut hole and provides a \$250 rebate to Medicare beneficiaries who hit the donut hole in 2010;

- Offer tax credits to small businesses to purchase coverage;
- Eliminates lifetime limits and restrictive annual limits on benefits in all plans;
- Requires plans to cover enrollees' dependent children until age 26;
- Requires new plans to cover preventive services and immunizations without cost-sharing;
- Ensures consumers have access to an effective internal and external appeals process to appeal new insurance plan decisions; and
- Requires premium rebates to enrollees from insurers with high administrative expenditures and require public disclosure of the percent of premiums applied to overhead costs.

The Next Steps

Over the next several months, the Department Health and Human Services, the Department of Labor, and the Internal Revenue Service will publish interim and final regulations governing the implementation of the health care reform law. NLC will monitor the development of those regulations to help ensure they take into account a local government perspective. Of course, if you need additional information or have questions about other aspects of the law, please contact Neil Bomberg at bomberg@nlc.org, or **202.626.3042**. ■





Perry Roquemore

The League's Third

Executive Director 1986 – Present

By: Lee Anna Maynard, PhD

From the moment he sat in front of a quietly humming electric typewriter in the nearly-new downtown Montgomery headquarters building to record his thoughts on the 1975 legislative session for the *Legislative Bulletin*, Perry Roquemore was plugged-in to the needs of the League's member municipalities. A Montgomery native who returned home after his higher education in Tuscaloosa to accept the Staff Attorney position offered

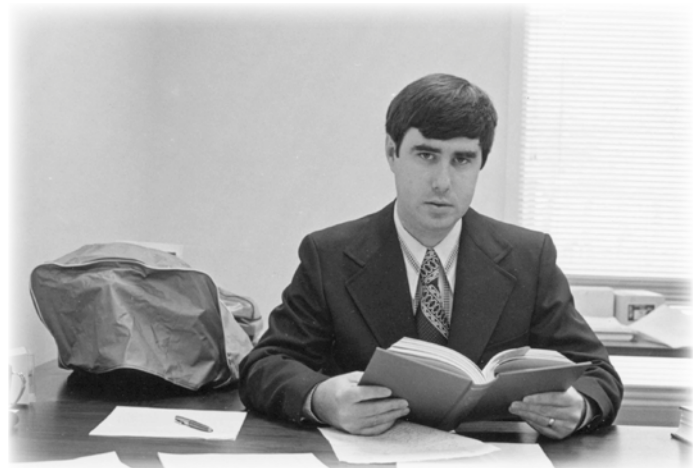
by Executive Director John Watkins and the Alabama League of Municipalities, Roquemore became not only an expert with an encyclopedic knowledge of municipal law but an effective and loyal advocate of towns' and cities' interests. Like his mentor John Watkins, Roquemore found that preparedness, professionalism, and a genuine stake in the fortunes and fates of the League's cities and towns made his a voice that was heard and heeded by the Alabama Legislature.

When Roquemore assumed command in the mid 1980s following Watkin's retirement, he faced a state and nation considerably different from what his predecessors had encountered. Alabama's cities and towns faced dangers from within, including unreasonable (and unfunded) legislative demands and the dilemma of providing insurance coverage for their municipal employees. Unfunded state and federal mandates, approved by Congress and the Legislature, were requiring ever more from municipalities without providing any revenue to pay for the added requirements, duties, or services. In 1988, the League of Municipalities successfully promoted a constitutional amendment that restricted the Alabama Legislature's authority to force unfunded mandates onto towns and cities. Municipal governments, their hands already full from coping with the increasing number of federal and state mandates that altered their operations, faced the further complication in the 1980s – a time when obtaining liability insurance proved elusive. To resolve the problem, Roquemore, along with former mayor of Pine Hill and past League President Harold Swearingen and several other municipal officials, founded the Alabama Municipal Insurance Corporation (AMIC). To this day, AMIC provides competitively-priced coverage to many of the League's member municipalities. The revenue generated by AMIC (as well as MWCF) has funded the extension and expansion of the League of Municipalities' member services.

Reinvesting revenues from the AMIC and MWCF programs into the League generated an even higher and more efficient level of member assistance. Upon Roquemore's advice, the League's Board of Directors voted in the early 1990s to triple the size of the headquarters, from 7500 square feet to 22,000. The building expansion was completed in 1992, and its additional office space has since allowed for hiring more employees and accommodating updated technology that facilitates easy and speedy communication with the Capitol and member municipalities.

Another way Roquemore aimed to save his member municipalities time and money was by aiding in the creation of more effectual municipal leaders. Under his leadership, the League expanded and extended its voluntary training programs, offering not only

continued next page



League Staff Attorney Perry Roquemore in 1974.

annual windows for professional growth at the League convention but frequent long- and short-term educational opportunities with curricula virtually guaranteed to improve efficiency. The League's Certified Municipal Official training program (CMO) took off in 1994, and the response was so great that the League later implemented Advanced Certified Municipal Official training. Learning about the expectations, restrictions, and possibilities of municipal office has now equipped more than 3300 local government leaders to make more effective use of their time in office. The League's extremely successful CMO program, the second such in the United States, has cultivated future League leaders as well as better-educated local municipal leaders. In addition, it has served as a model program for sister organizations throughout the country.

In the late 1990s, the groundwork laid by the League in the early '80s to secure municipalities' fair share of oil trust-fund revenues was jeopardized when the Legislature realized that, for the first time, the interest on the funds was going to exceed \$60 million and they would have to deliver on their promise to Alabama's towns and cities. The League mounted a quick defense of the municipalities' share, pursuing it so far as to win a constitutional amendment to preserve the municipal portion. This rapid response to the threat ensured what has now been a decade of additional revenues for municipalities' capital improvements.

The power of pooling resources and standing together infuses one of the League's most recent undertakings, the Alabama Municipal Funding Corporation (AMFund). Founded only a few years ago, this program empowers member municipalities to obtain funding that would otherwise be beyond their grasp, funding that can be used for virtually any municipal project.

As the League's services and responsibilities have grown, so has its staff. In the last twenty-five years, the association's workforce has more than tripled in size to over 60 skilled professionals. The number of member municipalities has grown from the initial 24 to 442, an impressive 99 percent of the municipal population of the state, and, accordingly, the demand for information and assistance has increased. In 2009, League attorneys fielded more than 12,000 inquiries from Alabama's town and city officials.

The League in 2010 boasts a custom-designed and generously-sized headquarters. Its initial and ongoing concern with gathering and spreading information is now aided by VOIP phone systems, blast e-mail alerts, and slick, professional publications. The League



League Executive Director Perry Roquemore in 2010.

employs dedicated personnel to advance the member municipalities' interests. While his predecessors worked to remove legislative stumbling blocks and to respond to and defend against intrusive power structures, Perry Roquemore and his team have been able to focus their efforts on pursuing proactive legislative measures and expanding educational, financial, and quality-of-life opportunities for their members.

