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See page 31

ALM Launches Municipal Economic Development Academy



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ALM recently launched the Municipal Economic Development Academy. See page 31 for more information about the program.

Successful Legislative Session; Many Opportunities in 2021!

Gregory D. Cochran • Executive Director

As we enter the second half of 2021, the League has several exciting and worthwhile opportunities that I look forward to sharing with you, but first I want to commend ALM's Advocacy Team, Kayla, Bryan, Baker and Lori, on a successful Regular Legislative Session. It was certainly a non-traditional year, but they proved that even during a pandemic much can be accomplished! In just 17 days, they passed legislation that revises more than 90 percent of municipal elections, and they worked tirelessly with our membership and various stakeholders to come to a compromise on the police and planning jurisdictions legislation.

Throughout the session they found several effective ways to spend time with state leaders and develop lasting relationships, including *Coffee and Conversations*, a series of thoughtful discussions with state leaders. Each week throughout the legislative session special guests, such as elected officials and state leaders, virtually joined municipal officials to discuss their legislative priorities, department updates and resources available to municipalities. The League also hosted weekly dinners with lawmakers at our headquarters in downtown Montgomery to share our perspective on various pieces of legislation impacting municipalities. I cannot express how much I appreciate the lawmakers, state leaders and our membership for collaborating with the League this session to strengthen municipal government. For a full synopsis of the 2021 Regular Session, I encourage you to read the summary issue of the *State House Advocate* (our weekly e-newsletter sent every Friday during the Session), available via the "Advocacy" tab under "State Legislation" on our website at www.almonline.org.

Summer CMO Training

I also want to recognize the League's Legal Team. Throughout the months of June and July they offered six one-day CMO Regional Trainings around the state specifically designed to allow municipal officials an opportunity for training in fundamental municipal government topics. Not only was this a great way for officials to strengthen core training in local government, it also gave attendees an opportunity to satisfy their core curriculum requirements in one year. I appreciate their forward thinking and outreach efforts to ensure our officials are receiving training that is vital to their success.

August Congressional Luncheons – Registration Required!

Looking ahead, by now each of you should have received an invitation (via e-mail) to the League's seven in-state congressional luncheons scheduled for August. The luncheons are designed to provide municipal officials a unique opportunity to network with their congressional delegation and staff as well as their state lawmakers. In addition, the luncheons are an excellent



Greg Cochran with Senator Jabo Waggoner, Rules Chairman for the Alabama Senate and champion of municipal government.

way to not only develop lasting relationships with Alabama's state and federal delegation but to update them on specific issues and concerns facing your communities. There is no cost for you to attend the luncheon; however, registration is required so staff can adequately prepare. Please visit our website to register.

Municipal Economic Development Academy

We are excited to begin receiving applications for the League's Economic Development Academy in just a few weeks! Created in partnership with the Alabama Community College System (ACCS), it is our hope that the Academy will educate and engage municipal officials on the essential elements and phases of economic development while highlighting the vital role you all play in economic initiatives and projects within your communities. Using a collaborative municipal team approach, those selected will attend an orientation session and then convene four times throughout the year to complete assignments and develop strategies to enhance the quality of life in those communities. Additionally, Academy graduates will be recognized during ALM's annual Municipal Leadership Institute (MLI) with a certification from ACCS and ALM. Read more about this new endeavor, including program requirements and how to apply, on page 31.

Speaking of MLI, we have already started outlining the agenda for the training being held on November 1-3 at the Montgomery Performing Arts Center (MPAC) in downtown Montgomery! This year's discussion will focus on early and higher education – specifically how education ties into community and economic development. Stay tuned for more details surrounding the agenda and registration.

Each opportunity mentioned above is intentionally planned and offered to ensure that you, our members, have firsthand access to state-of-the-art resources that could play pivotal roles in your community becoming its best self. However, for your community to be its best self, you must be an active part of the conversation. I challenge each of you to become more engaged than ever with the League – because when we work in unison to strengthen municipal government, there is nothing we cannot accomplish!

Thank you for all you do. I look forward to seeing each of you throughout the year! ■

Leadership Perspective

Mayor Gary Fuller • Opelika • ALM President



This past legislative session, the League partnered with the Alabama Department of Early Childhood Education and Education Secretary Barbara Cooper to encourage municipal leaders to participate in *Alabama Mayors Leading for Young Children*, a series of virtual meetings focused on mayoral leadership in early childhood education.

These events, which began in March and ended in May, were organized in collaboration with the Hunt Institute. Across three sessions, the latest research in brain science was discussed and participants learned why Alabama is a national leader in early childhood education. Mayors from across the nation joined this initiative to share how they are leading in early childhood, and peer-to-peer conversations highlighted opportunities and best practices for advocating for young children in our communities. There were a number of Alabama mayors actively involved in this series, including our immediate past president, Mayor Leigh Dollar of Guntersville.

There is no doubt that investing in our youngest citizens provides a strong return for strengthening our economy – both locally and statewide. Voters understand that everyone should have a fair start and data shows the impact that can be made in communities in the first 1000 days of a child's life and, then, until five years old. Municipal leadership can have a significant impact and make a lasting difference, not only for young children but for the education pipeline and, ultimately, the workforce pipeline. With 70 percent of mothers in the workforce, a high quality, early learning experience is key to the continued development of soft skills for young children – and quality child care for working families where children can be safe and learn is critical to the future of all our communities. Mayors and councilmembers can take the lead, or serve as important partners, in local efforts to expand access to or create new early learning programs.

There is no doubt that investing in early childhood education is a win-win for everyone and I'm extremely proud that our organization is playing a critical role in this effort that will make a long-term difference in the success of our state! ■



Mayor Lawrence "Tony" Haygood, Jr. • Tuskegee • ALM Vice President

Those of you who attended our Annual Convention in Huntsville this past May heard the announcement that the League is launching an Economic Development Academy this summer in conjunction with the Alabama Community College System (ACCS) and supported by an advisory council of industry leaders. The Academy is designed to engage elected officials from select cities and towns with municipal peers and colleagues from their region to prepare their communities for growth. Using a collaborative municipal team approach, participants attend an orientation session in the fall and then convene four times throughout the year to complete assignments and develop strategies to enhance economic development in their communities. Ultimately, each municipality selected is required to implement a community program/project and to report on its progress. Academy graduates are

recognized during ALM's annual Municipal Leadership Institute (MLI) each fall with a certification via ACCS and ALM.

As an Economic/Business Development Specialist with the Tuskegee-Macon County Community Development Corporation, I have worked closely with various partners to promote business development, improve entrance corridors and support housing rehabilitation in my county. So as both an industry professional and as a mayor, I understand how important economic development is for the vitality of a community – as well as the unique role municipal officials play in that process. Therefore, I'm extremely pleased that the League is developing additional resources to aid our cities and towns throughout the state and I encourage you to explore this option further when the application process for this new program opens in late July. There are several specific requirements, such as the mayor and at least two councilmembers must commit to participate in the year-long program; however, the investment of your time will be well worth the benefits your community will receive from this process! ■

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Lake Martin

Alexander City's Silver Lining

Jennifer Kornegay • Freelance Writer and Editor



Downtown Alexander City is bustling with activity thanks to its shopping and dining options. Photo by J. Kornegay

With even a casual glance at a map of Alabama, a blue oak-leaf shape with multiple feathery fingers stands out in the state's central section. It's Lake Martin, once the largest manmade body of water in the country. While it no longer holds that distinction, it boasts almost 900 miles of shoreline and more than 40,000 acres of water.

These numbers are impressive, but they fade to the background when you see the lake in person. Depending on where you're standing, a view from its edge could include diamonds of sunlight dancing on a surface that stretches as far you can see, or a quiet mirror-topped inlet lined on either side by towering pines. The lake's vast natural beauty has been hailed since Alabama Power created it as part of its Martin Dam project in 1926.

With its huge footprint, Lake Martin is a factor in the livelihoods and lifestyles of several neighboring Alabama cities and communities. Among those, Alexander City (pop 14,508) is the largest. The relationship between the city and Lake Martin is as deep and wide as the lake itself, and while leaders and residents have long understood this and taken pride in their home's lake-adjacent location, the upheaval and uncertainty caused by COVID-19 in 2020 tied this existing bond tighter.

Silver Lining

"So many places suffered, and suffered a lot during COVID, but for us, on the citywide level, we didn't," said Alexander City Mayor Woody Baird. "It was actually very positive for us." Alexander City Chamber of Commerce president and CEO Ed Collari agreed. "From an economic standpoint, the pandemic helped our community a lot," he said.

When it became clear the virus was a serious issue and lockdowns started, people began flocking to Lake Martin, and these crowds spilled over into Alexander City. They bought gas, ate in restaurants, stayed in area accommodations – including rentals on the lake – and purchased supplies and other items in local shops, benefitting businesses and contributing sales and lodging taxes to city coffers.

Some were owners of vacation lake houses who frequented their properties on weekends pre-pandemic but decided to hunker down and stay indefinitely in the midst of the virus. Some were new to the lake, fleeing big cities and seeking the safety the less-populous lake provided. Some of this second group did long-term rentals of lake houses, some bought them and others bought lots and built houses. Both groups could do these things with relative ease since much of the country shifted to remote work and virtual school in response to COVID. A third group was made up of tourists looking for a short escape where they could be active but do so safely.

Lake Martin Tourism Association executive director Brandy Hastings pointed to the big boost that followed the COVID-caused uptick in tourism. "COVID affected us all in negative ways from the health side, and we send our prayers to all the communities really hurt by that," she said. "But it brought us the traveler who wanted to get out but was too

scared to go just anywhere.” She came to her position in September 2020 from Florida. “The larger tourist destinations there had turned into ghost towns,” she said.

It was the opposite at Lake Martin and in Alexander City, where the local bed and breakfast, hotels, lake rentals and Wind Creek State Park’s campground, cabins and RV spots enjoyed steady, high occupancy rates. “Wind Creek really led the game in lodging tax collections, seeing huge increases. Lodging taxes fund the work I do, but it’s not much,” Hastings said. “The majority of that money goes directly to city programs, and as a resident myself, I can see how that money helps our city pay for things, and I appreciate that extra money in the budget.”

But lake visitors do more than bump up bottom lines. They also result in a higher quality of life for Alexander City residents by supporting a diversity of dining, attraction and entertainment options. “Visitors bring the traffic needed to have more things to do and more restaurants that maybe residents alone couldn’t keep open,” Hastings said.

Hastings also stressed the attributes that make Lake Martin attractive to visitors. “These travelers were looking for outdoor relaxation and recreation, and we check all the boxes,” she said. “They came to us and swam, boated, hiked, kayaked and felt safe here.”

The statistics on how this influx has impacted Alexander City are staggering. “Our sales tax revenues have just gone up and up and up,” Baird said. “The new boat lot [Russell Marine] can’t keep boats in stock. Our new Italian restaurant is booming. We didn’t survive the pandemic, we’ve thrived.”

According to Collari, in June 2020, the city saw its sales tax revenue for a month top \$1 million for the first time ever, and it has continued through May 2021 (when he was interviewed for this article). As Hastings outlined, Wind Creek State Park, which is on the water and in Alexander City limits, reported large increases in visitors and overnight guests. “Just at our campsites, we saw a jump from 19 percent occupancy year to date in April 2020 to 27 percent occupancy year to date in April 2021,” said Park superintendent Bruce Adams. “That’s a huge jump when you have more than 500 campsites.”

Also, in terms of overall guests, year to date from April 2020 to April 2021, the Park’s count went from 99,660 to 153,179. And while these visitors enjoy the park, they don’t limit their time to its boundaries. “Any weekend you can visit any parking lot in Alexander City and see our state park passes in windshields,” Adams said.

This prosperity is visible with a drive into Alexander City’s charming downtown. Streets are bustling and there are few vacant store fronts. Most spots are occupied with a range of shops, offices and dining establishments, including a prominent corner building that today houses Carlisle’s in the space that was once Carlisle Drug Co., which opened in 1914. Carlisle’s still has the original place’s old-timey soda fountain and serves many of the same treats.

