Digital Engagement:
Remaining Relevant in the 21st Century

The Alabama Municipal JOURNAL

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Does your city hall exist beyond a street address and a phone number? Have your elected officials embraced digital technology? Unfortunately, for too many Alabama municipalities, the answer is a resounding no. Therefore, we're examining digital engagement in this issue of the *Journal* – specifically, web development, social media and cyber security.

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A Message from the Editor

The first "long distance" telephone call was made in 1876 by Alexander Graham Bell from his family homestead in Ontario to his assistant who was about 10 miles away. By 1916, the United States was the world leader in telephone density. One hundred years later, distance and density are no longer relevant – and landline phones are nearly obsolete as wireless and Internet-based services expand exponentially to meet the demands of a mobile society that communicates instantaneously via technology that evolves in days rather than years. Just as computers overtook our offices and homes within two decades and mobile devices became ubiquitous in less than five years following the 2007 launch of the first iPhone, digital engagement has rapidly become a standard, *expected* means of communication – and is now nonnegotiable for remaining relevant in the 21st Century.

Do you live in a 21st Century community?

Does your city hall exist beyond a street address and a phone number? Have your elected officials embraced digital technology? Unfortunately, for too many Alabama municipalities, the answer is a resounding no. Therefore, we're examining digital engagement in this issue of the *Journal* – specifically, web development, social media and cyber security.

But first …

According to a February 3, 2016, Cisco Visual Networking Index report (cisco.com), mobile data traffic has grown 4,000-fold over the past 10 years and almost **400-*million*-fold** over the past 15 years. More than half a billion (563 million) mobile devices and connections were added in 2015 with smartphones accounting for most of that growth. Global mobile devices and connections grew to 7.9 billion, up from 7.3 billion in 2014. Global mobile data traffic increased 74 percent in 2015. Cisco projects that mobile data traffic is going to increase eight times over by 2020 and that *nearly 70 percent of the planet* – 5.5 billion users – will connect through a mobile device. Most of that growth will come in Africa and the Middle East. **Worldwide, the mobile phone will be more common for more people than electricity or running water.** Smartphones alone will account for 81 percent of mobile data traffic – more than 75 percent of which will be video.

Why is digital engagement important?

If you're having trouble answering that question, how about this: **Why is economic development important?** Now *that* question hits close to home, eh? Technology has radically changed not only how we communicate and do business, but how we *live*. From online banking and bill paying services, to information retrieval and purchasing options, we are a society thoroughly ensconced in the immediate convenience and virtually unlimited access provided by the Internet, social media and specialized apps. In order to provide the quality-of-life services your citizens expect and demand; in order for your community to not only remain relevant but to *grow*; in order to maintain an effective dialogue with residents, your municipality must be able to communicate *and* listen. Websites and social media platforms expand local government's scope – not only to your citizens but to business and industry that might be interested in relocating to your area.

Is your municipality accessible to them online? Do you have a website? A Facebook page? If not, why not? What businesses, industries and interested parties are bypassing your community because your city doesn't have a digital presence? What important updates are your citizens missing because you're not readily making the information available?

Website Development

Unfortunately, the top Google search result for many of Alabama's 462 cities and towns is a brief Wikipedia listing rather than an official website. In fact, nearly half of Alabama's municipalities do not have an official web presence, which means they are essentially invisible – not only to their residents but to the outside world. Of those that do have websites, several are woefully stagnant – one is so outdated it lists officials who were in office prior to the 2012 election cycle, meaning the information hasn't been touched in four years.

Yes, investing in a website requires effort and some expense – although not as much as you might think and it's most definitely something every municipality without a web presence should be exploring. See "Municipal Websites – Is Your City Relevant?" on page 21 written by the League's own outstanding web administrator (responsible for the design, maintenance and upkeep of *five* different websites), Karl Franklin, who explains how to begin the research for a simple, efficient, inexpensive site that will bring your municipality into the 21st Century.

Of particular importance when developing your website (and for current sites) is whether it is designed to be responsive, mobile-friendly or designed for mobile optimization. These are three very different things. A **responsive site** responds (or changes) based on the device (desktop/laptop, tablet, handheld) that's used. The text and images will change to accommodate a smaller screen display.

The President's Report

By Councilwoman Sadie Britt, Lincoln

Diversity of Thought
Remaining Relevant in the 21st Century

I've always held our organization in the highest esteem and serving as your Vice President and now your President has further solidified the deep respect I have for the Alabama League of Municipalities, our staff and our members. Of course, there are still areas where we have opportunities to encourage growth and change – where we as municipal officials can serve not only as leaders but as mentors.

For instance, it concerns me that our younger elected officials – particularly those under age 45 – are not as active with the League as we need them to be. I realize the challenges of serving one's community while working full time and raising a family leaves little room for additional activities; however, I fervently believe participation in the League – especially our educational programs – is vital to being a successful elected official and that we can and *should* do more to mentor our younger colleagues. Additionally, their expectations, viewpoints, ideas, experiences and backgrounds bring energy and vitality to the table – a *diversity of thought* necessary for any organization to remain relevant as it moves forward.

I also believe we should take a thoughtful and deliberate approach to encourage more participation by our female officials. I am truly honored to serve as the League's fourth female president and the first African-American female to be elected to this position. I am especially grateful to the three women who came before me – Birmingham Council President Nina Miglionico, Rainbow City Mayor Sue Glidewell and Montgomery Council President Alice Reynolds. Each of these women made indelible marks on the history of not only our organization but our state.

Our League was founded in 1935. Forty-six years later, in 1981, Council President Nina Miglionico ("Miss Nina") of Birmingham was the first woman elected League President. The daughter of Italian immigrants, Miss Miglionico was a lifelong Birmingham resident who later became one of the first female lawyers in Alabama. She was the first woman elected to Birmingham's city government, serving on the City Council for 22 years from 1963 until 1985. From 1978 until 1981, she served as Council President – the first female to hold that title. A graduate of Howard University, Miss Miglionico earned her law degree from the Alabama School of Law in 1936 and is thought to be the first woman in Alabama to have established her own firm. With 73 years of service, she held the unique distinction of being the longest practicing female attorney in the history of the State of Alabama. She died at age 95 in May 2009. I never had the honor of meeting Miss Nina, but I understand she was an incredible lady – a big persona in a small package – who opened the door for many women in local government throughout the state.

Thirteen years later, in 1994, Mayor Sue Glidewell of Rainbow City became our second female president. Sue is truly a remarkable woman who first entered public service as an employee of the City of Gadsden Water Department in 1950 – the beginning of her many exceptional years in public service.

Council President Nina Miglionico, Birmingham ALM President 1981-82

Mayor Sue Glidewell Rainbow City ALM President 1994-95

Council President Alice Reynolds, Montgomery ALM President 2001-02

Council President Cynthia McCollum, Madison NLC President 2007-08

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Municipal Overview

By Ken Smith, Executive Director

Stay Informed at the League's Convention in Huntsville, May 14-17

Mayor Tommy Battle and the Huntsville City Council will soon roll out the red carpet for their fellow municipal officials throughout Alabama. This year, the League convention will be held in Huntsville at the Von Braun Civic Center and the Embassy Suites Hotel, starting on Saturday morning, May 14, 2016, and concluding on Tuesday, May 17, 2016. We at the League are excited to return again to the Rocket City!

Your convention brings together over 1,000 municipal leaders from across the state to hear presentations and share information. The League derives its strength and effectiveness by merging the divergent opinions and needs of its member municipalities into a cohesive expression of municipal views, interests and initiatives, and the convention provides a great way to accomplish that goal.

The annual convention is our most significant training event each year and your primary source for professional development, continuing education and networking opportunities to prepare yourself to serve your municipality. The convention provides you with a unique opportunity to learn and grow as a municipal official. We hope this event is on your must-do list every year. You, as a representative of your citizens, owe it to them to take the time to explore issues, learn about problems and find solutions.

Municipal Elections

In addition to the annual convention, the League provides a wide range of additional training opportunities throughout the year to help our officials. However, this year is a little different. Every four years, a major event takes place in most Alabama municipalities, and 2016 is the year. Municipal elections will be held in all but about 10 of our cities and towns this summer. Many of our officials will be returned to office, but sadly, many others will not.

The decision not to run is likely not an easy one. Some will leave because they've decided to turn the reigns over to new officials. Some will leave for personal reasons, some because they're tired of local issues or perhaps they just feel it's time to let someone else have the fun they've had for the past four years.

Others will leave because the voters have decided it's time for a change.

The League is very aware of and in tune with this four-year municipal life cycle. We know things are different during election years, and we adjust to meet the needs most of our members have this year. Much of our time this year will be dedicated to the election process – training clerks and officials, addressing questions related to the elections, and so on. We know from past experience that calls to our Legal Department generally double during election years. We also update our major publications this year. For a number of reasons, election years are by far our busiest year each quadrennium, just like it is for the cities and towns themselves.

As a result of this focus, our training schedule necessarily changes. We know that most issues won't keep until the new officials take office, so we can't concentrate solely on the election. Life goes on, and we need to help prepare our officials. So, even in election years we provide training on other subjects. We do, however, adjust our training schedule.

Municipal leaders throughout Alabama constantly face new challenges and questions. In this day of tightening budgets and increasing state and federal mandates, the need for immediate and accurate information has become even more acute. Decisions based on incorrect data can waste valuable time and money and may even lead to increased liability costs through lawsuits or the assessment of state or federal penalties. To help set the right course, it is crucial that you stay informed on current issues and remain up to date on how changes will impact you.

While the main focus of this article is to help you take advantage of your attendance at the convention, I also want to make you aware of other training opportunities available this year.

The Training Year Ahead

Because of the election schedule, we will provide a limited number of training sessions in 2016; however, in addition to the convention, here are other options you should consider.