Back in Depression-era Alabama, the League's first Executive Director, Ed Reid, and the founding members of the modern incarnation of the League could little have imagined how successful their vision of an empowered and autonomous body of municipal officials would become. ■

About the Author: *Lee Anna Maynard, PhD, is a freelance writer, editor and independent scholar based out of Montgomery, AL. She received her PhD in English from the University of South Carolina and was an Assistant Professor in the Department of English and Philosophy for Auburn University Montgomery for seven years. Dr. Maynard's first academic volume, which explores the role of boredom in the Victorian novel, was published in 2009.*



The Legal Viewpoint

By Ken Smith
Deputy Director/ General Counsel



The Legal Department – A User’s Guide

Each year, the Alabama League of Municipalities receives approximately 10,000 legal inquiries from its member municipalities. For example, in the election year of 2008, the legal department responded to more than 12,000 legal questions. In 2009, the legal department answered approximately 9,000 inquiries – not including the many questions that arise during presentations or that our attorneys receive in person.

For many municipal officials and employees, their primary source of contact with the League is through the legal department, which provides members with direct legal assistance as necessary. However, with more than 440 municipal members – representing literally *thousands* of officials, employees, board members and others who may make requests – there are limits to what the League’s legal staff can do. This article, which is intended simply as a guide, will help readers make the most effective use of the legal department. Because our goal is to serve our member municipalities, League attorneys attempt to remain flexible in the services they provide.

What Services Are Available?

The legal department’s primary function is to represent the interests of member municipalities throughout Alabama. Therefore, we attempt to have an attorney available by telephone every day during regular business hours. However, the Legal department is not a substitute for local legal representation. The volume of requests we receive makes individual representation impossible. Therefore, we have to restrict our activities to those which we feel best serve all our member cities and towns.

In addition to providing direct legal assistance, the Legal department provides other services, such as: preparation of *amicus curiae* (friend of the court) briefs in appellate cases; preparation of monthly summaries of court decisions and Attorney General’s Opinions for the League *Journal* and the League’s Law on Disc computer program; monthly legal articles in the *Alabama Municipal*

Journal; drafting manuals explaining the duties and responsibilities of municipal officials and employees; providing sample and model ordinances; conducting educational and training seminars; managing the Alabama Association of Municipal Attorneys (AAMA) and the Alabama Municipal Judges Association (AMJA); and assisting with the League’s lobbying efforts.

Who Can Inquire?

This question raises complex ethical conflicts of interest concerning the responsibilities of the League’s attorneys. Explaining it simply, the League represents its member municipalities and not individuals, even if they are municipal officials.

The League answers inquiries from mayors, council members, board members, clerks, attorneys and other representatives of member municipalities. League attorneys do not advise officials about their private legal matters. Additionally, conflict of interest rules generally prohibit us from advising members of the public regarding municipal legal matters, although we do share articles or other general information we have on hand with private citizens. Please do not encourage citizens who are not municipal officials or employees to contact the League for legal advice as we may have to refuse assistance.

Further, the League’s attorneys cannot take sides in disputes involving one municipality against another or in conflicts between municipal officials. League attorneys exercise discretion in these situations and will generally refer you to your local attorney where a potential conflict of interest appears likely to arise. If it appears that we are being asked to resolve a dispute between two or more officials, we may ask that the question be reduced to writing with an agreed to statement of facts between the concerned parties so that we may respond to all sides jointly. We will also make every effort to encourage cooperation on questions involving disputes between

continued next page

municipal officials.

How to Use the Legal Department

Whether you inquire by letter, telephone, e-mail or fax, the following guidelines will help us give you the most prompt, accurate response:

- Call or write as soon as possible after identifying your problem – immediate deadlines make responses difficult since often a question requires research.
- Give us as many facts as possible. On questions involving boards, it is best to know under what section of the Alabama Code the board was created.
- If you are following up on an issue you have been discussing with one of our attorneys, please advise the receptionist so that your call may be directed to that attorney.
- If you are under a deadline, let us know when it is and we will try our best to meet it.
- Municipal officials and employees are welcome to discuss matters in person at League headquarters in Montgomery. Please call in advance to make an appointment. If your questions involve a review of documents, we may ask that they be forwarded prior to the meeting so that we may review them.

Telephone Inquiries

As noted above, the legal department's primary goal is to have an attorney available by telephone every day during business hours. Of course, there are exceptions, such as during the League's convention or when we are trying to meet a publication deadline, or on hectic meeting days of the Alabama Legislature. We try to return calls either the same or the following day and we try to give an answer over the telephone. However, not every question has a clear legal answer. In these cases, we will try to give you our best legal opinion, based on years of municipal legal experience and knowledge of state and federal laws.

Further, some questions require research before a knowledgeable answer can be given. Therefore, it is best not to put off calling until just before a deadline. Of course, not every question can be anticipated, and when a quick legal response is needed, we will make every effort to provide a speedy answer.

Written Inquiries

Because of the volume of calls, it is difficult to confirm telephone advice in writing. However, we are happy to answer written inquiries in writing and try to do so in a

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timely fashion. All requests for written responses should be submitted in writing, laying out the question and any relevant facts. Written inquiries are generally answered in the order received and the response time depends upon time available to draft a response. Again, we will try to accommodate a deadline, but this is not always possible. As always, it is generally best to work with your local attorney if a quick response is needed.

We generally treat faxed messages the same as written requests. A carefully written legal opinion takes just as long to prepare in either case. If you simply want us to call you back with an answer, please indicate that in your request.

E-mail

Because of the nature of e-mail requests, they may be treated as either a written request or a telephone inquiry. League attorneys attempt to respond to electronic questions as quickly as possible, but please bear in mind that when our attorneys are out of the office, they may not have access to a computer, which will delay any reply. If you have an e-mail question that must be answered quickly, but have not received a response, it is generally advisable to follow up with a telephone call to be sure that the message was received, and that the attorney you are attempting to reach is in the office.

Amicus Curiae Briefs

While the League does not file lawsuits on behalf of its members, we do sometimes file *amicus curiae* briefs in cases on appeal to either the Courts of Appeal or to the Alabama Supreme Court if the issues involved in the case have statewide significance. If you are involved in a case on appeal and you think the Court should have input from the League, please send a written request for an amicus brief, with supporting documentation, to the legal department.

Sample Ordinances

We maintain a large supply of sample ordinances on many topics. These samples come from several sources. Our most important source for ordinances is our members. If you adopt a new ordinance, it would benefit all League members if you could forward a copy to the League's legal department for our files.