But the boom can best be seen in the Lake Martin real estate market. The inventory is low – the lowest it has been in a “long time,” according to Collari – and the prices are high. “We have about 155 realtors in this area,” said Baird, “and we currently have about 30 listings on the lake.” He noted there are normally more than 100 houses for sale at any given

Our sales tax revenues have just gone up and up and up ... We didn’t survive the pandemic, we’ve thrived.



Photo provided by Lake Martin Tourism Association

time. “And they’re staying on the market for mere days and selling above market values,” he added.

Collari pointed out that many of the people snapping up these houses are coming from far away. “In talking to area real estate folks, they’ve seen significant influx from Birmingham and Atlanta, but that’s where we’ve always drawn people from,” he said. “In 2020 and now, they’re seeing people come from New York City, from California and from Washington, D.C.”

Even as prices for lakefront properties skyrocket by Alabama standards, to someone from the east or west coast, they look like a bargain. “They can get so much more house here compared to where they’re coming from,” Collari said. “Plus, we’ve got the amazing beauty of the lake, no traffic and here in Alexander City, that small-town feel, while being strategically located near the amenities of Auburn, Birmingham and Montgomery, and I think they like that too.”

If there are no homes on the lake to buy, they build, and new construction is contributing to the local economy too. “Pre-COVID, the lake was our economic driver, with sales taxes, but also the building of homes and the many jobs that creates,” said Collari. “Now, there’s a huge demand for new builds and new communities.”

Influential Family

The lake has clearly played a pivotal role in the city’s history and continues to heavily influence its present and future. But Alexander City had been thriving for more than 50 years before the lake was even imagined.

Incorporated in 1872 as Youngsville, after its founder James Young, it took its current name from Edward Porter Alexander, president of the Savannah and Memphis Railroad, when the company decided to extend its line through the town in 1873. With transportation in place, a cotton mill soon opened, and then, in 1902, Ben Russell founded Russell Manufacturing Company, a textile company that produced undergarments. A few years later, Ben’s brother, T.C., was elected Alexander City’s mayor and served 10 terms.

The Russell family has had major impacts on the city and area for more than a century. Before it restructured in the late 1990s and began layoffs and eventually closed its plant, Russell Corporation (the company Russell Manufacturing evolved into) was Alexander City’s largest employer, providing jobs for roughly 50 percent of the city’s residents.

The jobs lost were a blow, but the Russell name is still vital to Alexander City, and according to Baird, today, Russell Lands, a real estate development company, is the county’s largest employer. The company has built and continues to build lake neighborhoods, and recently announced its newest project, “a luxury residential development” on the lake with a Coore & Crenshaw golf course as its centerpiece called The Heritage.

“Russell Lands is a real economic engine here, and the city is hitching to that wagon,” Baird said. The city is seizing every opportunity, including running a sewer line to The Heritage to get it, and the businesses and other development likely to pop up around it, on city water.

Not every Alexander City egg is in the Russell basket though. Baird is determined to rally the community to recruit new industry, like a graphite processing plant coming soon. The facility should be up and running in 18 months to two years and will convert raw graphite mined in neighboring Coosa County into the form needed to build batteries for use in various tech devices as well as those used in electric cars.

Expanding the city’s base while supporting existing local businesses are at the heart of Baird’s vision for the city, perhaps because while he’s new to politics (he started his term in November 2020), he’s a longtime businessman. He’s owned his Alexander City gun store, The Sure Shot, for 22 years.

Fishing for Success

The worth of waterfront property is considerable (and growing), but Alexander City also benefits from the bounty swimming below the lake’s surface. Competitive fishing is becoming very big business, and the lake has been landing more and bigger events in recent years; each one brings multiple people and their wallets to the city.

Lake Martin has been a stop on the Alabama Bass Trail for the last five years, and its tournament creates a sizeable



A plate of Conecuh sausage, pickles, pimento cheese and crackers from Kowaliga restaurant on Lake Martin always hits the spot. Photo by J. Kornegay



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economic splash, drawing 450 anglers who stay in Alexander City an average of three days. “The economic impact is around \$450,000, based on hotel tax revenue,” said Alabama Bass Trail director Kay Donaldson. In 2020, in addition to the regular tournament, the Bass Trail held its championship at Lake Martin, and that event had an impact of \$750,000.

Each event also has a ripple effect, according to Donaldson. “Our trail is the largest in the Southeast, so when other trails see us hold a successful event, they know that if a city can host our tournament, it can handle theirs,” she said. “So, you have seen a lot of trails add Lake Martin to their schedule.”

As a hobby and a sport, fishing is reeling in new converts, and Donaldson claims that’s at least in part due to the pandemic. “In 2020, thanks to COVID, fishing license sales were up 20-25 percent,” she said.



Photo provided by Russell Lands

All Year Long

COVID also sped up a trend already in place: the changing seasonal nature of the lake. For years, the usual peak time – Memorial Day through Labor Day – has been expanding. “We’ve been moving to more year-round activity on the lake for a while; we’ve been seeing more fulltime residents on the lake and just in general, more people here more often,” said Collari. “We saw it go up during COVID though.”

Baird believes this will become the norm and attributes its permanence to what he deems a “virtual revolution” brought on by the pandemic. “For many, I think remote work is here to stay, and if you can work from anywhere, why not do it from a place you love? It’s transforming things here by bringing more fulltime residents and bringing us new visitors who can – and do – stay longer,” he said. “This past March, when the water was still down, the crowds on the lake made it seem like a summer holiday weekend.”

Hastings shared similar thoughts. “In COVID, we saw people coming all year, and not just second-home owners; they were coming and renting, camping, RVing and also staying longer because they could work from wherever,” she said.

She pointed again to an aspect of the lake’s allure that was underscored by the virus: its variety of outdoor recreation offerings. “I think that’s here to stay because the pandemic got more people interested in being outside,” she said. “I also see a renewed emphasis, thanks to COVID, on spending quality time with family and friends, making memories. I think priorities in the types of travel people want have shifted for the foreseeable future.”

Collari said a recent grant from Ben Russell to add a world-class geriatric center to the local hospital, Russell Medical, only adds to the appeal, particularly for the retirement demographic looking to live fulltime on the lake in their golden years. And he wants more. “It’s great to have all these people coming to Lake Martin, but I want to make sure we get them into Alexander City, in our downtown, more often,” Collari said. “I want them engaged in the community, in our civic clubs, in our churches.”

Collari also knows there is a saturation point, when the number of people becomes a con not a pro, but claimed the city and lake are not there. “I don’t see any downsides yet,” he said. “Even the real estate shortage, while it’s a challenge, it’s a good one. I think Alabama Power and Russell Lands are so strategic with their development that we’ll be able to maintain the right balance.”

Looking Ahead

Sustaining the current prosperity that’s flourishing on Lake Martin and in Alexander City will require the continuation of the duo’s healthy relationship, and if the past is any indication, the future is bright. Donaldson touted the team spirit

If you can work from anywhere, why not do it from a place you love?

she's witnessed in Alexander City. "I know the city needs events like ours, but it earns them. We can't go into a community without the help of the community, and the cooperation between the Chamber, tourism association and the state park is so helpful," she said. "All of those partners contribute to our success. We really feel welcome in Alexander City."

Hastings agreed with Donaldson on her city's unified efforts. "The city, the Chamber, the tourism association and our business community are very tight knit, and we're all working together toward common good," she said.

The community also comes together each summer to put on the popular Jazz Fest that's been running for 30 years and attracts thousands. It features live concerts from jazz, blues and rock acts in downtown's Strand Park on Friday night and more music under the stars on Saturday night at the Lake Martin amphitheater.

That common good is poised to only get better. The city is considering transforming the old City Hall downtown into a civic center to allow for more community events. (City Hall was left vacant when city offices moved to Russell Corp's old sales offices in late April 2021.)

And Hastings provided a sunny tourism outlook. "In the 2021 lodging tax collections so far, we've already seen increases in calendar year and year to date, and it's not even Memorial Day yet," she said. "I'm confident this summer will be even stronger than last year. I think there are people who are just now feeling safe to travel, and they'll join the ones who came last year. We're excited to be some of those people's first journey out of the pandemic."

The coming chapters in Alexander City's story will no doubt remain tied to Lake Martin; the sparkling gem is a valuable resource. But perhaps the real treasures in Alexander City are its people, a fact Collari alluded to when speaking of Russell Corporation's exit. "It's actually pretty amazing the city wasn't hurt worse than it was by that," he said. "That really tells you something, I think, about our residents' character and resiliency."

For more information on Alexander City or the Lake Martin area, visit explorelakemartin.com and alexandercityal.gov. ■



Jennifer Stewart Kornegay is a freelance writer and editor in Montgomery, Alabama. Her work has been featured in and on Garden & Gun, The Bitter Southerner, Conde Nast Traveler, Southern Living, Good Grit, The Local Palate, thekitchn.com, Alabama Living, The Montgomery Business Journal and more.

Your internet service provider may be blocking emails from the League

By Chuck Stephenson • Director of Information Technology • ALM

As many of you know, ALM recently changed our website and email addresses from alalm.org to almonline.org. As a result of this change, a handful of Internet Service Providers (ISPs) have been treating emails from the League's new domain as SPAM and blocking them. Our IT Team has worked with Microsoft and determined that this is occurring because the individual ISPs, out of an abundance of caution, are blocking League emails. Regrettably, this is not something the League can fix for you. There are numerous reasons the ISPs are doing this, and most of them are done because of algorithms that neither you nor the League have any control over. Keep in mind, they do this to protect you and your data. Unfortunately, sometimes their efforts filter out legitimate emails – as we are finding is the case with League emails by several service providers. Fortunately, there is something *you* can do to ensure you receive League emails.

Whitelist the League's Domain with Your Service Provider

You will need to contact your service provider directly. Be aware, however, that if you ask your ISP to fix this issue for you, their response will likely be: "We don't actively block any emails." (Which means you probably won't receive much help resolving the issue.) Therefore, you will need to be more specific with your request. Ask them to help you log into the portal website and "whitelist" the League's domain, **almonline.org**, which should resolve your issue. Please note that the portal website is the site where you most likely pay your bill and is *not* Outlook or the app on your phone where you receive your email. ■

Alabama Bass Trail: Luring Visitors to Sweet Home Alabama

Chris Brown • President • Anglerschannel.com



From Mississippi to Georgia, from Tennessee to the sea, Alabama has long been known as a bass fishing state. From the Smallmouth fishing in Florence’s Pickwick Lake to the Big Bass Capital of the world in Lake Eufaula, Alabama is up to its, well, “rear-end” in Bass.

Within the state, and now known around the country, the Alabama Bass Trail (ABT) has staked its claim as one of the premier grass roots team tournament trails in the country. Focused on 11 different bodies of water in its inception eight years ago, the ABT was built to bring focus and attention to some of the state’s incredible bass fisheries and to a visitor’s guide to those fisheries.

“You know from the North division with the Tennessee River impoundments to the South Division and the Coosa River lakes, we have so much to offer fisherman from not only across the southeast but across the country,” Alabama Bass Trail Program Director Kay Donaldson said. “Eleven weekends out of the year our anglers fill hotel rooms, local restaurants, boat ramps and local shops while visiting these lakes and that makes an impact on a community and their local economy.”

Launched in 2014, the Alabama Bass Trail began as both a North Division and a South Division. Tournament fields are limited to 225 boats in both the North and the South; however, the ABT ultimately has more than 900 ambassadors flying the flag for the organization. Bodies of water include Pickwick Lake, Lake Guntersville, Wheeler Lake, Weiss Lake and Neely Henry Lake in the North Division and Lake Martin, Lake Eufaula, Lay Lake, Alabama River – Cooter’s Pond and Logan Martin Lake in the South Division. Lewis Smith Lake serves as the October 2021 championship location.

“Our anglers are the ultimate salespeople for the trail, not only within the state of Alabama, but we are fortunate enough to have fisherman from 13 different states fish our trail and the word-of-mouth marketing has been incredible,” said Donaldson.