By the time you read this article, we will have finished our Legislative Advocacy meeting in Montgomery, but please keep this seminar in mind for the future. This session provides you with great information about developments taking place at the Legislature that will impact you as well as providing you an opportunity to visit the Statehouse and talk with your state senators and representatives. Making these contacts is vital.

In 1967 she became the city clerk for Rainbow City where she served for 13 years before being elected Mayor in 1980 where she was instrumental in the development of Alabama Highway 77 and played a vital role in the growth of the city. Throughout her career as an elected official, she was extremely active with the League, serving on our Executive Committee as well as the Committee on State and Federal Legislation. She also served on the Alabama Municipal Insurance Corporation (AMIC) Board of Directors from 1992 until 2004 – with eight years as Chair – and remains the only female board member since its inception in 1989. After 24 years as an elected official and 37 years of service to Rainbow City, Sue opted not to run in 2004. However, she remains a devoted supporter of the League and attends the President's Banquet each year during our Annual Convention.

Montgomery Council President Alice Reynolds was elected League President in 2001 after serving many years on a number of League committees, including the Chair of the Building Subcommittee that was responsible for the 1995 expansion of our Montgomery headquarters to create a basement and add much needed office space. She was first elected to the Montgomery City Council in 1978. She retired in 2002 after 24 years in office where she was known to be a strong political ally instrumental in bringing Hyundai to Alabama. Alice passed away in December 2014 and will long be remembered as a mediator on the City Council, a champion of her community and a steward of progress for the League of Municipalities.

In addition to these three dynamic Past Presidents, I am also grateful to former Madison Councilwoman Cynthia McCollum who, in 2007, was the first (and thus far *only*) municipal official from Alabama elected by her peers to serve as President of our national affiliate, the National League of Cities (NLC). In addition to representing Alabama both nationally and internationally via NLC, Cynthia was extremely active with our League, serving on many committees, including the Executive Committee and Committee on State and Federal Legislation, and was one of only three female board members for the League's Municipal Workers Compensation Fund (MWCF) since its inception in 1976. Her political career began in 1987 when she was appointed to fill a new Madison City Council seat created for an African American to settle Madison's portion of the *Dillard vs. Crenshaw* statewide lawsuit to end at-large voting. She first won election in 1989 and served several terms both as Council President and President Pro Tem during her 18 years in office. Throughout her tenure, she was an advocate for Madison's employees, serving as Chairperson of the Human Resources Committee for well over 15 years. In addition, she served as liaison to several city departments, including the Public Works, Finance, Personnel and the Police departments, where she was instrumental in instituting many cost savings measures. She also took the lead and was successful in passing

legislation to ban smoking in local restaurants. Since leaving office in 2008, Cynthia has remained an advocate not only of the League but of local government in Alabama.

Of the 46 elected officials currently serving on our Executive Committee, five (including me) – around 10 percent – are women. Out of the 258 members serving on our six policy committees, 70 are women. This past December, 76 municipal officials received their CMO certifications; 43 received their Advanced CMO Certifications; and 24 were awarded CMO Emeritus certification. Of those, 22, 11 and six, respectively, were women for a total of 39 out of 143 graduates.

For nearly 81 years the League has been the voice of Alabama's municipalities – 462 cities and towns representing a diverse population across the state. Therefore, *diversity of thought* is one of the critical elements necessary to ensure our voice remains relevant as we continue forward. I ask you to work with me to develop ways to mentor our younger colleagues and to encourage more female officials to become active in our leadership, on our committees, in our CMO program and in guiding the direction of our organization. ∎
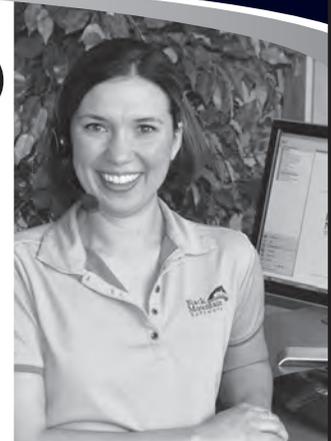
(If you are on a computer, you can tell if a site is responsive by reducing your browser's window size from full screen down to very small. If the appearance of the text, images and menu change as you make the pane smaller, the site is responsive.) At a minimum, your site should be **mobile-friendly**, meaning your website will work for mobile users by shrinking to fit the screen even though your website was actually designed for desktop users. That being said, while a smaller version of your desktop website can be functional, it may not be user friendly; therefore, a **mobile-optimized website,** which will reformat itself for mobile users, is a much better option because it is not just a sized-down version of your desktop design. *All mobile-optimized websites are mobile-friendly, but not all mobile-friendly websites are mobile-optimized.* Mobile-optimization targets mobile users; therefore, the actual websites are designed for smaller screens.

> By 2020, the mobile phone will be more common for more people worldwide than electricity or running water.

It's also important to note that beginning last April, Google's search rankings now emphasize and reward mobile-friendly websites with better search results. (You can find out if Google considers your site to be mobile friendly by entering your web address here: www.google.com/webmasters/tools/mobile-friendly/.) Keep in mind, however, that while having a mobile-friendly website is good enough for Google's search requirements, it's not necessarily good enough for the visitors coming to your website. In short, *mobile-friendly is the bare minimum* design strategy you should have for your mobile visitors. The best websites will be a combination of mobile-optimized and responsive design.

Social Media

One Alabama municipality that has consistently been ahead of the digital curve in both website presence and social media use is Prattville. Teresa Lee, the mayor's executive assistant, is responsible for the city's website and social media platforms. Be sure to read her article "Digital Engagement in the Fountain City" on page 15 for an in-depth review of how Prattville is not only remaining relevant but blazing a trail.

We are now a full-fledged digital society that seeks information online and regularly uses social networking sites. According to the Pew Research Center, 74 percent of all Internet users also use social media – and neither education nor income level make any significant difference in that usage. In other words, most of the people in your community are probably online at some point during the day – and a significant portion of those visit a social media site such as Facebook, Pinterest, Instagram, YouTube or Twitter when they're surfing the web. If your municipality does not have a website, start with creating

an official city Facebook page. It's free, easy and will certainly build a stronger connection to your citizens. Social media offers many advantages and serves many important purposes. It allows your municipality to:

- **Bypass the press** and instantly push information directly to the public in a non-sensational manner.
- **Build credibility** by directly releasing information to the public in a genuine tone.
- **Engage in open dialogue** with the communities served.
- **Build relationships with the public** that provide benefits – in crisis situations as well as daily municipal functions.
- **Promote events/activities** by posting festival dates and links to important information (parade routes, vendor lists, etc).
- **Drive traffic to your official city website** by posting links to updated info. (Maybe you have a new online service you provide and you want citizens to use. Or maybe you just made an update to the Employee of the Month section, Mayor's Blog, Animal Shelter, Pet of the Week, etc.)
- **Notify the public about construction updates and road closings,** delays or routes to avoid.
- **Post job openings.** To help fill open job positions, municipalities are posting them on LinkedIn, Facebook and Twitter with links to full job descriptions and instructions on how to apply.
- **Generate economic development.** Many companies use social media to scope out communities as they look to build or relocate their business. Economic developers can use social media to attract those businesses to the area and build relationships with current ones.
- **Distribute public service announcements.** PSAs are an effective method for raising awareness of issues that affect your community. Municipal examples of PSAs on social media include general health, safety and fiscal tips from various departments. YouTube videos can be a quick and easy way to convey a message. Images and announcements posted to Facebook and Twitter with a caption can be effective too.
- **Post council meeting information** – dates for upcoming meetings, highlights from most recent meetings, etc.
- **Notify citizens about Emergency Alerts and Severe Weather Updates.**

> According to the Pew Research Center, 74 percent of all Internet users also use social media – and neither education nor income level make any significant difference in that usage.

Social media also aids in crime prevention and police assistance. Many police departments are posting time sensitive information such as Amber alerts and using social media to seek information on wanted criminals in the area. They are also posting crime prevention tips. Last fall, 553 law enforcement agencies representing 44 states responded to a social media usage

Only by expressing your voice can we hope to influence the direction of state legislation.

On Tuesday afternoon following the convention, we will hold a Mini-Boot Camp on – you guessed it – the municipal elections. This event is separate from the convention itself and requires separate registration. We've had many requests for additional training on elections and holding this as a separate event allows us to focus our training on that single subject and allow those who aren't able to attend the full convention to attend just this session.

Orientation conferences will be held in four locations this fall – Huntsville, Birmingham, Montgomery and Mobile. The seminars will provide newly elected officials with an important overview of how municipalities operate and the laws and regulations that impact them on a daily basis. We also encourage incumbent officials to attend these sessions for updates and as a refresher course.

The Municipal Leadership Institute (MLI) will be held in conjunction with our Certified Municipal Official graduation ceremony in December. We held the first MLI last year to huge success. Over 100 municipal officials gathered in Montgomery to update themselves on state and federal issues. While this was not intended to be an annual event, the overwhelmingly positive reaction from the attendees convinced us that this is something we want to repeat.

Even though this is a reduced training schedule, it is very consistent with training we've provided in other election years. It is possible that we will hold some sessions in addition to these. There will be other League-sanctioned training as well, including outstanding training provided by our Loss Control Department.

We work hard to maintain a high level of instruction on a broad variety of subjects and the increase in volume during an election year places a great deal of stress on your League staff. Once new officials take office, we will resume our regular training schedule. Now, I'd like to take a closer look at the annual convention and offer a few tips designed to help you make the most of your time spent in Huntsville. Keep in mind that most of these tips will help you at any event you attend.

Maximizing Your Attendance

How can you make the best use of your time at the convention? If you are a municipal clerk or a personnel administrator, you may want to limit your attendance to the training provided by your associations. Otherwise, carefully consider what information and contacts you hope to take back with you to your community.