Please remember that these ordinances have not been drafted by the legal department. Before using one as a guide, it is important to adapt these ordinances to your local needs and to obtain advice from your local attorney regarding compliance with statutes and case law.

We are often called upon to review ordinances or

to interpret a word or phrase in an ordinance. While we can offer a cursory reading of an ordinance, we cannot be familiar with the circumstances which require the adoption of an ordinance, nor can we investigate facts which might influence the meaning of specific words or the inclusion of specific sections. Our interpretation is not intended to be definitive and should be used merely as a second opinion for your local municipal attorney. He or she is in the best position to provide you with a detailed analysis of your ordinance and provide you with a final answer.

Coordination with Local Attorneys

Each municipality should have its own attorney. The League's legal department is a resource to assist your municipal needs; it is not a replacement for your municipal attorney. Nothing we do or say is meant to interfere with the critical relationship between your municipality and your attorney. When the law is unclear or the inquiry presents substantial risk of litigation, we'll often suggest that you seek advice from your attorney, because he or she will have to represent you should you have to go to court. When your attorney provides advice, he or she does so in the belief that the recommended action puts the municipality in the most defensible legal position. Your municipal attorney is also in the best position to know local factors which influence the need to proceed in a particular manner. Therefore, we generally encourage municipal officials and employees to follow their attorney's advice, especially on questions where the law is open to interpretation or factual matters require further development. Of course, we are always happy to discuss an issue with local attorneys or to verify their interpretation of a statute or case.

You should not seek our advice in the hopes that we will second-guess your attorney. We are here to assist, and not compete with, your attorney. Legal opinions are fact-specific and people who are not lawyers are often unaware of how a fact which seems unimportant to them might affect the legal response. Thus, if our opinion differs from that of local counsel, we will generally advise you to follow the advice of your local attorney.

To further help municipal attorneys represent their clients, the League created the Association of Municipal Attorneys (AAMA) in 1992. AAMA provides a number of services to municipal attorneys. It conducts two training seminars annually for municipal attorneys, publishes updates of ongoing litigation and also maintains an internet forum to enable attorneys to communicate with each other

continued next page

on legal issues. In addition to AAMA, the League created the Alabama Municipal Judges Association (AMJA) in 2007 to provide similar services and training opportunities for municipal judges. We strongly encourage all municipal attorneys, prosecutors and judges to join AAMA or AMJA and hope that all municipal officials will request that their local attorneys and judges join and participate in these important organizations. For more information, contact the League's legal department, or visit the League's web site, where links to information about AAMA and AMJA are posted.

Local Political Disputes

As attorneys, we answer your questions regarding municipal law. We often receive calls for "legal assistance" where the caller is seeking resolution to a political disagreement. Every municipality has political disagreements; most cannot be resolved by looking at a statute. In many cases, statutes are subject to multiple interpretations, especially where the responsibilities and duties of municipal officials are concerned. These calls are awkward, and we cannot give you an answer about

who is right and who is wrong. These disputes are best resolved in the political arena through compromise and cooperation rather than through legal guidance.

Coordination with Other Agencies

The League often serves as a contact point on municipal issues for other agencies, including state departments like the attorney general's office, as well as other entities, such as regional planning commissions. League attorneys often provide advice to representatives of these offices and frequently serve as speakers at educational conferences and seminars run by these agencies. Because of our relationships with these agencies, we may refer you to one of them if we feel they can assist you with your questions.

Relationship with the Worker's Comp Fund and AMIC

The League administers two risk-pooling type programs for municipalities – Municipal Workers Compensation Fund, Inc., and the Alabama Municipal Insurance Corporation, which provides liability coverage for municipalities. It is important to understand that the

"We know we're making the right call when we buy Cat® equipment."

When the Public Works Department in Tuscaloosa County, Alabama, solicits bids for heavy equipment, purchase price is just one factor it considers, says Engineering Coordinator Michael Henderson. "If there's a disaster in our area, we need to know our equipment, and our dealer will come through for us. We must know, beyond a shadow of a doubt, that the equipment is ready to work because response time is critical."

Factoring in Life Cycle Costs when purchasing equipment is equally important to Mike. "It's in the county's best long-term interests to consider total costs. When we choose Cat® equipment, we can be confident we're getting a quality machine, backed by a strong company and dealer. We also know that when it's time to cycle it out, there will be value left in that equipment."

www.thompsoncontractor.com www.govbidspec.com

The National Institute of Governmental Purchasing (NIGP), National Association of State Procurement Officials (NASPO) and National Association of Fleet Administrators (NAFA) endorse the use of Life Cycle Costing as a preferred procurement method.



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121 Gilberts Ferry Rd. S.E.
Attalla, AL 35954
(256) 570-1100