In 2018 the Alabama Bass Trail Tournament Series sold out with 225 teams in each division and has done so every year since. In 2020 the series sold out in 22 minutes. “It’s been a blessing, that even with the COVID-19, fisherman still stepped up, supported the cause and joined the Alabama Bass Trail in record time.”

Due to impressive initial success, ABT decided to introduce a new series featuring a \$100,000 payback at each event. On January 9, 2020, Donaldson announced the “Alabama Bass Trail 100 Series” featuring a very limited field of 100 boats consisting of 200 anglers with registration to open June 1. Little did she know at that time the world would essentially shut down two months later due to the pandemic. “I have to be honest, I considered putting the ABT 100 on hold until we came out of the pandemic.” Donaldson said. “But I believed in the people we had surrounded ourselves with, the sponsors, the host cities and our team. After opening registration on June 1st, the ABT staff announced on June 2nd it was SOLD OUT – in 39 hours in the middle of a global pandemic.”



The Alabama Bass Trail is just more proof that fishing in the state of Alabama is a major asset to the economic growth for many cities and the overall state. “It’s been so awesome to see the growth of not only the Trail but to see lakes in the state get national recognition by Professional Tournament Organizations and more around the country,” Donaldson said. “We like to think we had a small hand in helping “lure” those folks to Sweet Home Alabama.”

For more information about the Alabama Bass Trail, visit alabamabasstrail.org. ■

Chris Brown is President of AnglersChannel.com and an avid photographer, videographer and writer for the fishing and hunting industry.



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GUNTERSVILLE:

A Place to Visit; A Place to Prosper



Cade Dollar • ALM Advocacy Intern • 2021 Legislative Session

Founded in the mid-1800s, Guntersville is nestled in Northeast Alabama at the southernmost point of the Tennessee River along Lake Guntersville – a 69,000-acre lake formed by Guntersville Dam, which was built in the late 1930s and is still maintained by the Tennessee Valley Authority (TVA). With a population of just over 8,400, there is more to do in Guntersville than one could believe!

A Place to Visit

The Lake Guntersville State Park is the first must-do for visitors; there are numerous trails for hiking and biking, a golf course, ziplines, campgrounds and even a beach-front area on the lake. No matter where you find yourself in the park, the scenery is immaculate. The second item on the to-do list for a day in Guntersville is visiting historic downtown. With a variety of shops such as Baker's on Main (gifts and edibles), Bubba's II (men's clothing), Fant's (family department store) and Guntersville Outfitters

(specialty outdoor retailer), there is something for everyone.

The locally-owned area restaurants do a spectacular job of encapsulating the culture of Guntersville. Charburger and Top O' The River are crowd favorites and never disappoint, but my personal favorite is Rock House Eatery. The fried green beans are to die for! Several new restaurants will soon make Guntersville home as part of a highly anticipated project that is currently under construction at the City Harbor. This is a waterfront property uniquely situated on the Tennessee River that will feature a variety of commerce, including dining options for people by car and boat.

Guntersville's cultural district is also special. With the Museum, Whole Backstage Theatre and Public Library all within a block of each other, it's easy to add a historical element or creative experience to your agenda. Glimpse into Guntersville's past, enjoy a local production, get lost in a book or catch a morning yoga class.

Another outing that must be included on your

*Downtown Guntersville (inset) and Sailboat Sunrise (header)
Photos by Bob Blankenship*



Lake Guntersville. Photo by Bob Blankenship



department within the city relies on and utilizes one another is just one of the many reasons I am proud to be from Guntersville. The second organization I was honored to be a part of was Marshall County Youth Leadership. MCYL is an organization that develops leaders and introduces them to many opportunities Marshall County has to offer. This showed me that not only do the people of Guntersville and Marshall County want you to thrive personally, they want you to succeed professionally. The environment that local leaders created throughout my 18 years growing up there was one that has propelled me to pursue a job in the field of governmental affairs.

Guntersville bucket-list is to enjoy a boat ride on the lake. If you appreciate adventure like I do, water sports might be for you; however, if you just prefer to relax, I recommend taking a joyride to the Guntersville Dam or anchoring near the TVA owned and managed Hambrick Cave to watch one of the largest colonies of endangered gray bats emerge at sunset. In addition, Lake Guntersville, which is nationally known for its large bass, is also home to a wide variety of fish so there are year-round opportunities for both amateur and professional anglers.

No matter your interests or hobbies, I promise Guntersville has something for you.

A Place to Live, Work, Play and Prosper

My love for this city started at an early age. I was proud to be a Guntersville Wildcat and participated in various recreational sports, but with age, I began to see the depth of opportunity in my hometown. At the high school level, two organizations brought this to light. The first being the Mayor’s Youth Council. It allowed me to acquire a better sense of how a city is run on a day-to-day basis. We frequently met with the mayor and council and had opportunities to ask them questions. We also toured different city departments where I learned that collaboration and communication is crucial in local government. Being able to see how community leaders did this so well was inspiring. The way that each

Guntersville is the perfect getaway but also the perfect place to stay and call home. The community culture in Guntersville is superb. Everywhere you go, you will more than likely see someone you know, whether it be a former classmate, a coworker, or even someone from church. It isn’t always just a surface level “Hey, how are you?” either, they really want to know what has been going on in your life and how you have been. It is comforting to live in a city where you know there is a community that cares so much about you. I have always heard that the environment and people you surround yourself with mold you into the person you are today. I am confident and proud to say that I am who I am today because of the people of Guntersville, and I am forever thankful because they played a significant role in “raising” me.

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Photo by Bob Blankenship

ALABAMA'S GULF COAST: BEYOND COVID

Carrie Banks • Communications Director • Alabama League of Municipalities

After setting tourism records year over year through 2019, the COVID-19 pandemic effectively shuttered Alabama's beach communities for several weeks during the Spring of 2020, crushing occupancy rates, which fell below 10 percent. Then in September, following a restricted summer reopening that required social distancing, indoor capacity limits and face masks, Hurricane Sally added insult to injury by damaging homes, vacation rental units, entertainment venues and coastal infrastructure – prolonging a dark time for an area that promotes sugar-white beaches “warmed by sunshine, history, culture and unspoiled natural beauty.”

Coastal landmarks such as the Flora-Bama beach bar and restaurant that straddles the Orange Beach, Alabama, and Perdido Key, Florida, line took a double hit when it pushed its Annual Mullet Toss and Beach Party from April to fall and then only held the event on the Florida side due to less strict COVID mandates. But by March 2021, occupancy numbers for vacation rentals along Alabama's coast were close to pre-pandemic levels and more than 90 percent of restaurants and businesses were open and running, although not without additional challenges. Gov. Kay Ivey lifted the statewide mask requirement on April 9, 2021, and Spring Break exploded, including the famed Mullet Toss when it returned in April with large, enthusiastic crowds happy to be back on the beach.

Orange Beach – Model for Resilience

Orange Beach City Administrator Ken Grimes and his community are very familiar with major disasters such as relentless hurricanes and the 2010 BP oil spill that created unprecedented coastal havoc. Yet, while the city is adept at achieving stability and developing functional recovery and rebuilding processes after such events, the pandemic was an altogether new challenge – one that revealed unforeseen economic weaknesses along Alabama's Gulf Coast.

“Orange Beach went in the red during early 2020 when the beaches were shut down and restaurants were closed for dine-in service,” Grimes said. “People were not traveling and were encouraged to stay home. We had never seen that

in our history and when the governor was forced to close the beaches in mid-March and all of April 2020, it taught us how dependent our entire economy really is on traveling tourists. The lack of tourists staying in condominiums, hotels and houses had a huge impact on our city, quickly putting us over \$5 million in the hole before Memorial Day; however, by summer, we began to rebound. We were on track for a very strong year until September 16, 2020, when Hurricane Sally rolled through causing tremendous damage and a stall to our local economy during the fall.”

Beyond an economic dependence on tourism, city personnel also had to quickly decide how best to maintain services during a pandemic with less direct, face-to-face interaction while using technology for meetings and communications. “We stepped up as a city and used technology to create transparency, so our meetings continued to be streamed live allowing our citizens to see remotely on a regular basis what was going on within our town,” Grimes said. “We are blessed with a tech savvy staff that was able to adapt quickly to using applications and programs for video conferencing and communications. Unlike many were forced to do in other places across our country, for the most part, we never really shut down our city offices. We stayed open but put more measures in place to keep distance and shielding and sanitation at the highest levels to serve the citizens. Municipalities across Alabama and our nation learned that everyone cannot work remotely as streets must be paved; fire medics must respond; and police officers must patrol. Many duties that are taken for granted on a daily basis can absolutely not be performed from home. We adapted and did our best to keep our employees safe and protected from potential exposure every day.”

Additionally, commerce – restaurants in particular – had to adapt very quickly. “Restaurants were definitely challenged as mandates required drive-throughs or pickup-only service,” Grimes said. “And our restaurants were not built for that – they are predominately seating inside and outside. Those restrictions were very difficult, but we saw every restaurant evolve and change how they operated to survive.” Grimes said he is proud of the local business owners and managers because the beach cities were

continued on page 19

Photo provided by Gulf Shores and Orange Beach Tourism

One community member who I have long admired is the President of the Chamber of Commerce, Morri Yancy. When I think of a local leader, she is always the first that comes to mind. She is the perfect example of how to be efficient, effective and empowering, but above all else, she cares about you as a human being. Since Morri is the President of the Chamber of Commerce and has deep roots in Guntersville, here's what she has to say about the Lake City:

"Guntersville is a natural beauty situated on a peninsula and surrounded by 69,000-acres of beautiful Lake Guntersville. The foothills of the Appalachians add to the amazing backdrop of this gorgeous setting ... it doesn't get any prettier than this delightful city. Thousands of people make their way to Guntersville every year to attempt to catch a big bass, which Lake Guntersville has become well-known for. While bass fishing is huge on Lake Guntersville there are a lot of other fun activities to see and do. Fishing, leisure boating, skiing, golfing and birding are popular year-round activities. The City of Guntersville and State Park also maintain miles of hiking, biking and walking trails. Once you are exhausted from all those activities, Guntersville offers delightful downtown shopping, art museums, a relaxing spa and tap rooms serving up local beers. And, of course, the most important part of any trip – delicious dining to choose from. We have it all – quaint local bistros, farm-to-table, fine dining and relaxing casual waterfront dining. I invite you to come and visit and fall in love with this charming city. You won't want to leave!"

I could not sum it up any better than Morri. The opportunities that Guntersville offers are endless; the scenery is unmatched; and the culture is first-class. To know Guntersville is to love Guntersville. ■

A Guntersville native, Cade Dollar graduated from Auburn in May with a degree in Finance. While at Auburn he was active in campus activities, including serving as Head Orientation Leader for Camp War Eagle and Director of Campus Relations for the Student Government Association. In addition, he served as a summer Congressional Intern with Congressman Robert Alderholt's D.C. office and was an Advocacy Intern with the Alabama League of Municipalities for the 2021 Regular Session. For more information on Guntersville, visit www.guntersvilleal.org and www.alapark.com/parks/lake-guntersville-state-park.



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in a unique situation of not only dealing with pandemic mandates but limited visitors due to travel restrictions. “They are resilient and they know how to survive and adapt.”

As 2021 progresses, Orange Beach is looking at a record-setting and potentially unmatched year for visitors due to the pent-up demand of those wanting to travel from throughout the nation. With that comes more challenges.

New Challenge

Now that vaccinations are available and people are traveling again, the summer occupancy along Alabama’s Gulf Coast is expected to be on par with, if not better than, 2019. However, a new challenge related to the pandemic is creating additional stressors in the hospitality industry: employee shortages.

“Last year at this time, our beaches were about to reopen and people were hesitant to go back to work because of fears related to the virus,” said Beth Gendler, Chief Operating Officer for Gulf Shores and Orange Beach Tourism. “Most tourism-related businesses were operating at reduced capacity because of state-wide mandates/guidelines. This year, businesses can operate at full capacity and the fear is not there anymore because of the accessibility of vaccines. Our area always struggles a bit with having more jobs available than workers in the summer season – it is the nature of things in a tourism town. But normally companies can alleviate staffing shortages through the international worker programs (J1 Visas). With travel to the U.S. still not allowed from many countries, those J1 workers are not an option, which just compounds the problem.