The Legal Viewpoint

By Rob Johnston, Assistant General Counsel

Campaign Finance Law Changes Since the 2012 Municipal Elections

As the municipal election season approaches, candidates for municipal office are preparing for the upcoming municipal election. While most candidates are focused on winning the election, they must also remain diligent to comply with Alabama's ever-changing campaign finance laws as they raise and spend campaign funds. As such, it is important to note that several changes have been made to these campaign finance laws since the 2012 municipal elections. This article summaries the Alabama's Fair Campaign Practices Act (FCPA) changes applicable to municipal candidates since the 2012 municipal elections.

FCPA, Sections 17-5-1 through 17-5-21, Code of Alabama 1975, sets out the rules for how and when candidates can raise and spend money. The law also specifies how campaign finance activities are reported. The FCPA requires every municipal candidate to file an Appointment of Principal Campaign Committee form within five (5) days of either qualifying as a candidate or reaching the disclosure threshold by either raising or spending $1,000. Further, the FCPA requires all candidates who reach the $1,000 threshold to report his or her contributions or expenditures by filing financial disclosure forms at specific times. It is the solely the candidate's duty and responsibility, not the municipal clerk's, to comply with the FCPA.

All FCPA forms are accessible on the Secretary of State's website: www.alabamavotes.gov.

Statement of Economic Interests Forms

The requirements for filing the Statement of Economic Interests (SEI) form has changed so that the candidate must now file the form directly with the State Ethics Commission *simultaneously* with the date the candidate files his or her qualifying papers. Sections 36-25-14 and 15, Code of Alabama 1975. A candidate may file an SEI form online. In a recent opinion, the Ethics Commission Advisory Board also determined that an SEI form that is properly addressed, postage prepaid, postmarked and mailed on the date the candidate qualifies complies with the statute. AO 2016-02.

For the purposes of notifying the Ethics Commission of candidates who qualify, the Ethics Commission Advisory Board opinion provides that the term "election official" is the individual or office accepting a candidate's qualifying papers. As such, within five (5) days of receiving the candidate's qualifying forms, the municipal clerk must notify the Ethics Commission the candidate's name and date on which the candidate qualified. Upon receiving notice from the municipal clerk, the Ethics Commission must, within five (5) business days, confirm to the municipal clerk that the candidate has filed the SEI form as required. If the Ethics Commission determines that a candidate did not submit the required SEI form, the candidate's name shall not appear on the ballot, and he or she shall be deemed not qualified as a candidate in that election. Section 36-25-15, Code of Alabama 1975.

A candidate who has a current Statement of Economic Interests form on file with the Ethics Commission does not have to file a duplicate form.

Municipal Candidates Excluded from Electronic Filing

For the 2014 and 2016 election cycles, all non-municipal candidates are given the option of filing FCPA forms electronically with the Secretary of State. Beginning with the 2018 election cycle, all non-municipal candidates will be required to file FCPA reports on the Secretary of State's electronic filing system. Section 17-5-9, Code of Alabama 1975. Municipal candidates will continue to file their reports with the probate judge.

Filing of Annual Reports

Pursuant to recent changes, annual reports are not required to be filed by public officials who have dissolved their campaign committees. Also, no annual report is required for a person who is appointed to fill a vacant term. See Section 17-5-8(b), Code of Alabama 1975.

Revisions were also made to clarify that a candidate who is required to file a monthly report during a certain period is *not* also required to file an annual report in the year in which

the election is held. Section 17-5-8(k), Code of Alabama 1975. This eliminates a duplicative filing where an annual report is filed within days of a monthly report.

Filing of Monthly Reports

For any year in which an election is held, the FCPA requires the candidate's campaign committee to file with the probate judge reports of contributions and expenditures once a campaign has received contributions or made expenditures of $1,000 or more. Once this occurs, the campaign committee must file a monthly report with the probate judge. Monthly reports are due on the second business day of the subsequent month during the 12 months leading up to the election with the exception of the month preceding the election. Section 17-5-8(a)(1), Code of Alabama 1975.

Filing of Weekly Reports

For the four weeks prior to an election, weekly reports covering each week must be filed on Monday of the following week. Revisions emphasized that a candidate who files a weekly report is _not_ also required to file a monthly report in the month in which the election is held. Section 17-5-8(k), Code of Alabama 1975. This eliminates duplicative filings.

FCPA Penalties

In 2012, municipalities were prohibited from issuing a certificate of election for a candidate who failed to file FCPA forms. This was commonly known as the "death penalty" for candidates, since it prohibited them from holding office if they won the election. Since then, the "death penalty" statute has been repealed, and so it is no longer applicable.

As a replacement, an administrative enforcement schedule for fines with minor violations and criminal penalties for intentional violations was created. The process designating the enforcement authorities and enforcement date was also clarified.

Commencing with the 2018 election cycle, the probate judge has the authority to levy administrative penalties for _untimely_ filing of FCPA reports, and the Ethics Commission has the authority to levy administrative penalties for the _inaccurate_ filing of FCPA reports. Section 17-5-19.1, Code of Alabama 1975. The administrative fine schedule is below:

- 1st offense: Lesser of $300 or 10% of amount not reported
- 2nd offense: Lesser of $600 or 15% of amount not reported
- 3rd offense: Lesser of $1,200 or 20% of amount not reported
- 4th offense establishes a rebuttable presumption of intent necessary for criminal violation. The probate judge will notify the Attorney General and the appropriate district attorney for those who violate the filing requirements four or more times in an election cycle. See Sections 17-5-19.1 (b-c), Code of Alabama 1975.

Fines for municipal candidates are collected by the probate judge and paid to that county's general fund.

Review of Civil Penalties

Any person who receives a civil penalty notice may seek a review of the penalty by filing a written notice with the probate judge within 14 days after the date on which notification was mailed. Once a written notice is timely received, the probate judge will refer review to the State Ethics Commission. The commission may set aside or reduce a civil penalty upon a showing of good cause. The person seeking review shall bear the burden of proof. Section 17-5-19.2, Code of Alabama 1975.

Correcting Campaign Finance Reports

A candidate is permitted to correct an otherwise timely filed report without incurring a penalty so long as it is initiated by the candidate (as opposed to being prompted by the probate judge) and corrected prior to the election.

Statute of Limitations for FCPA Violations

Prosecutions for most FCPA violations must be commenced no later than two (2) years after the date of violation. Prosecutions for violations of use of a campaign committee's excess funds must be commenced within four (4) years of the offense. Section 17-5-19(f), Code of Alabama 1975.

Filing Location for Candidates whose Municipality is Located in more than One County

When a candidate's municipality is located in more than one county, FCPA forms should now be filed only with the probate judge in the county where the city or town hall is located. The probate judge will send a copy of the filings to the probate judge in the other county or counties. Section 17-5-9(c), Code of Alabama 1975.

Dates for Receipts of Contributions

The date of receipt of a contribution is the first date that the recipient of the contribution is able to make use of the contribution. For contributions made by check, the date of receipt is the earlier of (1) the date the check was deposited into the recipient's account or (2) ten (10) days from the date that the check came into the recipient's control. Section 17-5-2(c), Code of Alabama 1975.

Dates of Expenditures

An expenditure is considered to be made on the date that the instrument authorizes the expenditure. For expenditures made by check, the date of expenditure is the date on the check. For expenditures made by electronic payment, the date of expenditure is the date of the electronic payment. Section 17-5-2(a)(7)(c), Code of Alabama 1975.

Qualifying Fees and Legal Fees are Campaign Expenditures

The payment of a qualifying fee is now deemed as an expenditure. Section 17-5-2(a)(7)(a)(4), Code of Alabama 1975. Legal fees and costs associated with any civil action, criminal prosecution or investigation resulting from conduct reasonably related to performing the duties of the office is now an explicit purpose for which campaign funds may be expended. Section 17-5-7(a)(7), Code of Alabama 1975.

Return or Refund of Contributions

A candidate's campaign committee can now return or refund, in full or in part, any lawful contribution. The contribution must have been reported, and the refund must occur within 18 months of the contribution date. Section 17-5-7.1, Code of Alabama 1975.

Closing of the Principal Campaign Committee after a Candidate's Death

A candidate who serves as his or her own principal campaign committee must now designate a person responsible for dissolving the principal campaign committee in the event of the candidate's death or incapacity. If the designated person is incapable of serving at the time of such event, the campaign account shall be dissolved by the candidate's personal representative. All funds in the account must be disposed in accordance with the FCPA. See Section 17-5-4(c), Code of Alabama 1975.

New Options for the Campaign Committee's Bank Account

A candidate's principal campaign committee may now maintain a money market account or a similar banking account and may use electronic transfers and credit cards. Previously, the FCPA only permitted the use of a checking account and the use of checks. Section 17-5-6, Code of Alabama 1975.

2016 Elections Manual
Available Online:
www.alalm.org
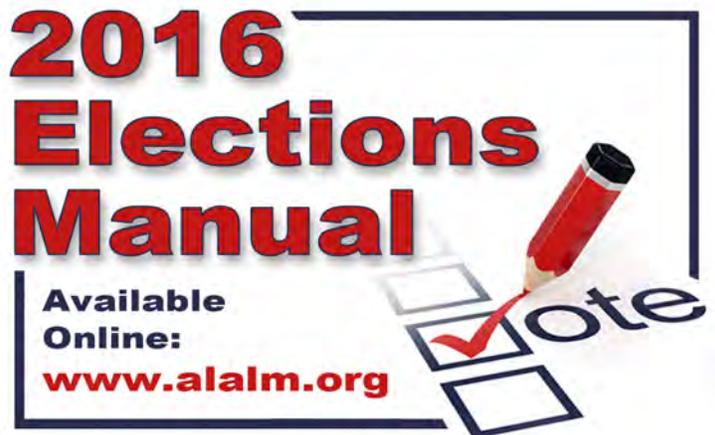
Disposal of Campaign Property

Property purchased by or contributed to a campaign committee with a value exceeding more than $500 must now be liquidated at fair market value or donated as permitted by the FCPA within 120 days following the election. Any funds generated by the liquidation of the property must be deposited in the candidate's campaign committee account. If elected, the candidate may use the property purchased by or contributed to the campaign committee if it is in the performance of the candidate's duties in his or her office.