Birmingham
2401 Pinson Highway
Birmingham, AL 35217
(205) 841-8601

Crestview
2106 3rd Ave.
Crestview, FL 32539
(850) 682-6510

Decatur
6969 US Highway 31
Tanner, AL 35671
(256) 353-7721

Dothan
118 Vulcan Way
Dothan, AL 36303
(334) 671-1040

Huntsville
3600 Governors Drive
Huntsville, AL 35805
(256) 532-1776

Marianna
3742 U.S. Hwy. 90 W.
Marianna, FL 32446
(850) 526-2241

Mobile
30950 State Hwy. 181
Spanish Fort, AL 36527
(251) 626-5100

Montgomery
10120 Hwy. 80 E.
Montgomery, AL 36117
(334) 215-5000

Opelika/Auburn
302 Fox Run Ave.
Opelika, AL 36801
(334) 749-3359

Oxford/Anniston
2300 Hwy. 21 S.
Oxford, AL 36203
(256) 831-4104

Panama City
4109 Cato Rd.
Panama City, FL 32404
(850) 785-4007

Pensacola
2650 West Nine Mile Rd.
Pensacola, FL 32534
(850) 471-6700

Shelby County
2070 Corporate Woods Dr.
Alabaster, AL 35007
(205) 664-4833

Thomasville
2501 Joe Davis Industrial Blvd.
Thomasville, AL 36784
(334) 636-0420

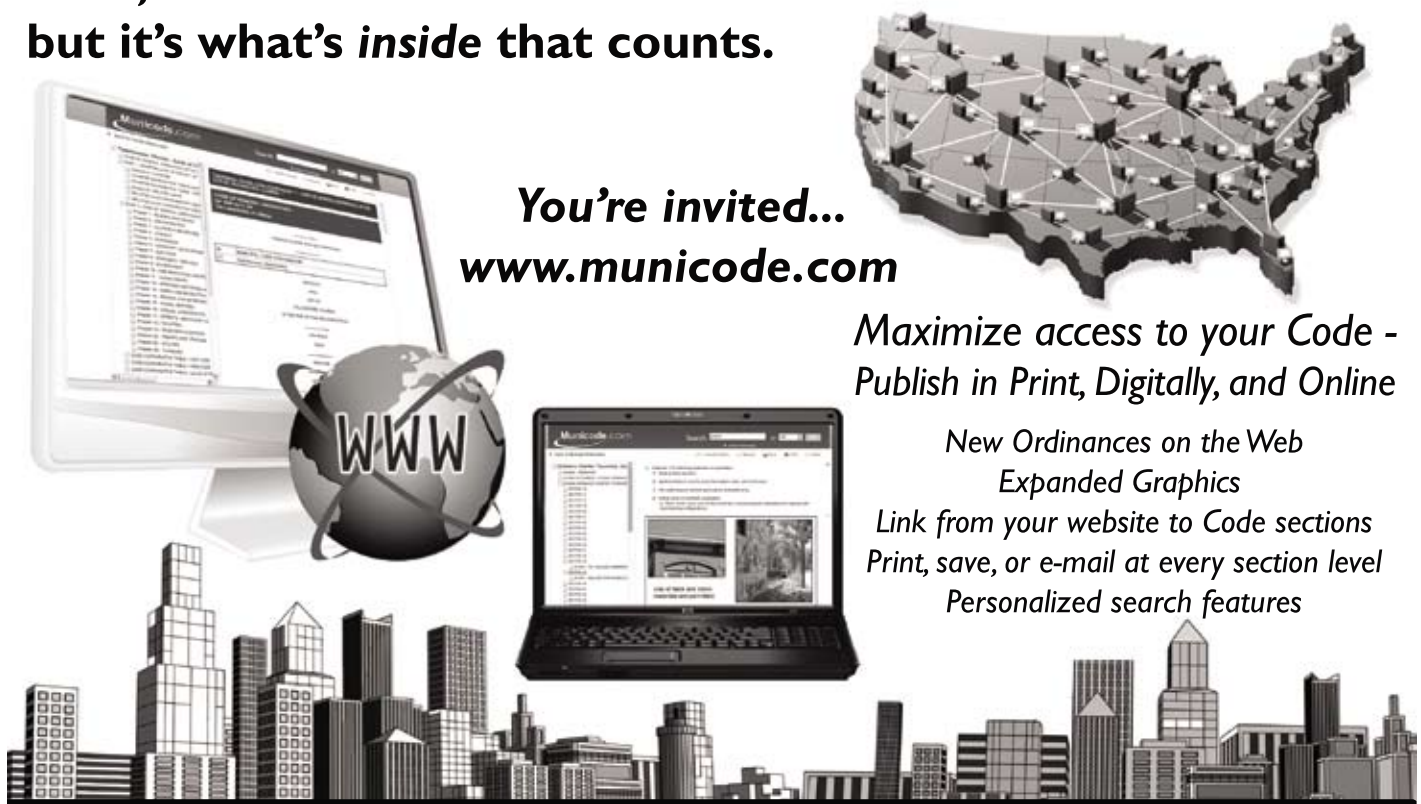
Tuscaloosa
3550 Joe Mallisham Pkwy.
Tuscaloosa, AL 35401
(205) 247-2800

Tuscumbia
1410 S. Hook St.
Tuscumbia, AL 35674
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legal department does not represent these entities. We do not provide advice regarding coverage or on matters in which one of these entities has an interest. Further, following our legal advice does not guarantee coverage. Questions regarding specific coverage issues or other matters related to these entities should be directed to them, and not to the League's legal department.

Limitations

Excluded from our advisory services are matters such as:

- drafting individualized ordinance and contracts
- comprehensive review of applications for grants or legal responses
- on-site training for individual municipalities (although League attorneys will meet with representatives of a municipality at League headquarters if an appointment is made)
- litigation
- direct representation or negotiations with third parties on an individual municipality's behalf

Remember:

- we cannot take sides with one municipality or one official against another
- we generally cannot respond to questions regarding the League's worker's compensation or liability programs; inquiries on these programs should be directed to the appropriate representative

Don't Hesitate to Call

This user's guide is not meant to discourage you from contacting the League's legal department. On the contrary, we hope that understanding the scope of our services will help you make better use of them. When in doubt about whether we can help you, please don't hesitate to call or send an email. Of course, if ethics prohibit us from responding to your question we may have to refuse to answer it, or may refer you to someone who does not have a conflict. We hope you will take advantage of League services and programs. If there is anything we can do to help, please let us know. ■

2010 EXPO



The Alabama League of Municipalities' Annual Expo provides convention delegates an opportunity to visit with numerous companies and state offices to learn about products and services for municipal officials and employees. Please take a moment to look over the list of vendors (as of 4/14/2010) attending this year's Expo and make sure to visit their booths during the convention this month in Mobile. (A final list will be included in the convention registration packets.)

Expo Hall Schedule

5:30 p.m., Sunday, May 16 - Exhibitor Showcase and Reception featuring heavy hors d'oeuvres and live jazz music.

10:30 a.m., Monday, May 17 - Exhibits open in the North Exhibit Hall following Opening Session.

NEW THIS YEAR! Dessert will be provided in the Expo Hall immediately following the Monday luncheon.

Door Prizes - Make sure you register at participating booths! A list of winners will be posted in the back of the Expo Hall by the Exhibit Information desk during the dessert reception immediately following the Monday luncheon. Please check to see if you've won a prize and, if so, pick it up from the appropriate vendor **prior to** 4 p.m.

4:00 p.m., Monday, May 17 - Exhibits Close

Company Name and Booth Number

(Note: booth number subject to change)

A to Z Muni-Dot Company 903	Alabama Emergency Management Agency 912
AARP 804	Alabama Municipal Revenue Officers Assn 1014
ADECA 708	Alabama One Call 509
Advanced Disposal Service 304	Alabama Public Library Service 1013
AL City/ County Management Assoc. 1007	Alabama Recreation and Parks Association 1003
AL Dept. of Environmental Management 413	Alabama Retired State Employees Assn 1015
AL Association of Municipal Clerks and Administrators 1004	Alabama Surplus Property 1005
Alabama Cable Telecommunications Assn 504	Alabama Tourism Department 707
Alabama Cooperative Extension System 1011	ALL Kids - AL Department of Public Health 1008
Alabama Correctional Industries 1012	Allied Waste 600
Alabama Dept. of Agriculture and Industries 1010	ALM Loss Control 201
	Ameresco, Inc, 703