“The employee shortage is an issue affecting communities across the country, though it seems like smaller towns like ours feel it more. We are seeing some businesses offering incentives like sign-on bonuses to try and attract employees. Right now, as stop-gap measures, many restaurants are not staying open as late as they normally would this time of year or they are limiting seating capacity because they just don’t have the staff to operate as normal. Our local chambers of commerce are trying to find ways to help such as looking at busing people in from nearby areas like Mobile.”

Grimes agrees that the employee shortage in Orange Beach is, in a large part, directly related to travel restrictions that have halted the J1 students with work visas who they depend on during peak seasons. “We ramp up in the spring and summer seasons and these workers are imperative to many of our employers,” he said. “Restrictions showed that Achilles’ heel.”

A Family-Friendly Place to Visit – and to Live

With the tourism/hospitality industry as its economic driver, the City of Orange Beach prides itself as a family-oriented beach destination that takes actions daily to maintain



Photo provided by Gulf Shores and Orange Beach Tourism

that family brand. “Our tourists and those we want to visit here are looking for a family-friendly, safe community with a clean environment and beautiful natural resources,” Grimes said. “We can provide every bit of that in Orange Beach. Our motto is “Life is Better Here” and we do everything each and every day to reach that goal and to make sure the visitor’s experience meets or exceeds that expectation.”

Gendler agrees: “Tourism and community/economic development go hand-in-hand. What makes a destination attractive to visitors are many of the same things that make a destination attractive to businesses and new residents – things to do, quality of life, etc. The revenue that comes to a community through tourism (attracting visitors) helps businesses grow and expand (job creation, improved wages) and impacts a city’s ability to improve services to local residents.”

And, thus, Orange Beach is also a community positioning itself as a year-round home for residents to live, work, play and prosper. “Two years ago, we were blessed with a Baldwin County decision to put a middle school and high school in Orange Beach,” Grimes said. “We know that young families are seeking a place like we have, and our population is growing rapidly with housing construction booming. This shift to having our own schools is something we’ve been working toward for decades and will help create a true year-round economy with a growing population of younger families mixing in with those who retire at the beach. Frankly, with every event like a hurricane or an oil spill or a pandemic, Orange Beach only gets stronger and better. We are resilient and our people and our owners and our guests know that and appreciate that, in an ever-changing world, we can provide a clean and safe environment every day.” ■

For more information, visit the City of Orange Beach at orangebeachal.gov and Gulf Shores and Orange Beach Tourism at gulfshores.com.

PACK YOUR PATIENCE:

Making the Most of Your Gulf Coast Stay with the Least Amount of Frustration

Gulf Shores and Orange Beach Tourism

The greatest challenge facing Alabama's Gulf Coast this summer isn't hurricane damage or closures due to the pandemic. The greatest challenge is an inadequate labor force. The lack of summer employees may make Alabama's biggest tourism draw – its beaches – a little less ... *relaxed*. With occupancy rates expected to be on par with the record-breaking levels of 2019, visitors will need to pack their patience because longer wait times will be inevitable.

- 1) Book early for lodging, restaurants and activities that require reservations. Some vacation rental companies are sold out into the summer. Once you have your dates selected and lodging booked, do your homework on restaurants and activities that will take reservations and book as much as you can in advance before you get to town.
- 2) Because of serious staffing issues this year, visitors are asked to please be patient with area businesses and understand that longer wait times are due to not having enough workers. Business owners very much want visitors to have a great experience on vacation and appreciate people choosing our beach towns as where they want to be.
- 3) For the restaurants and attractions that don't take reservations, be flexible if you can and avoid the normal times that tend to be crowded or cause long wait times. For example, for lunch, go to restaurants at 1:30 or 2:00 p.m. instead of between 11:00 a.m. and 1:00 p.m. Order takeout or delivery instead of eating in a restaurant (NOTE: some restaurants will stop taking orders for takeout or delivery if they are experiencing an in-restaurant wait, especially at dinner). Order casseroles and other family-style meals at places like Sarah's Homemade or The Pantry/Orange Beach Concierge; contact our local seafood markets for ready-to-eat shrimp boils to pick up. We even have some local chefs who have started offering private dinners in a visitor's vacation rental unit. If you decide to order delivery through online services or apps, please confirm with the restaurants you are considering that they work with the service you plan to use. Most restaurants will have logos for Waitr or other delivery services on their website; if not, it is a good idea to call and ask before placing your order.
- 4) Grocery stores are especially busy – place your order online for pickup or delivery to avoid crowds and long checkout lines. You can also work with a concierge service like The Beach Moms that will do your grocery shopping for you and have everything put away in the kitchen at your vacation rental when you arrive so you don't have to go to the grocery store. They can also book activities, beach gear rental, and restaurant reservations for you.
- 5) While we have taxis, Uber and Lyft in our area, demand for this transportation is usually high and can involve long waits for a ride.



Photo provided by Gulf Shores and Orange Beach Tourism

For more information, visit Gulf Shores and Orange Beach Tourism at gulfshores.com.

Millennials & GenZ are an INVESTMENT worth making in 2021!

By Kristin Scroggin • Owner of genWHY Communications

During a trip to Louisville, Kentucky, I went to my first horse race and “bet on some ponies.” Please don’t get excited, it was \$5.00, but I learned an important lesson. When you get a tip about a “hot horse,” you should bid more on it.

I’m not saying buy a racehorse. I’m not saying abandon your job and bet on horses from now on. I’m saying, bet \$20 instead of \$5 because when it wins, you’ll win.

When researching new US census projections, I found some unusual patterns emerge. First, 47% of the American population is UNDER 33 YEARS OLD! How will that impact your current company succession plan? Next, Millennials & GenZ (born between 1985 – 2005) are the largest generation in US history (86 million people) and will stay between 43%-41% of the eligible workforce for *the next 30 years*. There are so many of them that the birth rate and death rate balance.

This information makes the Millennials & GenZ a “hot horse” you should bid on. Let me put the next 30 years into perspective for you.

The Next 30 Years

As the economy turns around (as history predicts), many of those late Baby Boomers (1955-1965) who are already retirement age but haven’t retired due to MONEY (not because they are panicked about not having anything to do), will actually retire. COVID could impact this dramatically by either speeding up retirements of those not technically savvy or by prolonging it due to money lost during 2020.

2030: ALL Baby Boomers are officially of “retirement age.” While the first 10 years of the generation have been clinging to their corner office, the second 10 years, aka “flower children” ages, are not quite obsessed with work. IF they have the money and their kid finally moves out of the basement, they will retire. That’s only nine years from now!

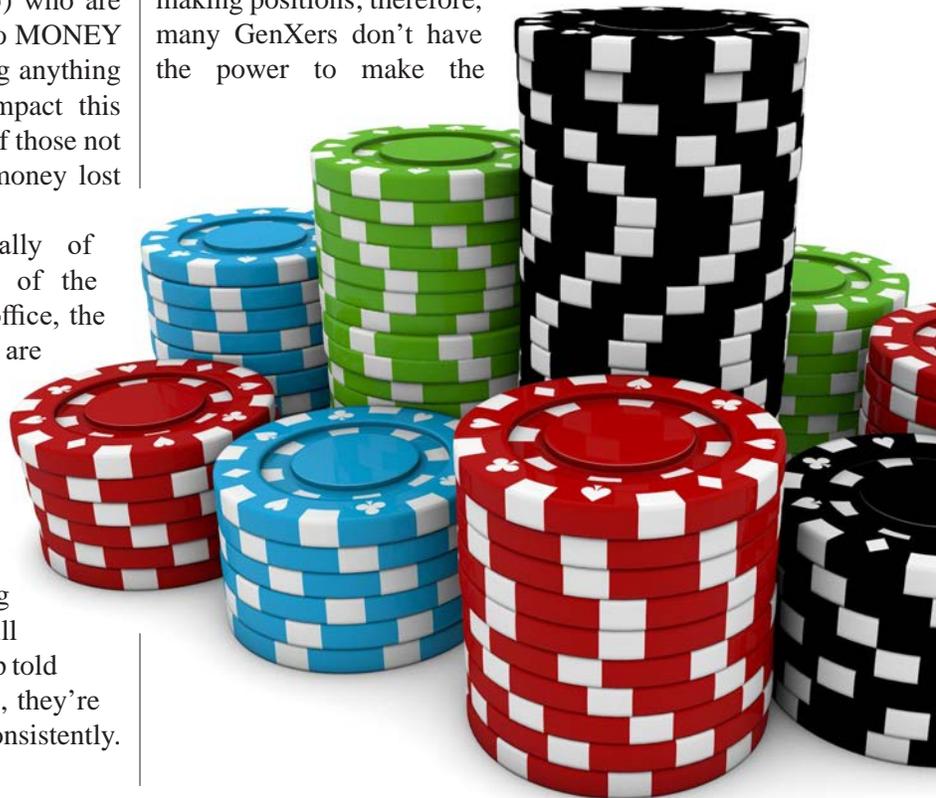
2040: The majority of your current GenX upper-middle management (1965-1978) WILL be retiring. Hear me on this, GenX will be getting out the MOMENT they can, which means you will lose people rapidly. Our recent GenX focus group told us most don’t plan on waiting until 66 to retire, they’re aiming for 57, and we hear this number consistently. (Although, the COVID impact may affect this.)

2050: ALL of the GenX/Xennials (1965-1984) are “retirement age.” Assuming they haven’t already cashed in their 401Ks and bolted, you will likely lose all of your middle management if you aren’t steadily bringing in, and promoting, Millennials as of 2021.

Why does this matter?

This data becomes more significant considering US companies are having difficulty RETAINING Millennial employees for longer than 18 months. Our research shows this is partially due to the design of the American workplace, which is often considered hyper-managed and unappealing to younger generations. Quite honestly, it’s unappealing to most GenXers and Xennials too, but they don’t have the numbers (only 40 million, half the size of Boomers or Millennials) to force significant changes. When work-from-home policies became a part of our post-COVID world, it “ripped the band-aid off” for many and exposed many of the less than flexible policies that GenX, Xennials, Millennials and GenZ workers dislike. Flexible companies will continue the policies that allow more freedom and trust well after the world is vaccinated.

Additionally, Boomers aren’t retiring from policy-making positions; therefore, many GenXers don’t have the power to make the



changes that often appeal to Millennials unless they start their own companies. Many of those small businesses were heavily impacted by COVID. In a *Forbes* survey about companies where Millennials most want to work, most of the top 10 are either run or founded by GenXers. Amazon founder Jeff Bezos is 57; Google founders Larry Page and Sergey Brin are 47; and Apple's CEO Tim Cook is 60, just to name a few.

However, companies implementing benefits Millennials and GenZ want attract the best of the generation (we call them the "Rockstar Employees") and they are retaining them, thus ensuring their companies live past the next 30 years. They are betting big on the "hot horse" and instituting changes that make sense in the 21st century.

Succession Planning

This year, I hope you consider genWHY Communication's "hot tip" during succession planning. We get it; a significant overhaul of the American workplace is daunting, but COVID has started the process in many ways. The idea that we may not need to track hours but instead focus on efficient task completion will continue to matter. We can still be productive without coming into an office daily or ever wearing a suit again – Zoom has proved it! Assembling

a mix and match benefit package that offers more than two weeks of PTO, gym memberships and healthy food in cafeterias may sound laughable. Still, it will be vital to your upcoming successes.

Organizations that keep their standards high but their policies flexible will likely be the ones that survive. You have no succession plan without Millennials and GenZ: **BET EARLY AND BET HIGH!** ■

Kristin has her master's in communication studies and bachelors in communication arts. She was a Communications Lecturer at the University of Alabama in Huntsville for 11 years before starting her own training company, genWHY Communications, in 2017. Her passion is generational diversity and all things soft-skill related. Kristin has spoken at conferences and to hundreds of organizations, including the League, across the United States ranging from Fortune 500 companies to tiny non-profits. To learn more about generational training opportunities, visit www.genwhy.com.