State Ethics Commission's New FCPA Responsibilities

As noted in this article, the Ethics Commission now has a more prominent role in the FCPA. The Ethics Commission is now responsible for working with the Secretary of State to implement FCPA reporting requirements. The Ethics is also responsible for:

• Approving all FCPA forms;

• Suggesting accounting methods for candidates and political action committees (PACs);

• Approving a retention policy for FCPA reports and filings;

• Approving an FCPA manual for candidates and PACs to be published by the Secretary of State;

• Investigating and holding hearings regarding FCPA violations;

• Conducting or authorizing audits of FCPA filings pursuant to properly filed complaints;

• Affirming, setting aside, or reducing FCPA civil penalties;

• Referring all evidence and information necessary to the Attorney General or appropriate district attorney for prosecution of any criminal violation of the FCPA;

• Investigating allegations of FCPA violations and directing the Examiner of Public Accounts to conduct audits to determine FCPA violations;

• Issuing and publishing advisory opinions on FCPA requirements;

• Prescribing, publishing, and enforcing rule to carry out the FCPA.

Section 36-25-4(11), Code of Alabama 1975.

Conclusion

As this article demonstrates, there have been many changes to the Fair Campaign Practices Act since the 2012 municipal elections. Since penalties for FCPA violations now fall directly on the candidate, he or she must be vigilant in following FCPA rules.

For further FCPA information, candidates can contact the Elections Division of the Secretary of State's Office at 334-242-7210 or 1-800-274-8683. Candidates can also access FCPA forms and the Candidate Filing Guide at the Secretary of State's election site: **www.alabamavotes.gov**.

Candidates can contact the Alabama Ethics Commission at 334-242-2997 and can access the Statement of Economic Interests form and Ethics Advisory Board opinions by visiting the Ethics Commission site: **www.ethics.alabama.gov**. ∎

DIGITAL ENGAGEMENT IN THE FOUNTAIN CITY

BY TERESA LEE
CITY OF PRATTVILLE

WE LIVE IN A DIGITAL AGE.

Let that sink in for a moment. To many of you, that is a redundant statement. Quite frankly, you're wondering why I felt the need to type it.

Let's take it a step further. It is imperative that you engage with your citizenry in this digital world. I'm starting this way because nearly half of Alabama's municipalities do NOT have city websites. Of those that do have a web presence, some are not keeping them up-to-date. It's important to provide information, but if that information isn't current, your citizens will not use it, nor look to it as the valuable resource it is meant to be.

Website Uses

In Prattville, we use our website, **www.prattvilleal.gov**, not only as a data repository of minutes from public meetings, agendas, public notices and online business forms, but also as a marketing tool for the City. We have a work order system so that citizens can report problems and a Mayor's suggestion form where they can share ideas or comments. We market our special events, as well as quality of life offerings from Parks & Recreation and Cultural Arts. We regularly do feature articles on departments, their programs, work that is being done or praise for a job well done at a project's conclusion. We take our feature articles and events a step further when we put out a digital newsletter to subscribers and use them as content for Facebook posts and Tweets. Our audience is diverse and we like to think that we provide the info in enough ways and venues that we are able to capture a significant portion of our citizenry.

No only do we use our website to publish information to our residents, we also market our attractions and quality of life opportunities to visitors and potential economic
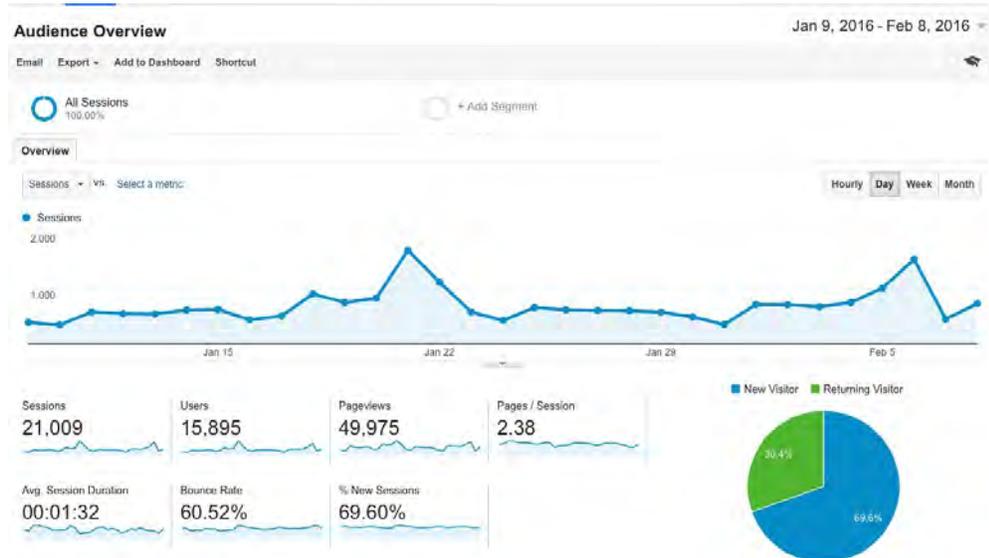
This is a snapshot of our Analytics for www.PrattvilleAL.gov and, as you can see, we have almost 16,000 people using our website in a given month. We peaked around January 21st when we rescheduled our Mardi Gras Parade and again on February 5th and 6th due to the Mardi Gras event and an article published on a wastewater project being considered by the Council.

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developers. We all know that, if done well, tourism provides significant revenue and your city website is an excellent and credible avenue to market what makes you unique. If you do not have a web presence – or if you rarely update your website – how can those tourists or potential economic development investors find your city or learn what you have to offer?

In addition, we have tried to find ways of automating functions with online forms and registrations. Every person who registers for soccer online is a customer who does not have to stand in line at the Parks & Recreation counter. This allows staff to perform other duties and makes the registration experience easier and quicker for our customers.

Our home page gets the most visits, followed by Special Events and then Departments. We have three different ways to access job opportunities. The combination of visits of all three generally puts this page at the top of the usage chart.

The City of Prattville website went through a redesign in 2009. After five years as the city's Webmaster, I knew what was working and what was not. The design was outdated and the navigation was cumbersome. Stated more plainly, no one could find anything easily if it wasn't on the home (or main) page of the site. We chose a Joomla-based content management system (CMS) to handle our content and navigation. What was once a 73-page website in 2004 has grown to a site of 3,227 pages today. The most concentrated work went into the navigation document and particular features, such as the sliders on the home page, which contain a tremendous amount of access to info at the click of a button. Everyone wants everything on the home page and this feature helped us provide entry points without clutter, which is detrimental to a strong design. Good navigation takes into account the different ways your audience goes about accessing information. Our goal was to provide three ways into the info: right-brain, left-brain, and those who struggle with technology. There is always room for improvement, but we feel we have accommodated our audience and their differing approaches to navigation.

When designing your website, spend a lot of time looking around at other municipal websites.
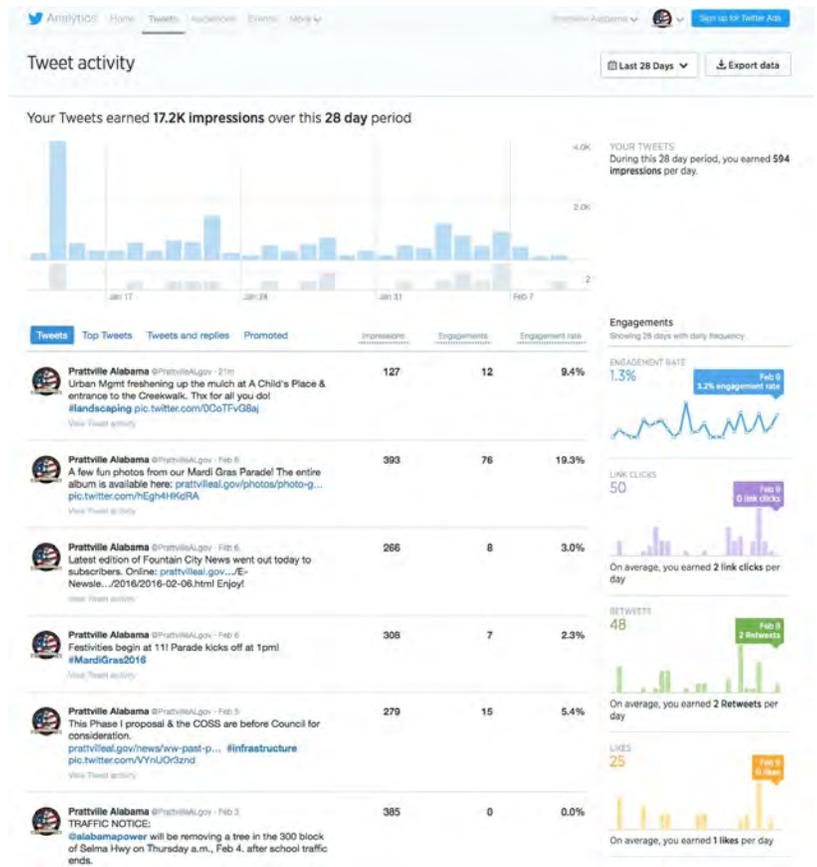
This image from Twitter Analytics is representative of the type of info Prattville tweets.
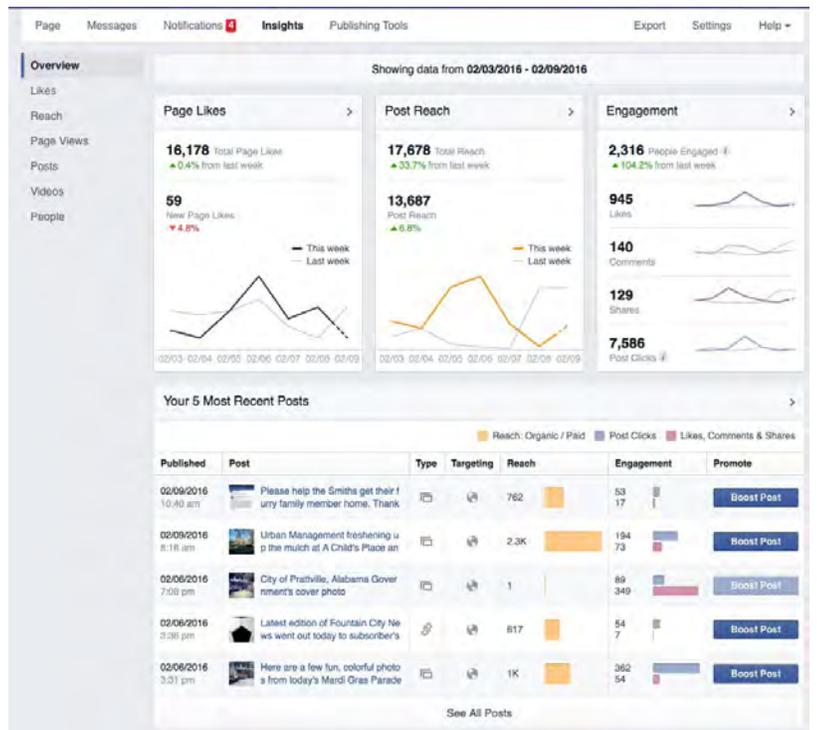
This screenshot from Facebook Insights provides a look at the activity from a week in early February. Generally, we have at least one post each day.