American Traffic Solutions 609
 AMFund 101
 AMIC 200
 Arsenault Associations 213
 ATandT 511
 Auburn Montgomery's Center for Government and
 Alabama Training Institute 416
 Auntie Litter, Inc. 700
 Badger Meter, Inc. 309
 BancorpSouth Equipment Finance 412
 Barfield, Murphy, Shank and Smith 212
 Barge, Waggoner, Sumner and Cannon, Inc. 301
 Black Mountain Software, Inc. 513
 Bridge and Watson 512
 Bright House Networks 505
 Carr Riggs and Ingram 611
 CBandI, Inc. 809
 CDG Engineers and Associates, Inc. 305
 Center for Governmental Services -
 Auburn University 1009
 CGI Communications 1001
 Civic Plus 516
 CPM Constructions Program Management 113
 CXT Concrete Buildings 108
 DesignAlabama, Inc. 1002
 Dixie Decorations, Inc. 102
 DMD Engineers 500
 Empire Pipe and Supply 613
 Employers Support of the Guard and Reserves
 Group 608
 ESG Operations 303
 GovDeals, Inc. 103
 Hammill Recreation, LLC 800
 Harris Corporatio 401
 Harris Corporation 400
 Hatch Mott McDonald 508
 Holiday Designs 408
 Honeywell 807
 Hullett, Kellum & McKinney, P.C. 116
 Ingram Equipment B1
 J.A. Dawson and Company 603, 604, 605
 Jackson Thornton 407
 Jefcoat Recreation and Construction 803
 Johnson Controls 411
 Judicial Correction Services 211
 Kel-Ar Energy Consulting, LLC 308
 Kidz Zone Play Systems 105, 106
 Krebs Architecture and Engineering, Inc. 405
 Local Government Corporation 204
 Maudlin and Jenkins CPA, LLC 607
 Municipal Code, mcInnovations and
 mccAdvantage 203
 Municipal Revenue Services 704
 Municipal Worker's Compensation Fund 100
 Musco Sports Lighting 307
 NAFECO A1
 National League of Cities 701
 Polyengineering 205
 RDS 300
 Redflex Traffic Systems 503
 RSA 1006
 Sansom Equipment E1
 Schwarze Industries Inc. C1
 Severn Trent Services 601
 Slaughter and Associates 705
 SMW Engineering 109
 Southern Playgrounds 208, 209
 Star Recycling 403
 State Employees Insurance Board 313
 Sternberg Lighting 311
 Tank Pro 312
 Thompson Tractor F1
 TriNovus 104
 Tyler Technologies 404
 UA Assurance 215
 Universal Concepts 111
 US Bank Corporate Trust Services - AL 808
 Utility Cost Analysts 207
 Utility Engineering Consultants 409
 Utility Service Co., Inc. 301
 Veolia Environmental Services 507
 Wachovia Bank / Wells Fargo 110
 Waste Pro of Alabama 107
 Wilson Price CPAs and Consultants 501
 Woodard and Curan 709

LEGAL CLEARINGHOUSE

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. 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 COURT DECISIONS

Arrests: The defendant was properly charged with obstructing justice by using a false identity when she was facing an outstanding warrant and she produced identification containing the correct name but false Social Security numbers and an incorrect date of birth. *State v. Toole*, 25 So.3d 486 (Ala.Crim.App.2009)

Courts: The statute governing the offense of making a terroristic threat is not unconstitutionally vague. *Lansdell v. State*, 25 So.3d 1169 (Ala.Crim.App.2007)

Courts: As long as the remaining portions of the charging instrument validly charge a crime, the existence of surplusage in the charging instrument will not affect the validity of the conviction. *State v. Alexander*, 25 So.3d 490 (Ala.Crim.App.2009)

Courts: In a criminal prosecution for violation of a city ordinance, the pertinent city ordinance is an essential element of the city's case and must be considered by and proven to the jury. When the city does not introduce the ordinance into evidence and it is not considered by the jury, the city has failed to make out its case against the defendant. The defendant challenged his conviction for DUI in violation of a city ordinance that adopted the Alabama Code by reference. Although the city filed the ordinance with the circuit court, the record does not reflect that the city moved to admit the ordinance into evidence or that the circuit court admitted the ordinance into evidence (merely showing the ordinance to the court is insufficient). *Cole v. City of Bessemer*, 26 So.3d 488 (Ala.Crim.App.2009)

DUI: A circuit court retains jurisdiction of a misdemeanor driving under the influence offense when the state fails to prove the necessary prior DUI convictions to elevate the offense to a felony, overruling previous

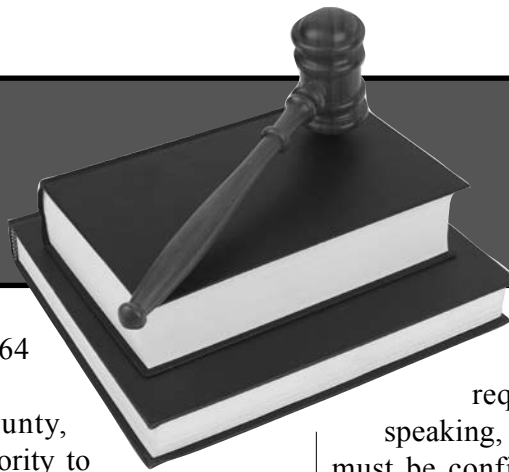
holdings by the court of appeals. *Marshall v. State*, 25 So.3d 1183 (Ala.Crim.App.2008)

DUI: In a prosecution for felony driving under the influence, a failure of the state during the sentencing phase to prove that the current DUI conviction is punishable as a felony, i.e., that the defendant has had three prior DUI convictions within five years of the current DUI conviction, does not divest the circuit court of jurisdiction to sentence the defendant for misdemeanor DUI. *Ex parte Marshall*, 25 So.3d 1190 (Ala.2009)

Elections: Town, as a named contestee of an election to determine whether citizens favored annexation of town into city, had standing to submit evidence of allegedly illegal votes cast against annexation, in an action brought by qualified town electors, contesting the results of the annexation election. *Town of Mountainboro v. Griffin*, 26 So.3d 407 (Ala.2009)

Public Records: The Open Records Act does not authorize a citizen to shift to the custodian of public documents the tasks of inspecting them and identifying the ones to be copied or the expense of copying those and does not require the custodian to undertake the burden and expense of mailing or otherwise delivering the copies. Any inspection of the writings and any identification of the ones to be copied must be performed by the citizen or his or her agent under such reasonable safeguards as the custodian may impose for the preservation of the writings. The burden and expense of copying the writings and taking the copies must be borne by the citizen or his or her agent as provided by law. *Ex parte Gill*, 841 So.2d 1231 (Ala.2002)

Searches and Seizures: A warrant that authorized a search of defendant's residence for, among other things, any and all drugs, did not violate the Fourth Amendment's particularity requirement, even though the warrant did not specifically mention marijuana. Marijuana and other illegal drugs would naturally be located in the same types of places, and the search was not a general exploratory search. The test for the necessary particularity of objects to be seized pursuant to a search warrant is a pragmatic one. The degree of specificity required may necessarily vary according to the circumstances and type of items involved, and there is a practical margin of flexibility.