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Birmingham to Host The World Games 2022

Worldwide Exposure and Expected Economic Impact of \$256 Million

Nick Sellers • The World Games 2022 CEO

In just over a year, The World is coming to Alabama. The World Games 2022 (TWG 2022), an international multi-sport event organized with the support of the International Olympic Committee, will hold its 11th edition of the event next year in Birmingham, Alabama from July 7-17. This edition of The Games will mark the first edition to be held in the United States since the inaugural edition in Santa Clara, California in 1981.

Staged over 11 days, TWG 2022 will represent the pinnacle of competition for 3,600 of the world’s best athletes from over 100 countries in more than 30 unique, multi-disciplinary sports. TWG 2022 will generate worldwide exposure for not only participating countries and athletes, but the host city as well, and in this case, the entire state of Alabama.

TWG 2022 will hold a special place in American and Alabamian history for multiple reasons.

When the World Games kicks off with Opening Ceremonies at Protective Stadium, it will be the first time an international multi-sport event with full-capacity crowds takes place on American soil since the outbreak of the Coronavirus pandemic. TWG 2022 will also be the first time that an adapted sport – in this case, wheelchair rugby – is included in the sports program of any international sporting event including the Olympics.

Several sports played in the Olympics will also be featured in TWG 2022, including women’s softball and lacrosse.

Tremendous Impact

Hosting an event of this magnitude will leave a mark that will be felt for generations to come. With an economic impact of \$256 million, the money generated from TWG 2022 will be felt throughout the state as spectators travel

to see all Alabama has to offer. In addition to the expected 500,000 onsite spectators, the expected world-wide television audience is well over 100 million viewers. This type of positive exposure will undoubtedly bolster efforts for recruitment of new businesses, top talent and statewide tourism.

The impact from TWG 2022 will be felt long after the Closing Ceremonies have wrapped up, and in several more ways than just financial. People all over the world will see the changes that have taken place in the Birmingham community and will come to see it as we, the Birmingham community members do; a vibrant, growing and exciting city. The beauty and diversity of Alabama topography, from our crystal sand beaches to the foothills of Appalachia, and everything in between, will be on full display and draw those who attend The Games back to our state time and time again.

Sweet Home Alabama

TWG 2022 is absolute proof of what the state of Alabama is capable of with our united communities and a lot of hard



work. The bidding process to host TWG 2022 started in 2014, and Birmingham was named the Host City of The Games thanks to an outstandingly thorough bid submission combined with the unbridled passion of the Birmingham Organizing Committee.

“All the bids we received were of very high quality, and it was not easy for us to reach a decision,” said José Perurena, President of the International World Games Association. “We have to deliver nothing less than an outstanding World Games and we were convinced that Birmingham will not only deliver, but exceed these expectations.”

Perurena additionally commended Birmingham’s organizational skills and the support of the city’s administration.

With just over a year to go before TWG 2022 officially welcomes the world, preparations are underway. Very soon, athletes and sports fans from more than 100 nations will be in Alabama to celebrate the official opening of The World Games 2022.

Tickets for TWG 2022 went on sale on July 7th, representing the first opportunity for fans of each of our sports to return to live venues. We can’t wait to see the thousands of fans from across the globe pour into Birmingham to support our world-class athletes.

About The World Games 2022

The World Games 2022 Birmingham is the new generation of global sport competition, welcoming elite athletes from all over the world to compete for gold in 34 unique, multi-disciplinary sports. Featuring 3,600 athletes from more than 100 countries, the international event will unite global fans

with the Birmingham community in 25+ venues around the greater metropolitan area. TWG 2022 Birmingham, which marks the 40th anniversary of the event, will take place from July 7-17, 2022 and will generate an estimated \$256 million in economic impact. The World Games was established by the International World Games Association, an organization recognized by the International Olympic Committee. The World Games 2022 is supported by the International Olympic Committee. For more information visit TWG2022.com or find us on facebook.com/TWG2022/, instagram.com/twg2022/ or twitter.com/twg2022. ■

As former Chairman of the Alabama Sports Council, Nick Sellers led a board that oversaw the growth of several regional and national sporting events including the SEC Baseball Tournament, the Magic City Classic and the Davis Cup Birmingham. After beginning his career in sports marketing and as an advisor to the Governor of Alabama for economic development and policy, Nick joined Alabama Power in 2003 where he has held management positions both at Alabama Power and Southern Company including executive leadership of Business Origination, Project Management & Construction, Division Vice President, and Vice President of External & Regulatory Affairs. He brings that experience and passion to bear in his leadership on loan from Alabama Power as CEO of The World Games 2022.



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SOCIAL MEDIA: Good Things 😊 Bad Things 😬 and the First Amendment

Marcus Chatterton and Robby Anderson • Balch & Bingham • LLC

The value of engaging your community through social media is obvious – social media (done-properly) allows a municipality to communicate with the community in real-time. From connecting with citizens, to broadcasting the daily weather, to coordinating disaster recovery, and most recently, informing the community of COVID-19 updates, social media can add huge value to any municipality. In fact, a recent study by the Associated Press found that “54% of Americans say they get government-related information from social media at least once a day.”¹

But current events (like high-profile Twitter bans) demonstrate how social media can be a stumbling block, particularly for the unwary. Therefore, if you plan to lead your municipality into the world of social media – spoiler alert: you should – you must consider a few legal issues along the way.

Twitter Bans and How to Avoid Them

The most discussed and controversial issue surrounding social media and government is the First Amendment. The big question is: what exactly does the first amendment cover, particularly for a government page.

The First Amendment protects individuals from government censorship. That said, social media platforms are private companies, not governmental entities, and, therefore, can censor what is posted on their websites as they see fit.² The question then arises, are social media companies in violation of the First Amendment when banning someone from using their platforms? The answer is simply, no. The First Amendment strictly relates to acts by the government.

But, because public officials (or municipalities) are government actors, they can violate the First Amendment through their use of social media. Government officials regularly use social media platforms to communicate policy, advocate positions, introduce new legislation and interact with constituents, among other things. However, any time government officials create a “public forum” through social media platforms, First Amendment controversies arise. This is particularly true when government officials attempt to silence or remove opposing viewpoints.

The First Amendment and social media came into the light most recently through the Twitter account of former President Donald Trump. In 2019, the Court of Appeals for the 2nd Circuit ruled in *Knight First Amendment Institute v. Trump*,³ that President Trump violated the First Amendment by removing several individuals who were very critical of him and his governmental policies from the “interactive space” of his Twitter account. President Trump argued that his speech was private, as Twitter is a private platform for speech, not a state or governmental actor. The second circuit appellate court agreed with the lower court (the Southern District of New York) that the interactive space associated with Trump’s Twitter account “@realDonaldTrump” was a designated public forum. Therefore, blocking individuals because of their political expression constituted discrimination.⁴

In April of 2021, the U.S. Supreme Court vacated the appeals court decision and sent it back with instructions to dismiss it for mootness since Trump was no longer president.⁵ Supreme Court Justice Clarence Thomas, in a concurring opinion, commented on Trump’s limited control over his account in light of Twitter’s ultimate “authority.” He also compared powerful high-powered digital platforms such as Twitter, Facebook and Google to private companies that the government has universally treated as “common carriers,” i.e. telephone companies – and therefore regulated.

Justice Thomas found it to be less important that President Trump had attempted to block respondents than the overall power exercised by the platforms themselves. He stated that, “[i]f the aim is to ensure that speech is not smothered, then the more glaring concern must perforce be the dominant digital platforms themselves.”⁶

In a separate case, also from 2019, the Court of Appeals for the 4th Circuit found that a local public official created a “public forum” with her Facebook page.⁷ In this particular case, Phyllis Randall – Chair of the Loudon County Board of Trustees – removed Brian Davison, one of her constituents, from her Facebook page. The Facebook page was her political page that she used in her official capacity to impart political messages. Similar to President Trump on Twitter, Randall had a public comment section on her Facebook page and invited public discourse. However, once Mr. Davison began alleging

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The League Welcomes New Team Member Elizabeth Ingram

Elizabeth was born in Montgomery and attended Auburn University at Montgomery. Prior to joining ALM in March 2021 as its first Application Support Analyst, Elizabeth worked at Alfa Insurance for just short of 25 years. Much of her career at Alfa was spent in IT focusing on Networking Infrastructure. In her role with the League, she maintains the data integrity of the extensive databases generated by the League's association management software, ensures that it functions correctly, as well as provides support for various programs. She is also responsible for training League staff in the use of the association management software.

Elizabeth and her husband, Heath, reside in Titus, AL. They have four grown children and 10 grandchildren. Elizabeth enjoys camping with family (not all grandkids at once though!), kayaking, grilling out and watching college football.



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By Lori Lein, ALM General Counsel

Square Peg, Round Hole: Changes to Municipal Police and Planning Jurisdictions

When I started law school, the Dean told all the first-year law students that even though we came to law school as unique individuals with our own opinions and ideas and approaches to problems put before us, over the next three years, we would all be placed in a colander and forced through the holes so that when we graduated from law school we would all come out with the same “pin head” (cue the lawyer jokes). He said that while we would all try to reshape the hole we were being pushed through and would struggle and fight as we went through the hole, their goal was for us to come through the colander analyzing problems (and solutions) with the same thought process.

As the Legal Department works to advise municipalities spread-out over 67 unique counties on the recent changes to Police and Planning Jurisdictions, this memory is fresh on my mind because in some situations it feels like trying to force a square peg through a round hole. Over the last few years, the League advocacy and legal teams worked to educate legislators about the long-standing history and importance of extraterritorial jurisdictions in Alabama and how it is difficult to create a “one size fits all” approach to solving what has really amounted to local issues or problems involving police and planning jurisdictions. It was most important to us to communicate the difference between *police* and *planning* jurisdictions and their significance to the people who live in those “buffer” areas outside of the corporate limits.

Police and planning jurisdictions serve two very different purposes. Police jurisdictions exist for public health, safety and welfare and extend the police powers of a municipality. Planning jurisdictions do one thing, and one thing only: regulate subdivision development so that when someone is purchasing a home in a subdivision, they have some level of comfort that “someone” has made sure there is adequate infrastructure (utilities and roads) and that there are measures in place to help protect property values.

After many years of fighting to prevent unworkable changes to police and planning jurisdictions, the League was able to successfully negotiate compromise legislation preventing the most negative impacts to municipal resources and finances – one that allows for the continuation of municipal planning jurisdictions and preserves the status quo of the police jurisdiction which will eventually, over time, be eliminated

as municipalities annex those areas into the corporate limits. While by no means a perfect compromise, keep in mind that as introduced, SB107 would have immediately eliminated both police and planning jurisdictions which, while ideologically appealing to some, would have been disastrous to public policy. The League appreciates Senator Chris Elliott, the sponsor of SB107, for working with us, along with all the other stakeholders, and for listening to the concerns we presented. In the end no one was completely happy with the bill but as the old saying goes: “if no one is happy, it must be a good compromise.”

On April 27, 2021, Governor Kay Ivey signed into law Act 2021-297, which makes significant changes to municipal police and planning jurisdictions as outlined below.

Effect on Police Jurisdictions

Police Jurisdiction “Frozen”: Act 2021-297 immediately freezes municipal police jurisdictions to 1.5 or 3 miles. If your municipal police jurisdiction was 1.5 miles prior to the Act, it is now fixed at 1.5 miles and the same if your police jurisdiction was 3 miles. For those municipalities that were exercising a police jurisdiction as of January 1, 2021, the police jurisdiction can continue to be exercised and enforced but it will no longer grow outwards with new annexations. Eventually, as the municipality annexes property, the police jurisdiction will be consumed by the corporate limits and then exist no longer. For some municipalities this could happen quickly and for others, that are slow to grow, it could take longer.

For those municipalities that did not exercise a police jurisdiction as of January 1, 2021, there will never be a police jurisdiction outside of the corporate limits to enforce.