Analyze their navigation flow and use it to determine what is best for your city. **Please remember:** *if you aren't asserting yourself as the information source for your city, someone else will speak for you and more than likely get it wrong.*

Social Media – Taking Your Message Where Your Residents Congregate

Over the last decade, it has become clear that you must take the information to the places where your residents congregate, such as Facebook, Twitter, YouTube, Instagram and Pinterest.

We use Twitter to make announcements, share website articles, severe weather updates, siren tests, events and photos of City activity. Citizens infrequently ask questions or report problems so it has served us well even though our Twitter following is not nearly as large our Facebook fan base. As of early February, Prattville had 2,721 followers. I continuously watch how other cities are using their Twitter accounts to see if we're missing anything obvious. It is my opinion that we would probably have more followers if we followed more Twitter accounts, but given that you cannot control their content, we feel it is more prudent to only follow those accounts that provide us, or our followers, with useful info such as Autauga EMA, Alabama EMA, National League of Cities, the White House and a few others.

Our Facebook (FB) page went live on February 1, 2010. FB has garnered our largest audience and has become our most popular way to push out information. It also drives more traffic to our website than all local traditional media combined. We use FB to share events, articles on our website, severe weather updates, siren tests, changes in service schedules, traffic pattern changes, and any other pertinent information that our citizens need to know. In 2012, we used FB to engage the impressive citizen support that allowed us to win the Coca-Cola "America is Your Park" $100,000 grant challenge. Our residents use this page to ask questions, report problems, share thoughts on our posts, and make suggestions. For a city of roughly 35,000, we are very proud of our fan base of over 16,170.

In order to manage social media, you really need to love it and have the ability to monitor it. You also need to be responsive. The best change I've made in the past couple of years was to activate "messages" on our Facebook page. People are more likely to share problems and items of concern if they can do it in private. Every citizen you help is generally a happy citizen. This interaction gives our elected officials an opportunity to engage an individual

personally. Mayor Gillespie will call them or invite them to meet. Residents appreciate that personal touch – that your elected body cares enough to take time out of their busy day to listen, interact and, often, resolve their issue.

We recently allowed our Fire and Police Departments to create their own FB pages. This allows them to promote their own programs and report incidents or ask for info without it getting lost amongst all the other info on the city's page.

YouTube, Pinterest and Instagram

We utilize YouTube to house promotional videos, press conferences, public meetings and clips from special events. We only have 87 subscribers; however, we are not discouraged because we have *more than 33,000 views*. That is tremendous traffic for small town America and quantifies our engagement.

We use Pinterest as a method to allow local photographers a space to display their photos of Prattville, which is not allowed on the City website due to copyright concerns. I have created boards for best photo ops, special events, the great outdoors, grant opportunities (that the public can participate in with the City), and the Mayor's Fitness Challenge. I'm proud of our 388 followers on Pinterest, especially since we haven't used it as long as Facebook or Twitter. I'm especially pleased that Alabama Tourism, Alabama 200 (Bicentennial), Bass Pro Shops Prattville, Super Southern Road Trips, This is Our South, Opelika Parks, River Region Family, Old Alabama Town, the City of Salisbury South Australia, *media outlets* and many local/River Region businesses are following us.

We use Instagram to highlight the best photo(s) from events, daily activities or attractions (a historic site, a beautiful sunset, whatever is worth sharing with our residents).

I have branded all our social media so that it is very easy for our followers to find us: **PrattvilleALgov** is used on all sites. This is also our web address. Be sure your City's branding makes sense and that it is consistent.

Community Engagement and Response

Our community has been very receptive to these services – and they are *services*. Social media, such as Facebook,

requires a great deal of monitoring and can be a 24/7 job all on its own. In the end, however, I believe it's absolutely worth the effort. I know we provide more information, and thus engage more citizens, than many other outlets. We also remain in control of our message.

If social media is utilized correctly, it should drive traffic to a municipal website. We have hyperlinked logos on our home page to all our social media outlets. Under those logos, visitors may click to a Social Media page that explains each medium, how it's used and what the page looks like. Administrators should use links in their posts on Facebook and Twitter to engage public interest and encourage followers to read or learn more information on a particular topic. On Pinterest, link photos back to event pages or more information about that attraction. Our Mayor's Fitness Challenge board is a little different in that we link to fitness sites in order to provide our residents more resources for changing their lifestyles.

Our fan base seems to really enjoy photos and video. We receive some of the highest feedback on posts that contain pictures and video clips. When a post/status update is text only, make it engaging but brief. A successful post is one that is shared by multiple people. The more a post is shared or re-tweeted, the greater the chance for increasing your audience.

According to Facebook Insights, 69 percent of our audience is female. Overall, 83 percent of our audience is comprised of ages 18-54. According to Twitter Analytics, 54 percent of our Twitter audience is female (3 years ago, 54 percent were male). Overall, 90 percent of our audience is comprised of ages 26-55. Of those, 75 percent of our female audience is aged 36-45 and 60 percent of our male audience is aged 26-35.

Stay Current – Use Interaction to Your Advantage

Facebook is updated every day. Twitter is utilized when there is a new article or announcement, so generally a few times per week. Instagram is updated whenever there is a great photo to share. Pinterest is updated when we press out a special event, new photos are submitted or additions are made to the Fitness Challenge. YouTube is updated after every public meeting and after press events. We are beginning to create educational videos for the public regarding littering and anything else that we need them to know that helps us be more efficient and effective. These videos will reside on YouTube, but will be also be used on our website, Facebook and Twitter as well.

Social media is not social if you don't allow your constituents to carry on a conversation with your administrator. You will get comments you don't like. As long as you are polite and helpful, citizens will generally appreciate your responsiveness. Even if you don't "like" their suggestion or comment, reply and let them know that you've received it and thank them for their comment/suggestion. Your audience will appreciate feeling like they have been heard.

Use the interaction to your advantage.

Mayor Bill Gillespie started using the phrase "see something, say something." It's not his phrase; he actually saw it on a law enforcement poster. We use it regularly on Facebook to encourage our citizens to report problems so we can better serve them. We praise them for making us more efficient and effective. You must be willing to accept the reports; treat those who are reporting issues as important to the process; and thank them for making the report. In the words of my mayor, we are a mechanized, service-oriented organization and we are here to serve.

Implement a good commenting policy for Facebook. Establish hours within which your employees will respond. (Hint: social media is directed to my iPhone and I respond whenever our fans/followers are active. If it requires interaction with other employees, I simply tell them I'll get back to them during normal business hours when I am able to engage that department.) Feel free to take a look at Prattville's policy on our page for an idea of what will work for your municipality. Above all: find someone on your staff with the talent and personality to handle this task successfully.