Ex parte Jenkins, 26 So.3d 464 (Ala.2009)

Streets and Roads: A county, by virtue of its exclusive authority to maintain and control its roads, is under a common-law duty to keep its roads in repair and in reasonably safe condition for their intended use. A county has a statutory obligation to maintain the safety of its roadways pursuant to §22-1-80 of the Code of Alabama. *Holt v. Lauderdale County*, 26 So.3d 401 (Ala.2008)

Venue: A corporation that provided bus service to a neighboring county to solicit and transport gaming customers was not “doing business” in the neighboring county. Providing a bus route in the neighboring county was the exercise of corporate powers incidental to its corporate business functions, and it was tangential to the company’s fulfillment of its primary business functions. *Ex parte Greenetrack, Inc.*, 25 So.3d 449 (Ala.2009)

UNITED STATES COURT DECISIONS AFFECTING ALABAMA

Legislation: Letter written by individual legislators 13 years after enactment of legislation that they had sponsored, regarding the meaning of this legislation, did not qualify as legislative “history,” and was of scant or no value in construing it. *Graham County Soil and Water Conservation Dist. v. U.S. ex rel. Wilson*, --- S.Ct. ----, 2010 WL 1189557 (U.S.2010)

Tort Liability: The term “administrative,” as used in second part of the three-part “public disclosure” bar of the False Claims Act (FCA) to deprive courts of jurisdiction over qui tam suits when relevant information has already entered public domain as a result of disclosure in a congressional, administrative or General Accounting Office (GAO) report, hearing, audit or investigation, was broad enough to include not just federal administrative reports, hearings, audits or investigations, but state and local administrative reports, hearings, audits or investigations as well. *Graham County Soil and Water Conservation Dist. v. U.S. ex rel. Wilson*, --- S.Ct. ----, 2010 WL 1189557 (U.S.2010)

DECISIONS FROM OTHER JURISDICTIONS

First Amendment: Regulations that require speakers to obtain permits before speaking, i.e., prior restraints, are disfavored and must be confined by narrow, objective, and definite standards. There is heavy presumption of invalidity for prior restraints of speech that grant the licensing authority broad discretion. *Service Employees Int’l Union, Local 5 v. City of Houston*, --- F.3d ----, 2010 WL 323550 (5th Cir.2010)

First Amendment: An ordinance declaring junked vehicles to be public nuisance and prohibiting citizens from placing or keeping junked vehicles on their property did not violate freedom of expression as applied to wrecked automobiles that the owner of a novelty shop had had colorfully painted, planted with native cacti and placed on display outside of his store. Additionally the

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vehicles were not “works of visual art” protected under Visual Artists Right Act. Regulation of junked vehicles was within city’s traditional municipal police powers. The ordinance was not intended to regulate “speech” but was content-neutral health and safety ordinance, reasonably tailored to achieve city’s legitimate interests with only incidental restriction on protected expression. *Kleinman v. City of San Marcos*, --- F.3d ----, 2010 WL 447894 (5th Cir.2010)

First Amendment: An insurance agent alleging that a local official retaliated against her for publicly criticizing the town’s zoning and sign regulations by undermining her relationship with her employer, stated a claim under the First Amendment’s Free Speech Clause. *Fritz v. Charter Township of Comstock*, 592 F.3d 718 (6th Cir.2010)

Searches and Seizures: Officers and others involved in searches of digital media should exercise caution to ensure that warrants describe with particularity the things to be seized and that searches are narrowly tailored to uncover only those things described. When a search requires review of a large collection of items, such as papers, it is certain that some innocuous documents will be examined, at least cursorily, in order to determine whether they are, in fact, among those papers authorized to be seized. If, in those circumstances, documents not covered by the warrant are improperly seized, the government should promptly return the documents or the trial judge should suppress them. *U.S. v. Mann*, 592 F.3d 779 (7th Cir.2010), *U.S. v. Williams*, 592 F.3d 511 (4th Cir.2010)

ATTORNEY GENERAL’S OPINIONS

Ad Valorem Taxes: Act 2009-508 applies to tax assessment dates falling on or after October 1, 2009 and expands the definition of Class III residential property found under section 40-8-1(a) of the Code of Alabama. AGO 2010-047

Boards: Act 547 (1965), as amended, requires that one of the members of the Board of Directors of the Birmingham-Jefferson Civic Center Authority be a resident of the area served by the Bessemer Division of the Tenth Judicial Circuit. AGO 2010-039

Courts: Any person who commits an act in Alabama of criminally injurious conduct constituting a felony or a misdemeanor, or such an act in another state punishable by fine, imprisonment, or death, after making application to the Alabama Crime Victims Compensation Commission, is ineligible for compensation. AGO 2010-053

Environment: A county commission may not regulate the pollution of a business activity regulated by the

Alabama Department of Environmental Management. AGO 2010-046

Jails: For purposes of section 12-15-208(d) of the Code of Alabama, persons alleged to be delinquent are to be considered “adult inmates” once they have reached their 18th birthday, thereby requiring them to be housed in an adult jail or lockup separate from accused or adjudicated delinquent children under the age of 18 years at the Montgomery County Youth Facility. Once these persons turn age 18 years and it is brought to the attention of a juvenile court judge, the juvenile court judge should issue an order to have those persons 18 years of age or older placed in adult jails. In the order of commitment to adult jail, the order shall direct law enforcement officials to transport the juveniles from the juvenile detention facility to the appropriate adult jail pursuant to this authority in section 12-15-208(k) of the Code of Alabama. AGO 2010-052

Juveniles: With the enactment of Act 2009-564, the prior attendance exemption provided to church-schooled students is now conditioned on that student’s attendance at the church school before attaining his or her 16th birthday. Section 16-28-3 of the Code of Alabama does not recognize an attendance exemption for any other category of instruction. The attendance exemption is thus limited to qualified church-schooled students, including those church-schooled students who pursue a home-study curriculum by enrolling and “attending” a church school. A student who is instructed by a competent private tutor must attend school until he or she is 17 years of age. The exemption from the compulsory attendance age of 17 applies only to eligible church-schooled students discussed herein. AGO 2010-051

Licenses and Business Regulations: Licensed electrical contractors, who install conduit, wire, and fire alarm associated equipment, but do not design, program, certify, inspect, or test fire alarm systems in this state are not subject to the licensing requirements for certified fire alarm contractors. AGO 2010-042