Enforcement of Ordinances Limited to State Misdemeanors: Under the new law, municipalities are limited in the police jurisdiction to the enforcement of state misdemeanors adopted as municipal ordinance violations. Municipalities can no longer enforce purely local municipal ordinances not tied to state misdemeanors (noise, leash, dust, etc...).

Building Code Enforcement: In the police jurisdiction, outside of the corporate limits, municipalities that were enforcing building codes as of January 1, 2021, may continue to do so unless or until the county provides building code enforcement at which point the new law provides for a 24 month

phase out by the municipality. Counties and municipalities may enter into mutual agreements on building code enforcement in the police jurisdiction.

Effect on Planning Jurisdictions

Planning Commission Reduced Immediately but not “Frozen”: Act 2021-297 immediately reduces the planning jurisdiction of a municipality from 5 miles, regardless of population, to 1.5 or 3 miles respectively on the same basis as the police jurisdiction. Those with 3-mile planning jurisdictions, however, will eventually go down to 1.5 miles. Effective January 1, 2023, the planning jurisdiction of all municipalities, regardless of population will be 1.5 miles. The League fought very hard to make sure that the Legislature, through local legislation rather than a full amendment to the general law, retained the authority to extend the planning jurisdiction for up to 3 miles. The League felt very strongly that local needs and/or circumstances may justify a 3-mile planning jurisdiction and there needed to be an avenue to cover that need by local legislation.

Importantly, unlike the changes to the police jurisdiction, the planning jurisdiction is not “frozen.” Rather, it will continue to grow along with the municipal corporate limits. As a municipality grows, the planning jurisdiction and the authority to regulate subdivisions will continue to grow as well.

Provides for “Family” Exemption from Subdivision Regulation: One substantive change that was requested by stake holders interested in property rights was to provide for a “family” exemption to municipal subdivision regulation within the planning jurisdiction outside of the corporate limits. Specifically, the Act provides that outside of the corporate limits but within the planning jurisdiction, subdivision regulations shall not apply to the division of property by an owner with anyone who is eligible to inherit the land through intestate succession. The only caveat to this exemption is that if the division of the land results in a sale within 24 months of the land being transferred to a family member; then the land shall be subject to municipal subdivision regulations. In other words, if daddy divides his property between himself and his three children and one of the children then attempts to sell the land within 2 years, subdivision regulation of the land will apply.

Phase Out Time if County Regulates Subdivisions: While Act 2021-297 allows for continued subdivision regulation authority in the municipal planning jurisdiction, if a county provides subdivision regulation and there is no agreement between the county and municipality to continue, there is a 24 month phase out by the municipality. The Act also allows a municipal planning commission to resume subdivision regulation if the county discontinues – again with a 24-month phase in/out.

Effect on Reporting Revenue

Since 2015, municipalities collecting revenue within the

police jurisdiction have been required by law to provide an annual report accounting for all license revenues collected in the police jurisdiction as well as a list of all services provided in the police jurisdiction. Unfortunately, compliance has been very low, thus greatly frustrating legislators and the general public. As introduced, SB107 would have required a full annual auditing of any and all funds collected within the police or planning jurisdiction. As passed, the bill amended the existing reporting requirements to a date certain (March 1 for the previous fiscal year) and provides that if reporting is not made within 12 months of the deadline, the municipality may no longer continue licensing and taxing in the police jurisdiction.

Prior to the first reporting deadline of March 1, 2022, all municipalities collecting revenue within their police jurisdiction must notify the Department of Examiners of Public Accounts on or before December 31, 2021, that they collect revenue outside of their corporate limits. Then, beginning March 1, 2022, any municipality collecting revenue in the police jurisdiction must provide the following:

1. Annual report accounting for all license revenues, and other taxes or fees collected in the police jurisdiction during the previous year.
2. A list of services provided in the police jurisdiction and the providers of the services.
3. If the municipality provides police and/or fire protection within the police jurisdiction it must also provide the following:
 - a. Annual budget for police and/or fire departments overall.
 - b. A report of the number of calls and activity over all and specific to police jurisdiction.

In addition to the reporting, Act 2021-297 authorizes the Legislative Committee on Public Accounts to request an audit of the police jurisdiction of a municipality by the Examiners of Public Accounts. A municipality is only required to pay for this audit if the audit shows that they are not in compliance with spending in the police jurisdiction.

Conclusion

As your municipality works through the unique issues faced as a result of Act 2021- 297, please do not hesitate to reach out to the League Legal Department so we can assist you and your municipal attorney with workable solutions as you move towards eliminating your police jurisdiction and adjusting your planning jurisdiction. Keep in mind that the second thing the Dean told the first-year law students was that the first response to any question presented should always begin with “it depends.” The solution to your question may very well depend on the unique facts and circumstances in your municipality. The square peg, while not a perfect fit, will go through the round hole eventually and we stand ready to assist in making that as painless as possible. ■

Alabama's Good Samaritan Law: How it Can Save Lives in Your Community

Erin Hackenmueller - VitAL Communication Specialist - The University of Alabama School of Social Work

It's no secret: Alabama has an overdose problem. One program working to tackle this issue? Project FREEDOM. The program, fully named First Responder Expansion of Education and Distribution of Overdose Medication, aims to reduce opioid overdose deaths in rural Alabama by educating first responders on how to handle overdoses and by providing the life-saving medication naloxone.

The program was awarded as a grant to the Alabama Department of Mental Health (ADMH) and is spearheaded by VitAL, a behavioral health initiative at The University of Alabama School of Social Work. Launched in 2019, FREEDOM is a four-year, \$3.2 million-dollar project focusing on 14 rural Alabama counties (Blount, Cullman, Etowah, Fayette, Franklin, Jackson, Lawrence, Marion, Marshall, Morgan, St. Clair, Shelby, Walker and Winston) and two urban counties (Jefferson and Tuscaloosa).

"VitAL is committed to tackling Alabama's overdose crisis through several projects focused on substance use," said Shanna McIntosh, VitAL's director. "We need to take a multi-faceted approach to this crisis. First responders, providers, friends, family and bystanders all play a part in addressing the crisis."

FREEDOM uses three tactics to address Alabama's overdose problem.

1. Prepare first responders to handle opioid overdoses by providing free training and naloxone.
2. Provide healthcare workers resources about opioid-related data, dangers and treatment/recovery options.
3. Educate Alabamians about opioids and the state's Good Samaritan Law.

"It's important for communities to understand the dangers of opioids, prescription safety tips like proper use and disposal, how to access naloxone, and the Good Samaritan Law, which encourages bystanders to take action when someone is in need," said McIntosh.

Drug Overdose Trends in Alabama: A Cause for Concern

FREEDOM could not have come at a more crucial time. The most recent data shows that opioids were involved in nearly half of Alabama's overdose deaths in 2018, according to the National Institute on Drug Abuse. Last year, the pandemic caused an increase in social isolation, unemployment and anxiety. These stressors put people with substance use disorders at a higher risk for relapse or worsening symptoms. Alabama's overdose toll grew by 20% during 2020, according to ADMH.

How Naloxone Can Save Lives

Not all overdoses end in death. Opioid antagonists like naloxone (also known by the brand-name Narcan®) counteract the effects of opioids on one's nervous and respiratory systems. Naloxone is non-addictive and will not cause harm or side effects for someone not under the influence of opioids, according to the National Harm Reduction Coalition. Simply put, naloxone is a lifesaver.

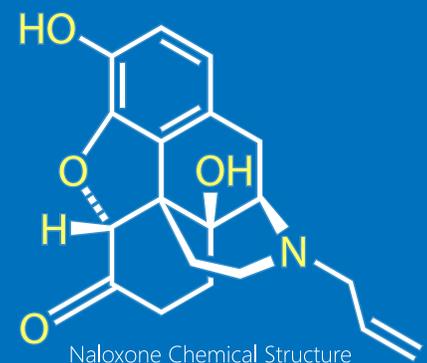
Because first responders are first at the scene of an emergency, FREEDOM works to equip them with the knowledge to handle an overdose. The program offers free training on how to identify an opioid overdose, what naloxone is and how to properly administer it. Participants will receive naloxone for free, which is important for volunteer departments or those that cannot afford the medication without assistance from programs like FREEDOM. With access to the medication and proper training, FREEDOM hopes naloxone – and those who administer it – can save more lives in Alabama.

What Is the Good Samaritan Law, and What Safety Does It Provide to Alabamians?

Alabama's Good Samaritan law limits liability for those who provide care in an emergency, including opioid-related overdoses. The law applies to care provided outside a hospital, clinic or doctor's office. The first part of the law offers protection for those administering opioid antagonists like naloxone. The law grants immunity from all legal actions to authorized physicians, dentists and assisting persons to prescribe naloxone.

Naloxone

A medication called an opioid antagonist used to counter the effects of opioid overdose



Additionally, laypeople with proper training can legally obtain and administer naloxone. Proper training just means receiving instruction on how to administer naloxone, which is a mandatory precursor to receiving the medication. If the person who administers naloxone acts with good faith belief that a person is experiencing an opiate-related overdose and exercises reasonable care in administering the medication, they will not be held liable for loss of or injury to the victim.

People who might want to keep naloxone on hand include anyone at risk of experiencing an opioid-related overdose, or their friends, family and anyone who might be able to assist in an opioid-related emergency.

The second part of the law offers protections for bystanders who might not have training. This section encourages people to stay with someone in an emergency.

“At the time the law was written, a large portion of the people who died of overdose were not using drugs while alone, but were found alone,” said Dr. Mark Wilson, health officer at the Jefferson County Department of Health (JCDH). Wilson was instrumental in getting the law passed.

If someone were to admit another person for treatment of an overdose (even if under 21), they would be granted immunity from prosecution for consumption and possession of alcohol or controlled substances. Immunity is granted *only* if law enforcement became aware of the offense solely because the individual sought medical assistance for another individual, and the individual who reported the emergency:

1. Acted in good faith, upon a reasonable belief they were the first to call for assistance;
2. Used their own name when contacting authorities; and
3. Remained with the individual needing assistance until help arrived.

How Does Alabama’s Law Compare to Other States?

The Good Samaritan Law encourages bystanders to seek help and save lives by providing certain immunities. However, Alabama’s law only grants protection for bystanders who face prosecution, not from arrest or charges. If someone seeks help for a friend in distress, is arrested for possession, and thus violates probation, they could still face consequences. This negates the point of the Good Samaritan Law: to encourage bystanders to report someone in danger.

Additionally, the law only offers protection from prosecution against misdemeanor consumption or possession, not felonies. Most overdose deaths in Alabama are caused by opioids like heroin and fentanyl. Possession of these substances is a felony and is not protected under the law. This means that for the large portion of deaths the Good Samaritan Law could help prevent, the law falls short.

Nearby states offer more protections for bystanders, according to data from the Prescription Drug Abuse Policy System. Mississippi, Georgia and Tennessee offer protection

from arrest, charge and prosecution. Further, Mississippi, Georgia and North Carolina offer general protection from sanctions for violation of probation and parole. In Tennessee, South Carolina and Florida, reporting an overdose is a mitigating factor in sentencing related to controlled substances and alcohol-related offenses.

Alabama’s law offers protection for individuals providing care during emergencies. The protection does not extend to the victim, which could be a deterrent for someone to call. Under Georgia’s Medical Amnesty Law, protection extends to the overdose victims.

FREEDOM Dedicated to Saving Lives

“FREEDOM is dedicated to reaching communities with high-need for overdose intervention by providing education, distributing naloxone and making treatment accessible,” said Wendi Hogue, FREEDOM’s director. “FREEDOM serves 12 of the top 15 counties with the most need for naloxone distribution.”

Need for this program was determined by a data analysis by ADMH and the Alabama Department of Public Health. Northwest Alabama, a rural region with low socioeconomic status, high unemployment and high prescribing rates, has the highest need.

One way to address this need is to encourage community members who might have a friend or loved one at risk for an overdose to get trained in administering naloxone. FREEDOM is excited to be partnering with JCDH, which provides free Narcan® and training for community members. Visit the program website at vitalalabama.com/project-freedom and click Free Narcan to learn more.