Like it or not, we live in a digital age. Where is your municipality in this process? ∎

Teresa Lee has worked for the City of Prattville for just over 12 years. She was hired as the City's first Webmaster. In March 2011, Mayor Bill Gillespie, Jr. moved Teresa out of Information Technology and placed her position in the Mayor's Office. She continued in that role while taking on some of the Executive Assistant duties until September 30, 2012. On October 1, 2012, Mayor Gillespie appointed Teresa as his Executive Assistant. She continues to do the Webmaster's job as well. She also manages all of the City's social media accounts and is generally responsible for all public information. She can be reached at teresa.lee@prattvilleal.gov.
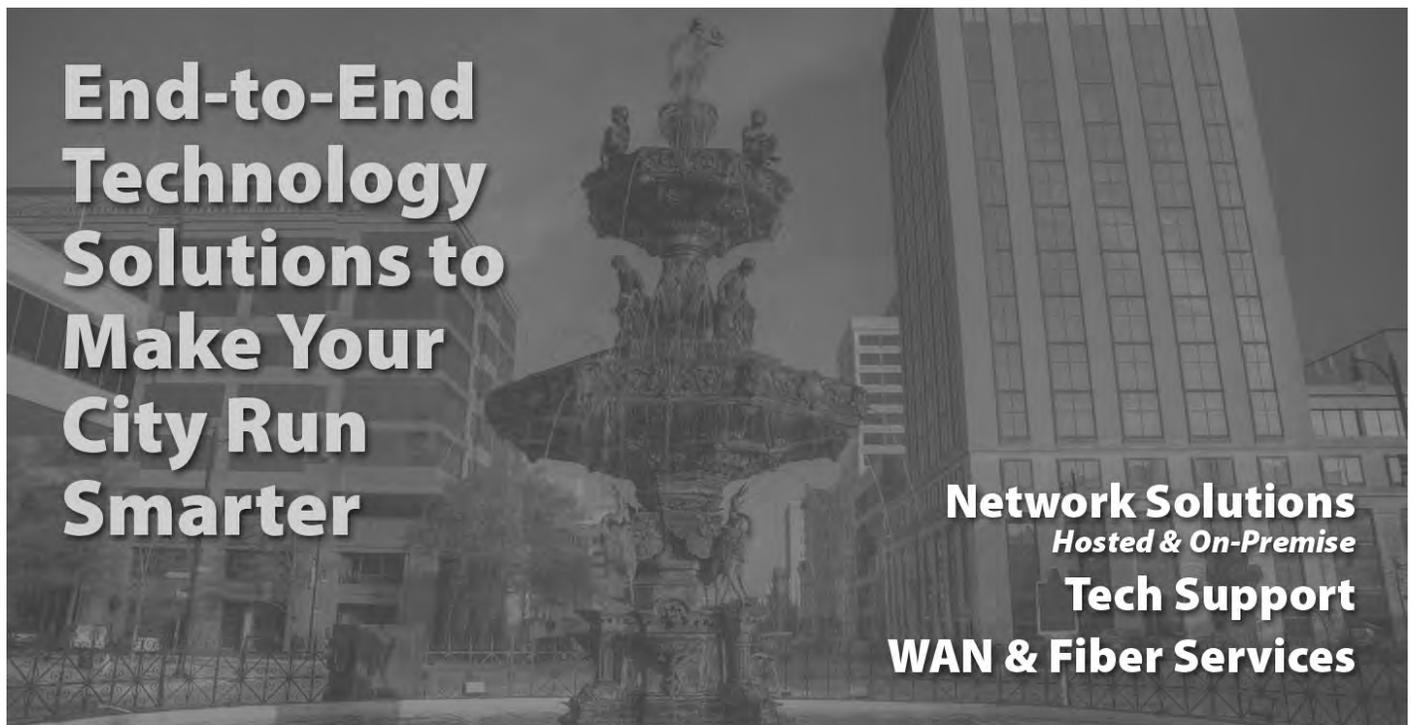
MUNICIPAL WEBSITES-
IS YOUR CITY RELEVANT?

KARL FRANKLIN, GRAPHIC ARTIST AND WEB ADMINISTRATOR, ALM

*W*ayyy back in 1994 the Internet became the latest newest way to communicate. It started with peer-to-peer communication in universities where it soon branched out to the general public in the form of bulletin boards. From there it spread to include peer-to-group communications. These were the days before search engines so the entire platform was very disjointed. There were even *printed* books (gasp!) listing the web addresses of interesting websites. The Internet's partnership with the telephone was forged in those early days – the connection to this new world was a modem on your phone line. As the Internet's popularity grew, it quickly became apparent that if this new medium could be used to communicate, it could be used to sell products. (Does anyone remember worrying about using your credit card online for the first time? Do you even think twice about it now?). Online commerce was born with Amazon and Ebay in 1995 and quickly became the driving force behind further development of the Internet, which now touches every facet of our lives – information, news, entertainment, product development, commerce, charity and philanthropy. Even our electronics, door locks, security alarms and thermostats are connected to it! The reality can no longer be denied: digital engagement isn't just *nice to have*; it's a ***must have*** for remaining relevant in the 21st Century.

Does your municipality exist beyond a brief Wikipedia entry?

The pervasive nature of the modern Internet has not only changed the *way* we communicate, it has changed the way we *think* about communication. Once upon a time people might have called a store or a business (or even City Hall) to ask a question about services or products. In 2016 people are much more likely to check the entity's website than call for the information they seek. In fact, they prefer online to in-person. If the information is not readily available, many consumers (and constituents) will assume (wrongly or rightly) that the information does not exist – and "you never get a second chance to make a first impression."

This may not hold true for you, depending on your age, but the majority of consumers now *expect* information to be available online. By 2020, transactions via the Internet will reach 450 billion *per day*. Millennials (ages 16-34) make up the largest segment of the U.S. workforce and more than one fourth of the U.S. population. There are more millennials (81.3 million) in the U.S. than baby boomers (75.4 million). This segment of our population is tied to smartphones and tablets and have nearly always functioned in a world where there's an app for everything. Most have never made a call from a phone booth or used a rotary dial phone. Fax machines are passé – if they even know how to operate one. According to "The UnBanked Generation" by firstdata.com, **21 percent of millennials have never written a physical check to pay a bill and 94 percent are active users of online banking.** Millennials are more diverse than any previous generation and they want and *expect* real-time information at their fingertips. Convenience matters. And, quite frankly, what matters to them should also matter to you because they are *your* constituents – unless they can't find a way to thrive in your community. Then they will leave.

You may be wondering how this affects municipalities – especially if you still eagerly await the daily mail or rely heavily on a fax machine. Beyond the fact that it's now *expected*, the simple answer is that the ability to digitally engage expands local government's scope – not only to your citizens but to business and industry that might be interested in relocating to your area. Is your municipality accessible to them online? Do you have a website? If not, why not? What important information are your citizens missing because they don't know how to find it? What businesses, industries and potential visitors or tourists are bypassing your community because your city doesn't have an Internet presence? As a municipality, your consumers – your main audience – are your citizens and visitors. While you may not be *selling* anything, you are responsible for many quality of life of initiatives, which include *promoting* your community. Therefore, you must keep up with technology or get left behind. If you wish to remain relevant and encourage citizen participation and community growth, a municipal website is crucial. The good news is that it's now easier than ever to create an affordable, streamlined, attractive, user-friendly site.

Demystifying Website Construction

There are several ways to build a website (municipal or otherwise). As with any building project, prior to construction there should be a planning phase. Before moving forward, consider the questions below. Once the need has been acknowledged and you have gathered your information, the next steps are purely technical.

- **Who will maintain the website?** This is a very important question because it will guide your decision about how the website needs to be constructed. You will need someone reliable and skilled, or at the very least willing to learn, and someone who will take the time and effort to keep the website current. If the website is constructed and then left to rot online, leaving dead information up for years, it becomes a liability instead of an advantage.

- **How detailed will the website need to be?** Some municipal websites are a gold mine of information for citizens and potential visitors (and businesses seeking to locate) including forms, contact information, council meeting minutes and/or video and even financial information. Other website are more of a brochure, having only basic information online. This would be a good point in time to survey as many of your citizens as possible to determine their needs and expectations of a municipal website. What are the most frequently asked questions of your city officials? What are the most important features/attractions in your city? What are the most requested forms or information from your citizens? Answers to these questions and others like them will inform your decision as to what needs to be on your website. In addition, visit the websites of communities that are similar in size. Determine if their features would be useful for your municipality. Talk to your counterparts across the state. Seek advice from cities and towns that maintain sleek, successful websites.

- **Who will build the website?** Does your city or town have someone with the ability to build a website? Do you have someone who is willing to learn and try or will you need to hire an outside consultant/vendor? Ideally the builder and maintainer will work closely during the building phase so both will know what to expect once the website is active. The platform or program the website will be built in and maintained with should be agreed upon depending on who is maintaining the website.

A Note about Responsive Websites

Once upon a time, web pages were designed to be viewed on a desktop computer monitor. Now there are more mobile devices being purchased every year than computers which has produced a shift in how your website will be seen. It is very difficult to view a webpage designed for a computer monitor on a small hand held device like a smart phone. Because of this inconvenience, many websites have now moved to a *responsive* web design. A responsive site responds (or changes) based on the device (desktop/laptop, tablet, handheld) that's used. The text and images will change to accommodate a smaller screen display. Additionally, the design of your website not only affects the screen display, it can have a significant impact on where you site lands in a web search for your city or town. Just last year, Google began *demoting* websites from their search results that

did not have mobile-friendly web pages. Therefore, it would be foolish to proceed with building a website without adjusting the design accordingly.

Nuts, Bolts, Bits, Bytes

Once you've completed the planning phase, there are several steps that must be taken before a website becomes a reality. First, you have to purchase and register a domain name, sometimes referred to as an address. Second, you will need to have a host for your website. Last, you will need some sort of way to build your website – a program or a Content Management System.

Domain Name Registrars

Nobody can visit you until you have an address in the physical world; the same is true of internet addresses. You must first register and purchase a domain name through a domain registrar. Think of it as similar to leasing the property on which to build your website. There are many such registrars online (1&1, Network Solutions, Google). Some registrars are also hosts.

At a domain registrar's website you can check the availability of your preferred web address. It is a good idea to have several choices because your top choices will likely be unavailable. Once you determine a domain name that suits your municipality, register it! Do this as soon as you are able because it could be registered by someone else at any time. Registering a domain name does have a cost associated with it which will need to be renewed yearly to maintain your claim on the name. The cost is anywhere from $.99 to $19.99 per year. **A word of caution about domain names** – once you register your domain, be sure you do not lapse in paying the annual fee. If the fee is not paid, you will lose your web address and it could be registered by someone else.

Hosts with the Most

If you registered a domain name with a registrar who is also a host, you are a step ahead. If not, you will need to contact a hosting service of your choice and facilitate the dialogue between them and the registrar. It is not a difficult process although it can take a few days to work it out. You do not have to host with an outside party. If you have a really good in-house IT Department, you can easily host your own website.