Officers and Offices: Unless there is clear authority stating otherwise, statutory and appointive officers may hold over in a position until a successor is legally elected or appointed and qualified. AGO 2010-043

Public Records: The Secretary of State’s written order in a complaint file removing a registrar is subject to disclosure under the Open Records Law. The open complaint file, closed complaint file when no cause is found to proceed with removal, and internal recommendations as to how to proceed, but not constituting the final order, may

be withheld from public inspection. AGO 2010-050

Public Works Bid Law: The preference to resident contractors over out-of-state contractors, found in section 39-3-5(a) of the Code of Alabama, applies if (1) the contract is under the Public Works Law, (2) the contract utilizes any state, county, or municipal funds, except if funded in whole or in part with federal funds, and (3) the law of the state of the out-of-state contractor gives preference to its resident contractors. A County Commission may not give preference to Alabama contractors over Florida contractors because Florida law does not provide a preference to resident contractors in public works contracts. AGO 2010-040

Public Works Bid Law: The purchase and placement of sod by a contractor for the construction of a softball complex is a public works project. AGO 2010-048

Sex Offenders: The Department of Public Safety (“Department”) is not required to keep a hard copy of the sex offender information it is required to record by law once the information has been scanned or accurately entered into its electronic database. The Department must ensure that the digital records it is required to keep are

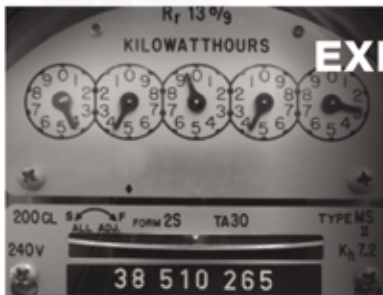
protected from loss or destruction. The Department should contact the Alabama Department of Archives and History for guidance on managing and maintaining its electronic records system. AGO 2010-041

Streets: State law does not prohibit a county commission from accepting monetary donations from private citizens for road improvement projects. A county commission may schedule requested road improvement projects within a period of time sufficient to avoid interference with existing projects. AGO 2010-044

Streets: A town may pay for and provide street lights (on any public right of way) to its residents by any means it deems appropriate. Section 11-47-18 of the Code of Alabama provides that “[t]he council or other governing body of any town or city may provide for lighting, sprinkling, cleaning the streets by contract or otherwise.” AGO 2010-045

Utilities: A County Water Authority is not required to obtain the approval of the County Commission before acquiring the water and sewer systems of a town. AGO 2010-049

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Obituaries

B. D. Kimbrough, former mayor of Muscle Shoals, died January 12. He served as Mayor from October 1959 until September 1964 and from October 1966 until September 1969. His first term as Mayor ran concurrent with his election to the City Commission serving from October 1959 until September 1964.

Anne Farish, four-term former mayor of Monroeville, died January 18 at age 83. A native and lifelong resident of Monroeville, Farish – the daughter of late Monroeville Mayor and County Commissioner Walter Hudson Hines – worked in real estate for many years. She ran for president of the Chamber of Commerce in 1982, becoming the first female president and holding the office for two consecutive years. She ran for a Monroeville City Council seat in 1984 and went on to serve two terms before making her mayoral bid in 1992, which she held for 16 years. During her tenure as mayor, the city built its first industrial park as well as a new city hall and police station.

Mervin Huff, who served on the Brewton City Council for 16 years, died February 19 at age 89. He spent many years involved in community service and civic duty after his retirement from Container Corp. Huff moved to Brewton in 1957 to work at Container as a powerhouse supervisor where he worked for 27 years before retiring in 1985. He spent many hours working with various community groups after his retirement, devoting time to the Methodist Children's Home by picking up aluminum cans to change into funds for the home, family members said. Huff was elected to the Brewton City Council in 1988.

Raynova Bernabe Burck, former Riverside councilmember died February 2 at age 80. A retired Air Force officer, he served on the Council from 1996-2004. He was also appointed to serve on Riverside's Mental Retardation Developmental Disabilities Board and was involved with the Riverside Toys for Kids Program, assisting with fundraising roadblocks and helping shop for toys for needy children at Christmas.

Douglas "Doug" Goss, former councilmember of Piedmont City died March 13 at age 61. He was retired from Young Oil Company and served on the Council for four years. He was also a collector of knives, coins and guitars and enjoyed playing the guitar.

Robert Allen Tinnon, former Athens mayor and city councilmember, died March 24 at age 84. Tinnon served as mayor from 1964-68 after having served in the Limestone County school system as a teacher and assistant principal and principal of Clements High School. He was elected to Athens City Council in 1992 and in 1996.

Geraldine Allen, Selma council president, died from cancer April 10 at age 51. She was elected the first woman president in 2008 after serving one term on the Council and is praised for using her parliamentary skills to help reduce lengthy council meetings. She was also an associate professor of nursing at Troy University Montgomery as well as director of the institution's graduate nursing program.

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There are homecoming events and festivals going on practically every weekend from mid-March through mid-December. Special homecoming events like the Ashland Homecoming Weekend, Clayton Homecoming, Celebrate Guntersville, the Monroeville Reunion, and Talladega's 175th Birthday Bash. Check the calendar to see when your favorite towns are holding homecoming events and start planning your trip today.



Remember to enjoy some good old-fashioned Southern cuisine along the way. Sample local favorites like the barbeque chicken with white sauce at Big Bob Gibson BBQ in Decatur, the orange rolls at the All Steak in Cullman, banana pudding at Sisters in Troy, and the royal red shrimp at King Neptune's in Gulf Shores.

If you've never visited Alabama then this is the perfect year to make your first trip and experience Sweet Home Alabama.

Check the Great Alabama Homecoming calendar at www.alabamahomecoming.com and start packing!



See page 24 for May, June and July events for participating communities!

2010: The Great Alabama Homecoming!

May • June • July

This list of events is provided by the Alabama Tourism Department. The municipalities listed are participants in the Year of Small Towns and Downtowns program (see page 23). If you have questions about this program, please contact Brian Jones with Alabama Tourism at 334-242-4665.