FREEDOM offers ongoing overdose emergency response training and departmental naloxone distribution for first responders in its 16-county purview. First responders can visit vitalalabama.com and contact Wendi Hogue to sign up for this free training and receive naloxone for their agency.

To learn more about opioid awareness and the Good Samaritan Law visit vitalalabama.com/project-freedom. ■

Erin Hackenmueller is the VitAL Communications Specialist. She is responsible for writing, design, community outreach, media relations and research for various grant-funded projects. Erin completed her B.S. in Public Relations and Sociology at Bradley University in Peoria, IL, and her M.A. in Advertising and Public Relations at The University of Alabama.



ALM Launches Municipal Economic Development Academy

Bryan Parker • Director of Governmental Affairs • ALM

Looking across Alabama, municipal officials understand the lasting impacts of economic development on their communities. Less obvious, however, is how a community lands a project. More than a ribbon-cutting ceremony, successful economic development projects require collaboration between public officials, economic developers and the private sector to create real and long-lasting opportunities. These stakeholders play unique and equally important roles in the economic development process.

Municipalities are the economic engines of our state, and with hundreds of municipal officials prioritizing economic development in their communities, the League is pleased to announce the creation of its municipal Economic Development Academy – a collaborative effort in partnership with the Alabama Community College System (ACCS) that will engage local leaders and help them further understand their critical role in the economic development process.

The League will host the inaugural orientation session of the Academy in November just prior to its annual Municipal Leadership Institute (MLI) in Montgomery. Developed specifically to educate and engage municipal officials and designated community business leaders on best practices and strategies for successful economic and community development, the Academy will focus on the role of elected officials regarding evaluating abatements, legal processes and implications, correctly marketing the community, gaging the community's expectations, workforce development as well as other key aspects of the development process.

Timeline and Expectations

The Academy takes place over a full year and consists of an orientation; four one-day sessions that include community assignments; and a special graduation ceremony. Participants must conduct an economic vitality survey of their communities; complete a community assessment/project; and attend all sessions. Unlike other economic development programs, the Academy is specifically tailored to municipal officials using a team model. The mayor and at least two councilmembers are required to participate from each community to form a

team of up to five members.

The state will be divided into three regions – North, Central and South – and community teams will collaborate with each other during the classroom training. At the conclusion of the year-long program, graduates will be presented a certificate of municipal economic development from the League and ACCS.

Neal Wade, former head of the Alabama Development Office as well as a consultant for Alabama Power, The St. Joe Company and the Economic Development Partnership of Alabama, has been tapped to

develop the Academy's curriculum and conduct the classes. His many years of economic development experience in conjunction with the resources of ACCS will bring a new statewide dynamic to training municipal leaders in this field.

“Our organization is pleased to collaborate with the Alabama Community College System and Neal Wade to launch the ALM Economic Development Academy,” said ALM Executive Director Greg Cochran. “It is our goal for the Academy to develop intentional

programming and identify resources to empower our municipal officials so they can create legacy programs and projects within their cities and towns. Municipalities are the foundation of our state's economy, and it is the League's mission to provide our members the necessary tools to build a community where citizens can live, work, play and prosper and where businesses can thrive.”

Wade, who will serve as the Academy facilitator as well as a resource for each community selected to participate, views the programming as a unique way for communities to focus not only on their strengths but on areas for improvement. “The objective is for Alabama communities to be the best they can be and competitive for growth and new revenue,” he said. “Setting realistic expectations for each community will be foremost.”

In addition to working with Wade, the League has developed a partnership with ACCS to provide classroom space and workforce development resources for Academy participants. The four mandatory sessions will be conducted at ACCS campuses throughout the state based on each region. “At Alabama's community colleges, everything we do is workforce development – from education and training

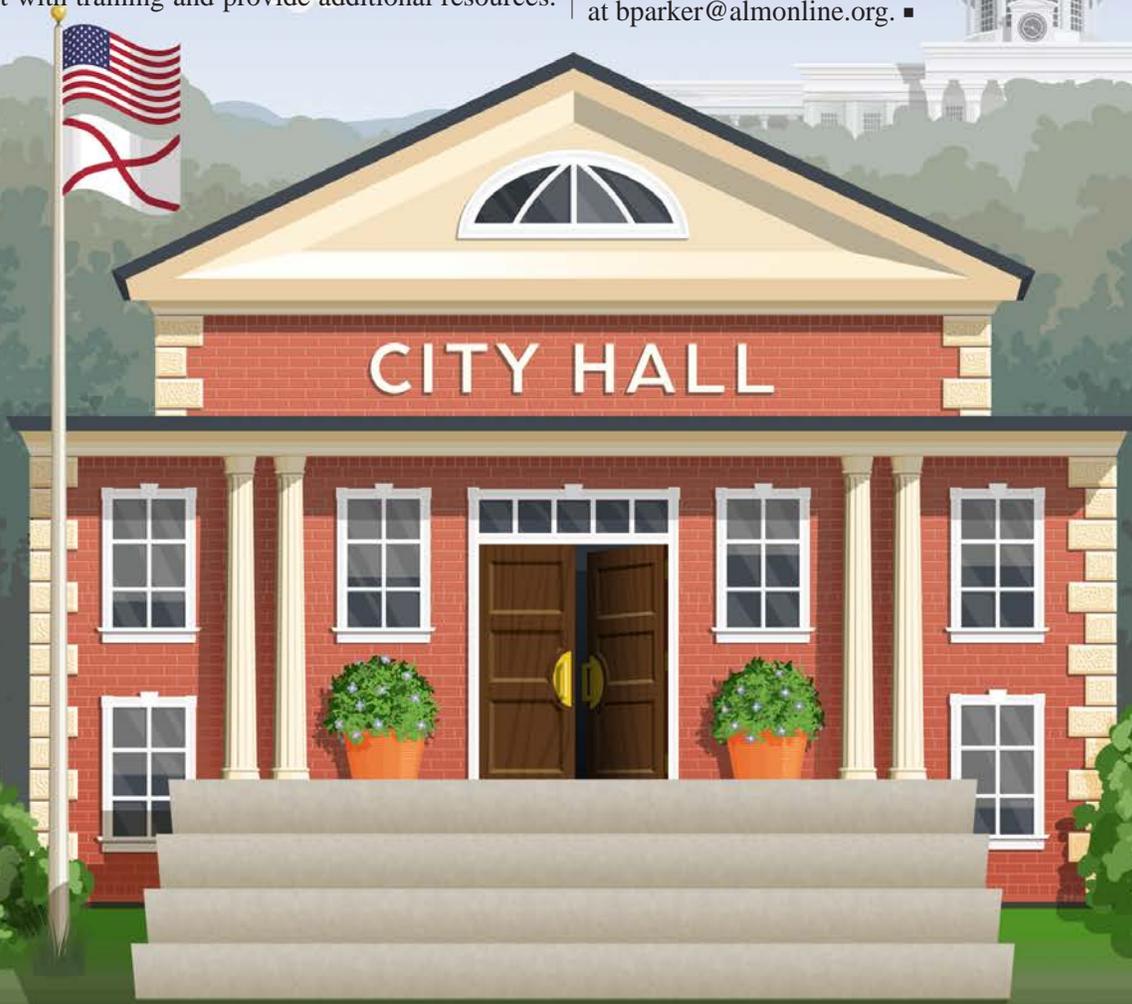


to providing wraparound services and hosting community events,” Chancellor Jimmy Baker said. “We are honored to work alongside the Alabama League of Municipalities to launch the Economic Development Academy and host its participants at our campuses across the state. Education is so often the linchpin to positive change and the resources and training this effort will provide will have a positive impact on Alabama for years to come.”

To further reinforce the Academy and expand its reach, an Academy Advisory Council has been developed to add input, assist with training and provide additional resources.

The Council consists of state and federal government agencies, ACCS presidents, utilities, League strategic partners, local economic developers and statewide business associations and the Academy would not be possible without their support.

Academy applications will be available via the League’s website July 29 - August 31. There is a fee – per community rather than per individual – to participate. Applicants will be thoroughly evaluated and candidates chosen by mid-September. The inaugural orientation session will take place in Montgomery just prior to the League’s annual MLI in November. For additional information, visit almonline.org or contact me at bparker@almonline.org. ■



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BUILDING COMMUNITY, ELEVATING ALABAMA

Employing the humanities to tell the stories of our towns

Phillip Jordan • Communications Director • Alabama Humanities Alliance

For five decades, Alabama Humanities Alliance has worked to foster a greater understanding, and appreciation, of our diverse people, communities, and cultures. More simply: We try to unlock those “aha moments” that help someone better connect to their neighbor, their town and the wider world around them.

So, as Alabama’s Bicentennial approached, we eagerly joined with hundreds of organizations throughout the state to bring to life our shared history. Our signature contribution was *Making Alabama: A Bicentennial Traveling Exhibit*, a celebration of 200 years of statehood, created in partnership with the Alabama Department of Archives and History and a host of other allies – including the Alabama League of Municipalities. The exhibit detailed four centuries’ worth of history, highlighting the people and periods that have defined this land we call home.

Over 19 months, *Making Alabama* traveled to all 67 counties, hosted by community groups that planned, assembled and promoted the exhibit locally. Our partners were as diverse as Alabama itself – schools, libraries, art centers, town halls, chambers of commerce, historical societies, tourism offices and much more.

In Clarke County, we set up shop in Thomasville’s Kathryn Tucker Windham Museum. In Winston County, partners transformed a former flower emporium in Haleyville. There was the Coal and Iron Building in DeKalb’s Fort Payne. Wallace State Community College in Cullman County. The Red Bay Senior Center in Franklin County and the Greensboro Opera House in Hale County. Bookending it all were showcases in the Alabama State Capitol.

In all, more than 425,000 residents toured the exhibit in person. And *Making Alabama* wasn’t all they saw when they attended. Host communities often put their own unmistakable signatures on Alabama’s 200th birthday. Local artifacts, storyboards and storytellers, historic photo collections, documentary film series, musical performances, even full-on festivals helped connect communities’ local histories to Alabama’s larger story of statehood.

Mining the past for a better future

Making Alabama also spurred many towns to reexamine their history, bridge barriers and, in some cases, document their stories and culture more permanently.

“That’s one of the legacies of *Making Alabama* that I’m proudest of,” says Laura Caldwell Anderson, special projects coordinator at Alabama Humanities Alliance and curator of the exhibit. “In nearly every community it visited, the exhibit spawned new partnerships and collaborations, brought people together across generational and other perceived divides and led to vibrant efforts to celebrate and document uniquely Alabama people and places – especially in our rural counties.



This page and following page: Visitors tour the *Making Alabama* exhibit at one of its 70 stops across the state’s 67 counties, during Alabama’s bicentennial. Photo courtesy Alabama Humanities Alliance.

Local history exhibits created to complement the traveling show now exist in libraries, courthouses, arts centers and town clerks' offices across the state. The exhibit even motivated a handful of communities to establish local history museums."

ALABAMA HUMANITIES ALLIANCE

Numerous studies show that greater civic engagement leads to more vibrant communities. And the humanities can help drive meaningful civic engagement. Especially in times of increased polarization and often-artificial division, the humanities can also help bring people together. That happens by highlighting our shared stories. And by providing a better understanding of our how past has shaped our present.

Sid Nakhjavan, co-chair of the Lee County Bicentennial Committee, might have put it best when he told the *Opelika-Auburn News*: "People have fought, toiled, and celebrated life in this place we now call Alabama and Lee County for generations. When we take the time to acknowledge the accomplishments (and failures) of Alabamians who came before us, to honor their existence, we are showing faith that what we do will matter to future generations, that one day they, too, will reflect on where they came from and what it took to get there."

Bringing America's history to Alabama's Main Streets

Even before the state's bicentennial, Alabama Humanities Alliance had experience bringing significant cultural exhibits to towns throughout the state. For more than 20 years, the group has coordinated a variety of traveling exhibitions from the Smithsonian's Museum on Main Street. The program brings the Smithsonian directly to small-town America through traveling exhibitions, local research, and other programming.