Many web hosts will have some kind of software you can use to create your website. Some of them have proprietary software that can only be used on their hosting platform. Others provide an open-source platform like Wordpress or Joomla. If you chose a registrar that is also a host that also provides website building software, you've hit the trifecta! Another significant advantage to the all-in-one scenario is the tech support that usually comes with the hosting agreement. Technical support is an important feature that you want to make sure you have in place regardless of the route you ultimately choose.

Of course, hosting does come with associated fees. The cost should be proportionate to the level of support the host provides. Some hosts offer free hosting – which might be perfect for those with enough experience to troubleshoot their own website; however, I don't recommend that option in most cases. Hosting costs can range from $3.00/month to $599/year. Other factors that could affect the price include storage size and dedicated server space.

Website (Under) Construction

Once the domain registration and hosting groundwork has been done you can finally begin building a website – your city's unique link to the world (or … the world's link to your unique city)! There are *many* ways to do this and each has its pros, cons and skillset requirements. Even so, the various ways fall into one of three main categories – Coding, WYSIWYG (Pronounced "Wizzy Wig" standing for What You See Is What You Get) and CMS (Content Management System). They vary in degrees of difficulty but ultimately accomplish the same thing. While it is not strictly necessary to know code for WYSIWYG or CMS website building, it is a definite advantage to have some knowledge of HTML, CSS and PHP, the main code languages used to build websites. Whether you code or not, the code is being used in the background and it is a good idea to at least become familiar with it. None of these development methods are beyond anyone's reach, given time and a desire to learn. There are many online resources that can be used to learn any or all of these methods. Lynda.com, ostraining.com and skillsoft.com are just a few. In addition, many web hosts have FAQ and knowledgebase sections with videos and webinars to get you started.

Coding

Website coding using HTML, PHP and CSS is one of the most difficult and labor intensive ways to create a website; however, it provides a level of control over the final product that is unmatched. Every object on a webpage is described in the code, then the code is deciphered by the web browser to display the objects correctly. Coding is a very refined set of skills that takes time to learn and master. As a result, it is usually not the first choice of an amateur web designer. If you are interested in pursuing this method there is a wealth of information online.

What You See Is What You Get

WYSIWYG editors abound for website creation. Kompozer, Adobe Dreamweaver and Microsoft Expression Web are just a few examples of this kind of editor. Most programs in this group are proprietary and have fees such as an initial charge or ongoing subscription cost associated with them, although a few are free. Designing web pages this way is a hybrid of Drag-and-Drop and coding. This method does not require quite as much technical knowledge as hand coding, but it is not without its own learning curve.

Content Management Systems (CMS)

While Coding and WYSIWYG web page building allow for granular control over elements on a page, a CMS has other advantages which I believe set it apart and make it the best choice for amateur and professional web designers alike. The main

advantage of a CMS is the plethora of templates and support information already available. By using a template, much of the underlying work has already been done. All that remains is to fill the correct pages with information. Because of the widespread use of CMS programs, many problems have already been encountered and solved by users worldwide. If you run into trouble while setting up or maintaining your website (and you will) the answer can often be found online by querying users of the same program. Wordpress, Drupal and Joomla are three of the most well-known CMS programs. In fact, Wordpress is used by 26 percent of the world's one billion+ websites, making it the most popular CMS by far. Another advantage of using a CMS like Wordpress or Joomla is its expandability via plug-ins—which are like mini programs that allow for something over and above the core functionality of the CMS. Some plug-ins are as simple as a clock/calendar or as complicated as a commerce plug-in that allows for online sales and money collection. The reason for this wealth of "extras" is due to the fact that the CMS programs I mentioned are open-source – meaning many people around the world are able to write and expand on the source code to solve any number of problems.

Conclusion

This article has briefly touched on the general steps involved in setting up and building a website; however, the lay of the technological land is constantly shifting and, therefore, many things that were new, even on the Internet, have become yesterday's news. Online research for more information on any of the topics here will yield a wealth of information. A simple, effective website it is not the Herculean undertaking some may think. It can be done with a little investment of time, money, research and sweat equity.

The bottom line, however, is that your municipality cannot afford to be invisible. The 21st Century is here. Like it or not. ▪

Karl Franklin joined the Alabama League of Municipalities in 2010 as the Graphic Designer for the League's Communications Department. In that role, he is responsible for designing print publications, multi-media products and promotional materials for the League. He is also responsible for the design, daily maintenance and content updates to ALM's five unique websites – a skillset he learned on the job. Karl received his BFA in Visual Communications from Auburn University in 1994 and has worked as a graphic designer, product designer and illustrator. He has designed and illustrated a variety of items including book covers, t-shirts, children's books, coloring books, posters, bookends, figurines, and even tattoos (none for himself!). Karl and his family have a dog and 4 tenacious fish.

IT is Everywhere
So are the threats

By Chuck Stephenson
Director of Information Technology • ALM
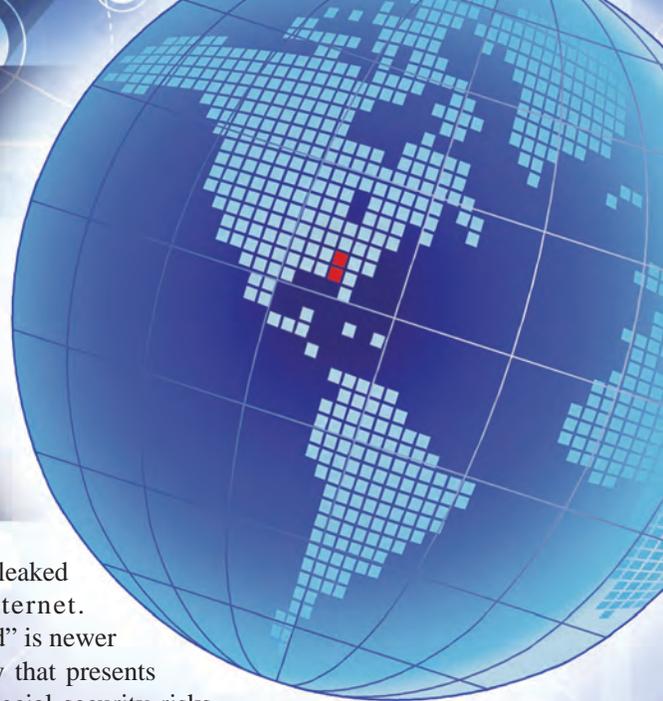
There are currently many threats facing municipal IT infrastructures. Some are physical, such as weather events, fire and theft of property. Some are virtual including, malware, viruses, website attacks and SPAM. Any one of these could prove devastating to an IT infrastructure if preventative measures aren't in place to stop or mitigate the risks – and if there is not a dedicated recovery plan should an incident occur.

IT is everywhere.

There is no escaping IT today. It is essential for doing business; it is a major part of our daily lives at home; and it is even becoming a part of the cars we drive. Expanded access means greater risk of an information security incident taking place. Most everyone in the workplace now has an employer-provided email address. Many have smartphones provided by employers. In our homes, there are smart TVs, smart thermostats, smart home security systems, Wi-Fi connected appliances and even smart light bulbs! All of these devices connect to the Internet and are therefore potential security risks. The number of Internet connected devices that are used daily are only going to increase in the future. Add to these the increase in cloud-based storage and applications and the IT world that was already confusing to many becomes even more complicated!

IT threats are everywhere too …

This proliferation of Internet-connected devices only adds to the threat presented via social media, which has also become a daily part of not only our personal lives but the business world as well. This, along with e-mail, create more entry points for cyber threats. Employees using business devices to access social media, e-mail and even general Internet searches are some of the easiest gateways for cyber-attacks to IT infrastructure. One of the most common calls received by help desk employees generally start with the statement: *I clicked on something …*

Compounding the risks of application threats are the physical threats presented when connected devices are lost or stolen. Devices are one of the top targets of thieves in car break-ins, home burglaries and hotel room thefts.

Recent news headlines reported the cloud storage of celebrities being hacked to gain photos and other data and that data being leaked to the Internet. The "cloud" is newer technology that presents its own special security risks because the risk is not physically "in the building." Many software companies are offering cloud-based versions of software they have provided for years. These new versions are now the way those applications will be used going forward – and many of the other applications that are used by business on a daily basis will soon follow this model.

A number of organizations leave their Internet security up to their Internet Service Provider (generally cable or phone companies) and assume their providers are secure and, therefore, the organization is secure from cyber threats. Unfortunately, there have been incidents where this mindset was used and security breaches occurred. One example of a breach that could occur is a police or fire monitoring system that is thought to be secure suddenly being manipulated by an outside entity. In such a case that system has been hacked and is now an open system.

The bad news… The good news…

The bad news is there is no fool-proof solution to these threats. Software and hardware change rapidly meaning new security flaws are introduced quickly as well. Criminals are diligent and dedicated to finding and exploiting the security flaws that seem to be discovered almost as soon as new technology is presented. How, then, can a business or municipality protect its data? The answer lies in a layered approach to cyber (and, for that matter, physical) security. As with most things in life, start with the easiest solutions first. Once the easy solutions are implemented, look for the less obvious vulnerabilities.

How? What? Who?

Simple solutions include educating employees on computer security; using complex passwords that are changed on a regular basis; and installing anti-virus software with built-in firewalls.

Education: Educating employees includes stressing that they should *never* click on links or open email attachments – even if they know the sender. Employees should first check with the sender to verify that the link or attachment is legitimate. Many

instances of SPAM appear to be from a legitimate user when in actuality, that person's email address has been spoofed and the attachment or link is really a Phishing scheme, malware or spyware.

Passwords: According to the SANS Institute, a private company specializing in information security and cyber security training, passwords should be complex and changed *at least every six months*. The recommended interval is every four months. Complexity means including numeric, capitalized and special characters in passwords. Passwords should never be transmitted via email, text or other written document. They also should not be kept in lap drawers, on monitors or under keyboards and mouse pads. (Every hacker knows to look there first.)