5/1 Cottonwood	Down Home Country Fest	6/6 Wedowee	Wedowee Arts Festival
5/1 Cowarts	Cowarts Homecoming Weekend	6/11 Alexander City	20th Annual Alexander City Jazz Fest
5/1 Dauphin Island	Dauphin Island: An Historic Journey	6/12 Eutaw	Family & Friends Community Day
5/1 Dothan	Mural City Art Fest-Street Festival	6/12 Sheffield	Sheffield Founders Day
5/1 Gee's Bend	Gee's Bend May Day	6/19 Brewton	30th Annual Alabama Blueberry Festival
5/1 Homewood	We Love Homewood	6/19 Gainesville	Gainesville Day
5/1 Kansas	Kansas Day	6/19 Jasper	Memorial Park Homecoming
5/1 Pelham	Springtime at Ballantrac	6/19 Slocomb	Slocomb Tomato Festival
5/1 Somerville	Somerville Celebration Festival	6/19 Susan Moore	Small Town Celebration
5/1 Spanish Fort	Delta Woods & Water Expo	6/23 Tuscumbia	Helen Keller Festival
5/2 Cardiff	Cardiff Cemetery Decoration Day	6/25 Brighton	Brighton Homecoming
5/2 Hoover	Celebrate Hoover Day	6/25 Clanton	Peach Jam Jubilee
5/7 Gurley	Celebrating Our Past	6/25 Columbiana	Liberty Day
5/7 Helena	Buck Creek Festival	6/25 West Blocton	Wild West Blocton Days
5/8 Abbeville	Yatta Abba Day	6/26 Florala	Annual Masonic Day Celebration
5/8 Clay	Clay May Days	6/26 Shorter	Town of Shorter Liberty Day
5/8 Guin	Mayfest	6/26 Sylvan Springs	Sylvan Springs Homecoming
5/8 Valley Grande	Founders Day	6/27 Wilsonville	God and Country Celebration
5/9 Newville	Small Town Celebration	6/28 Albertville	Happy Birthday Albertville
5/14 Anniston	Anniston Military Heritage Weekend	7/2 Guntersville	Celebrate Guntersville
5/14 Cullman	Strawberry Days at the Market	7/3 Bay Minette	Homecoming Celebration
5/14 Mentone	Rhododendron Festival	7/3 Brent	Heroes and Patriots Weekend
5/15 Franklin	Possum Day	7/3 Cherokee	Independence Day Celebration
5/15 Leighton	Rabbit Festival	7/3 Lincoln	100th Anniversary, City of Lincoln
5/15 Sanford	Sanford Homecoming	7/3 Midway	Midway Homecoming
5/21 Northport	Heritage Homecoming Weekend	7/3 Pickensville	Pre 4th of July Fireworks and Heritage Celebration
5/22 Oak Grove	Bloise Zeigler Day	7/3 Red Level	2010 Fourth of July Homecoming
5/22 Stockton	Stockton Homecoming	7/3 Scottsboro	Fourth of July Celebration on the Tennessee River
5/28 Montgomery	Jubilee Cityfest	7/3 Taylor	2010 Homecoming Weekend
5/28 Tuskegee	Memorial Day Weekend Fly-In	7/4 Magnolia Springs	Fourth of July Homecoming
5/29 Heflin	A Heflin Homecoming	7/10 Geraldine	Picnic in the Park
5/29 Sardis City	Sardis City Celebration	7/10 Graysville	Mayberry Days
5/31 Lottie	Lottie Memorial Day Services	7/17 Hayneville	Founders Day
5/31 Oxford	Oxford Homecoming Week	7/17 Opelika	Summer Celebration
6/4 Alabaster	Alabaster CityFest	7/17 Tallassee	Homecoming Weekend
6/4 Gordo	Mule Day/Chickenfest	7/23 Ensley	Function at Tuxedo Junction
6/4 Gordo	Mule Day/Chickenfest	7/31 Harpersville	Harpersville Homecoming
6/4 Pell City	Pell City Homecoming	7/31 Vina	July Fest
6/5 Florence	Frontier Days		
6/5 Haleyville	Haleyville Alumni Day		
6/5 Rogersville	Rogersville Heritage Homecoming Celebration		
6/5 Skyline	Skyline Day		



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- ✓ 3" Deck Gun Discharge, Deck Gun to be provided
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CONVENTION QUICK GUIDE

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Saturday, May 15

10:00 a.m. – 5:00 p.m.
11:00 a.m.
1:00 p.m.
2:30 p.m. – 4:30 p.m.
5:30 p.m. – 10:30 p.m.

Convention program will provide complete listing of meeting rooms and locations.

Registration – Upper Concourse
Resolutions Committee Meeting
AMIC Annual Meeting
General Session: Broadband Update and Improving Public Trust Through Government Transparency
League Welcome Reception followed by Music and Dancing with The River City Band

Sunday, May 16

7:30 a.m.
10:00 a.m.
1:00 p.m. – 5:00 p.m.
2:00 p.m. – 4:30 p.m.
4:30 p.m. – 6:00 p.m.
5:30 p.m. – 7:00 p.m.

2010 Annual Municipal Golf Tournament – Timber Creek Golf Course, Daphne
Prayer Service
Registration – Upper Concourse
Round Table Discussions (by population)
ABC-LEO Reception – Renaissance Riverview Hotel, Jubilee Room
Exhibitors Showcase and Reception – Convention Center, North Exhibit Hall

Monday, May 17

8:00 a.m. – 5:00 p.m.
8:30 a.m. – 9:30 a.m.
9:30 a.m. – 5:00 p.m.
8:30 a.m. – 5:00 p.m.
9:30 a.m.
9:00 a.m. – 10:30 a.m.

10:30 a.m. – 4:00 p.m.
11:00 a.m. – Noon

12:15 p.m. – 1:45 p.m.
2:00 p.m. – 2:30 p.m.
2:30 p.m. – 3:30 p.m.

3:45 p.m. – 5:15 p.m.

6:00 p.m.
7:15 p.m.

Registration – Upper Concourse
Clerks Breakfast and Business Meeting
Clerks Meeting
Alabama Association of Public Personnel Administrators
Spouses Breakfast (Renaissance Riverview Hotel)
Opening Session – Grand Ballroom
2010 Quality of Life Awards Presentations
Exhibits Open
Choose from the following concurrent workshop sessions:
• The Municipal Police Jurisdiction
• Final Report on the 2010 Regular Session
• Tort Liability
Luncheon – Guest speaker: Governor Bob Riley
Dessert in the Exhibit Hall (Door prize winners will be posted in the back of the Exhibit Hall.)
Choose from the following concurrent workshop sessions:
• Employers Support of the Guard/Reserves Briefing AND ACJIC Update/Criminal Background Checks
• A Primer on the Open Meetings Act
• Social Media Liability
Choose from the following concurrent workshop sessions:
• Municipal Landscaping & Beautification Tips AND Inspire, Enable & Mobilize Your City of Service
• AEMA – Aftermath of Disaster
• Grant Writing
Reception
Banquet followed by Jeanne Robertson, Humorist

Tuesday, May 18

8:00 a.m. – Noon
8:30 a.m. – 10:30 a.m.
10:30 a.m. – Noon
Noon

Registration – Upper Concourse
Annual Business Session
General Session – Ask Your Attorney Panel
President's Luncheon

Meetings and/or events subject to change. CMO credits can be earned. See convention program for details.

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