Across 2021-2022, Alabama Humanities Alliance will tour the Smithsonian's *Water/Ways* exhibit to five cities statewide again working with local hosts to develop programming for audiences of all ages. *Water/Ways* is an interactive display that dives deep into the role water plays in the everyday lives of Alabamians.

Our state is home to 132,000 miles of rivers and streams and 3.2 million acres of wetlands alone. These waterways were critical to Alabama's development. And they remain vital for our future. Water affects how we live, work, worship, create and play – connecting us to nature, nurturing our cities and culture and either uniting or dividing our people and communities.

The exhibit first travels to Oakville Indian Mounds in Northwest Alabama, where it will help the historic site reengage with the public after being closed for much of the pandemic.

"*Water/Ways* is a huge boon for us to be able to invite new and seasoned visitors to our park again," says Anna Mullican, cultural resources specialist with Oakville Indian Mounds. "Oakville's focus is to educate the public about preserving and appreciating our cultural resources, and this exhibit does just that."



ALABAMA

MAKING

A BICENTENNIAL TRAVELING EXHIBIT

200

Oakville Indian Mounds is making the most of bringing the Smithsonian to town, complementing the national exhibit with a range of locally focused events: a kids' fishing rodeo, a "fish-printing" workshop, pop-up history displays provided by the Muscle Shoals National Heritage Area, and an exhibition of water-themed artwork contributed by local pros and amateurs alike.

"It has been so much fun to brainstorm with colleagues and partners about not only how to showcase the Smithsonian's traveling collection," Mullican adds, "but also about what local art, photography and history we can share with people celebrating our own waterways all around us. To inspire people to appreciate, and help take care of, the beautiful water natural resources we have right here in our communities."

Alabama Humanities Alliance will bring another Smithsonian traveling exhibit to the state in 2022-2023. *Crossroads: Change in Rural America* offers a nuanced look at how rural America has responded to tremendous societal changes over the past century. Planning will begin in early 2022. If your city wants to be considered as a host site, contact Laura Caldwell Anderson at 205.558.3992 or landerson@alabamahumanities.org. For additional information about the Alabama Humanities Alliance, visit alabamahumanities.org. ■

Phillip Jordan is the communications director for Alabama Humanities Alliance (AHA). He can be reached at pjordan@alabamahumanities.org. Formerly known as Alabama Humanities Foundation, AHA is the state affiliate of the National Endowment for the Humanities. Learn more about connecting with AHA at alabamahumanities.org.

THREE WAYS TO BRING THE HUMANITIES TO YOUR COMMUNITY

Incorporate Alabama History Day in your schools

Alabama History Day is an affiliate contest of National History Day, a historical research competition that transforms students into writers, filmmakers, web designers, playwrights, and artists as they craft creative interpretations of Alabama history. Alabama Humanities Alliance is the state coordinator of this program and offers resources to both students and teachers.

Apply for a grant to support public humanities programming

Workshops. Festivals. Documentary films. And much more. Alabama Humanities Alliance is the primary source of grants for public humanities programming across the state. Nonprofit community organizations can apply for grants quarterly, with deadlines on March 15, June 15, September 15, and December 15.

Book a 'Road Scholar'

Many of the state's most engaging and authoritative humanities experts are part of Alabama Humanities Alliance's Road Scholars Speakers Bureau. Looking for someone to speak about Alabama culture and folklore? War history? Women's studies? It's easy to find the speaker who's right for your next community event, business meeting, teacher in-service, and more.

municipal corruption on her page, he was blocked. The Circuit Court noted that “Randall’s ban of Davison amounted to viewpoint discrimination”⁸ violative of the First Amendment. “Put simply, Randall unconstitutionally sought to suppress Davison’s opinion that there was corruption on the School Board.”⁹

It is clear from these recent cases that the First Amendment applies to a government run social media account. Although some moderation seems appropriate (like removing comments that communicate threats or violate other laws), the owner or administrator of any social media account used by or for a government actor should be careful to avoid any action that chills or hinders the protected free speech of third parties who communicate with that account.

Do’s, Don’ts and Pitfalls for Public Accounts

Comparing municipal social media accounts to top brands/businesses might seem like apples and oranges, but they are actually quite similar. While your social media presence might not be tied to selling a particular product/service, the big-picture goals aren’t so different. Unfortunately, a 2016 study showed that “Government” was number one on the most annoying industries on social media.¹⁰ But that doesn’t have to be the case. The beauty of government run social media accounts is that unlike a business profile, the “customers” are already there in your community. Therefore, your job is to post content that attracts attention from your constituents while also encouraging further engagement. From establishing a sense of trust with the community to responding to comments and questions from your constituents, and most importantly keeping followers informed and up-to-date; social media is a great venue to promote your “business.”



Cybersecurity attacks are likely the biggest threat to municipal social media accounts. Although such attacks usually focus on high-value databases, it is possible that attackers will target a municipality’s social media outlets as an avenue to gather information for use in an attack on other assets. To defend against such intrusions, your municipality should (1) limit the number of individuals with access to its social media accounts, (2) train those individuals to be vigilant with passwords and any portable devices used to access the accounts and (3) require industry-standard password strength and rotation – including the passwords on mobile devices that are used to access the accounts.

Be vigilant. Inattention can breed many things on social media, and very few of them are positive:

- Citizens may become confused by the posts of others who impersonate or reference your municipality on social media.
- Your message may become diluted or diverted by others using similar hashtags or account names.
- Trademarks may become generic or diluted from misuse on social media.
- Disgruntled employees or third parties could tarnish the municipality’s reputation.

Take down the imposters immediately. Although some find it funny to impersonate others accounts on social media – municipalities shouldn’t be laughing. The question is, how should you respond if an imposter targets your municipality in this way? See the **ALWAYS** and **NEVER** sidebars, opposite page.

Remember, however, that true parody accounts are permitted on most social media platforms so long as they are not intended to mislead the public. Also, genuine parody accounts are unlikely to be actionable infringement under Lanham Act or the Copyright Act. Finding and stopping imposter accounts is just one of many things that you must be on the lookout for as you tend to your municipality’s social media. Some events call for a legal intervention, but others can be solved with just a little common sense and discretion.



Policies Every Municipality Should Put in Place

Before writing or revising social media policies, it is important to establish what goals are trying to be accomplished. Starting with the overall goals will help inform the policy-writing process. Creating government social media policies can be tricky since municipalities must comply with laws and regulations about recordkeeping, free speech, privacy and freedom of information. Social media policies must protect employees’ right to free speech, while at the same time establishing guidelines to make sure employees representing your agency don’t release sensitive information.

It is also important to identify existing policies that may correlate with social media policies. Chances are, any social media policy will intersect with other existing policies. These existing guidelines (such as an employee code of conduct or handbook) can be a useful starting point for your agency’s social media policy. Often, you can borrow language and guidelines from other policies to ensure consistency.

Further, social media (used properly) should be a major part of a municipality’s overall communication strategy. But you wouldn’t allow just anyone to speak on behalf of the city, so you shouldn’t allow just anyone to tweet or post on behalf of the government (see lawsuits discussed above). Government social media policies should address questions such as:

- Who may establish, delete and maintain the accounts?
- Who is responsible for developing any form of social media strategy?
- How should citizen comments and posts be monitored and responded to?

These are just some of the potential issues that must be discussed before any practical policy can be put in place.

Also, the Department of Labor recently came out with a “toolkit” for government users on social media that is meant to guide users to improving the accessibility of social media in government.¹¹ As government agencies are increasingly using social media to communicate with citizens and share – sometimes urgent – information, these government users have a responsibility to ensure these digital services are accessible to all citizens, including those with disabilities. Although these are suggestions for the time being, it won’t be long until policies such as this will be required for all government accounts.

Finally, as a public entity or individual, there will always be those who post disruptive or provocative messages on your account. No matter how good of a response you have, these “trolls” will dispute anything and everything posted. There are different ways of dealing with these trolls, and sometimes the best answer may be to ignore them completely. It is important for every public account to have a standard set of rules on the social media page so posts that don’t meet your requirements can be deleted without incident. However, if you find yourself in a situation where you are forced to respond to trolling questions, it is important to respond solely with facts and avoid engaging in any form of emotional arguments.

ALWAYS:

- **Report the activity to the social media platform.** Submit an online report and fax a cease & desist letter to the corporate office. It is important to note that most social media platforms do not go out of their way to make this dialogue easy, but they usually do take these things seriously.
- **Accept the fact that most social media platforms will not likely disclose information about the imposter without a subpoena.** The Stored Communications Act (18 U.S.C. § 2701 et seq.) provides ample cover for social media providers.
- **Consider whether to file a John Doe lawsuit to pursue defamation or infringement claims against the imposter.** Once you go down this road, you can subpoena account information (likely, an email address – possibly, the IP addresses used to register or access the account) from the social media platform and hopefully follow the trail of information all the way to the imposter. But discretion is often the better part of valor and there may be times where it is better to let the situation lie once the account is disabled.
- **If the damage is done, you may be able to turn it into a positive.** Embarrassing social media moments tend to get noticed and may create an opportunity to seize and redirect that momentum. For example, the American Red Cross recovered beautifully from an employee accidentally posting a mildly inappropriate personal tweet on the official Red Cross Twitter account (see #gettinslizzerd) and ultimately used the exposure to raise additional funds for its cause. Although its situation did not involve an imposter, the Red Cross is a great example of managing a slip-up on social media.

NEVER

- **Never publicly engage with the imposter.** There is an old saying you shouldn’t wrestle with a pig – you get dirty and the pig enjoys it.
- **Never ignore the situation and hope it will go away.**

Don't Let Any of This Stop You!

While it is clear that social media can present problems for any governmental entity, it's also a great opportunity for civic engagement with the municipality's citizens, as well as a great venue for targeted messaging. Strong, attentive and clear guidelines/policies, as well as a plan for emergency situations (i.e. "trolls"), can go a long way in helping the social media presence of public platforms to avoid the hazards of the First Amendment. ■



Marcus Chatterton is a tech-minded litigator experienced in intellectual property, social media, smart grid, electronic data and general technology issues. Marcus represents large and small businesses, inventors and creative clients in patent, trademark, copyright and trade secret disputes. Working hard to keep his clients out of court, Marcus often advises on strategies to protect intellectual property, handle large volumes of data from systems like the "smart grid" or automated metering technologies, or to navigate Internet commerce issues and information governance. In court, Marcus is experienced as lead counsel for patent, trademark, and copyright infringement actions in federal court, administrative trials before the Patent Trial and Appeal Board and Trademark Trial and Appeal Board, and in state courts involving unfair competition, trade secrets, state trademark laws, and internet-based torts.



Robby Anderson focuses his practice on all forms of intellectual property matters. From trademarks, copyrights, and licensing issues, to domain name disputes and cybersecurity threats, Robby works hard to keep his clients ahead of the curve and out of court. Robby counsels and works with businesses of all shapes and sizes in a variety of industries on branding, protecting, and enforcing their brands and intellectual property assets from conception through commercialization.

For more information about Marcus or Robby, visit balch.com.

Endnotes:

1. Important to note too that only 11% of Americans say they trust information about government they see on social media. <https://apnews.com/article/cb267c9c0acf32dd40a64177b9c53136>
2. This link contains a helpful chart created by the Freedom Forum Institute on what individuals can and can't say on each of the top social media sites. <https://www.freedomforuminstitute.org/first-amendment-center/primers/free-expression-on-social-media/>
3. 953 F.3d 216 (2d Cir. 2020).
4. "By blocking the individual Plaintiffs and preventing them from viewing, retweeting, replying to, and liking his tweets, the President excluded the Individual Plaintiffs from a public forum, something the First Amendment prohibits." Knight First Amendment Inst. at Columbia Univ. v. Trump, 953 F.3d 216, 218 (2d Cir. 2020).
5. No. 20-197 (Supreme Court).
6. Id.
7. Davison v. Randall, 912 F.3d 666 (4th Cir. 2019).
8. Id. at 687.
9. Id.
10. <https://sproutsocial.com/insights/data/q3-2016/>
11. <https://digital.gov/resources/improving-the-accessibility-of-social-media-in-government/>



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