Setting computers to automatically lock and require a password when they are dormant for more than five to 10 minutes is another easy step to add to a layered approach to security. For mobile devices, add a passcode that locks after a set period of time. Ensure that all mobile devices can be wiped remotely if lost or stolen.

For critical systems, such as accounting systems, systems that might have PII (Personal Identifiable Information) and any cloud-based systems, add another log-in requirement that differs from the main account used by the employee. These accounts should also have a stricter password requirement.

Conclusion

In our ever-changing technological society, cyber risks will always be present; however, simple steps go a long way to add extra layers of security. In addition, there are multiple agencies available to help with monitoring, scanning and advising on mitigating the risks associated with working in cyberspace. (Dell Secureworks, Cisco Security Solutions, Symantec and TrendMicro are just a few.) As with all services, there are many price points and packages available. Most of these service providers have specialists on staff to help assess the needs of your organization. It will definitely be worth your time – and cost you less in the long run – to thoroughly investigate the best option for your municipality. ▪

Chuck Stephenson is the Director of Information Technology for the Alabama League of Municipalities where he is responsible for all computer operations, technical support, systems analysis and programming. He earned his BS in Business Administration from Faulkner University in Montgomery, AL, and is a VMware Certified Professional.

Terms of the Trade

- **SPAM** – irrelevant or inappropriate email/text messages sent to a large number of recipients.

- **Spoofing** – a malicious party impersonating another user or device in order to launch attacks against network hosts, steal data, spread malware or bypass security measures.

- **Malware** – software that is intended to damage or disable computers and computer systems.

- **Spyware** – software that enables a user (usually malicious) to obtain covert information about another user's computer activities by transmitting data covertly from their hard drive.

- **Cloud** (Storage/Computing) – storing data in a secure Internet environment to allow access to the data from anywhere.

- **Browser** – an application for retrieving, displaying and reading encoded information from the Internet.

- **Operating System** – the files and software that allow human interaction with the hardware of a computer.

- **iOS** – the operating system that Apple developed to allow interaction with the hardware of its mobile devices.

- **VoIP** (Voice Over Internet Protocol (IP)) – a phone system that uses the computer network of a business to operate.

survey from the International Association of Chiefs of Police. The survey found that:

- 96.4% use social media in some capacity.
- The most common use of social media is for criminal investigations at 88.7%.
- The most frequently used social media platforms are Facebook (94.2%), Twitter (71.2%), and YouTube (40%).
- 77.8% have a social media policy and an additional 11.7% are in the process of crafting a policy.
- 85.5% of agencies report that social media has helped solve crimes in their jurisdiction.
- 83.5% of agencies state that social media has improved police-community relations in their jurisdiction.

> More than half a billion (563 million) mobile devices and connections were added in 2015 with smartphones accounting for most of that growth.

Cyber Security

Of course, technology is not without its weaknesses. Security is always a concern. From digital transactions to identity theft, liability risks are present for any user of technology hardware and software. In his article, "IT is Everywhere – So are the Threats" on page 25, Chuck Stephenson, the League's Director of Information Technology, provides a snapshot of the challenges with digital engagement and how to protect your municipality's information.

And if you're still not convinced …

Millennials (ages 16-34) make up the largest segment of the U.S. workforce and more than one fourth of the U.S. population. There are more millennials (81.3 million) in the U.S. than baby boomers (75.4 million). This segment of our population is tied to their smartphones and tablets and have nearly always functioned in a world where there's an app for everything. Most have never made a call from a phone booth or used a rotary dial phone. Fax machines are passé – if they even know how to operate one. Millennials are more diverse than any previous generation and they want and *expect* real-time information at their fingertips.

The majority of these folks are also old enough to care about what their cities and towns have to offer – and they're old enough to vote. So keep that in mind when considering why digital engagement is important. ▪

Carrie

League welcomes new staff member!

Rob Sellers joined the ALM team in early February as our Information Systems Specialist responsible for a variety of technical support duties including the installation, maintenance, troubleshooting, and upgrades to our systems and network.

He received a B.S. in Business Information Systems from Faulkner University in Montgomery and has nearly a decade of IT experience in the insurance and federal government contracting industries. Born and raised in southern Illinois, Rob is an avid fan of the St. Louis Cardinals. He and his wife, Rivers, have two young daughters.

27

Twenty-seven Alabama municipalities have taken steps to protect residents from heart disease and lung cancer by enacting comprehensive smokefree protections.

?

DON'T YOUR CONSTITUENTS DESERVE A HEALTHIER COMMUNITY, TOO?

Contact us for more information on how you can improve health for everyone who lives, works and plays in your community.

SmokeFree alabama

ATLAS ALABAMA
– Your Portal to New Business

by Arleen Alexander
Governmental Relations Manager • Alabama Department of Revenue

Wouldn't it be ideal if you could open your municipality's door to new businesses with just the click of a mouse? With the help of Atlas Alabama, this could soon be a reality!

Atlas Alabama – **www.atlasalabama.gov** – is a website developed for entrepreneurs and small business owners that provides an access point for basic information on starting a business in Alabama. The website offers details on licenses, taxes, loans, funding sources and insurance. In addition, the Atlas Alabama website features a comprehensive list of national, state and local resources, which can also assist small business owners.


How can Atlas Alabama help your community?

In September 2014, through Executive Order #47, Governor Robert Bentley established the Alabama Small Business Commission, an advisory body composed of individuals and representatives from the State's small business community. Among its many goals, the Small Business Commission evaluates procedures required for establishing a start-up business and promulgates ways to help new businesses thrive. To meet these goals, the Commission recommended the creation of a new business portal and website called Atlas Alabama.

Since Atlas Alabama is a web-based portal designed for businesses, you might be wondering what Atlas Alabama can do for your municipality. The answer is simple – it can offer your municipal government an online presence that it may not already have or supplement the web presence you do have. This allows potential new business owners the opportunity to research and gather information on municipalities they may have otherwise overlooked.
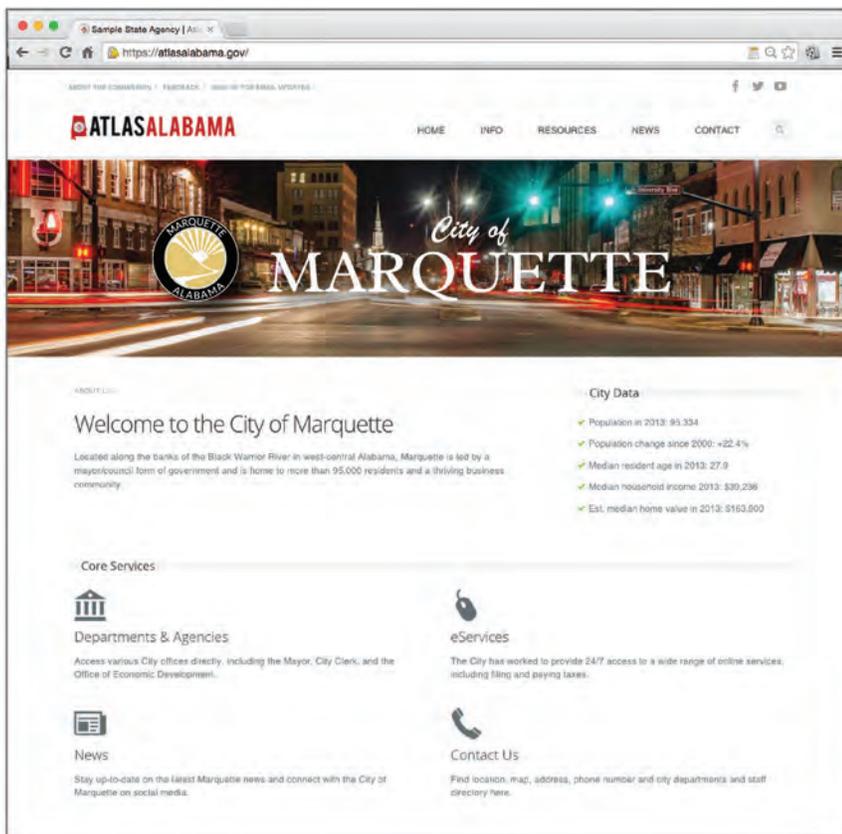
Included in the development of Atlas Alabama local resources will be "landing pages" for Alabama's municipalities and counties. These landing pages will highlight information about your municipality that is of particular importance to potential or existing small business owners as well as link directly to your existing website or other web addresses of your choice.

If your municipality does **not** have an existing website, then your Atlas Alabama landing page can serve as a source of vital

and necessary information for potential businesses. For example, your landing page can list current contact information such as the city or town hall's phone number, address and hours of operation. If your municipality has a business license requirement, your landing page can connect directly to an online version of the business license document, or it can link to contact information on how the business can obtain a business license.

Landing Pages are a FREE service offered by Atlas Alabama

If you are wondering why you should invest time on an Atlas Alabama landing page for your municipality, think about how much time you or your family spend using everything from a smartphone to a desktop computer to gather and share information. The modern world revolves around technology and social media. Because digital engagement is the way people now communicate and seek information, an online presence is just as important as having a chamber of commerce or economic development division. **You cannot compete effectively to attract new businesses to your municipality without a web presence.** With the vast majority of people using some type of computer, it is extremely important for municipalities to have important information available on a platform that is easily accessible.

Having an online presence also allows your municipality to be proactive instead of reactive. You do not want to rely exclusively on search engines to bring forth the best information about your municipality. With Atlas Alabama, municipalities will have prepared information that is readily available no matter the time of day. Atlas Alabama users interested in learning more about starting a small business in your municipality can gather data such as demographical information, contact information for city and county officials or even permit information – all from your Atlas Alabama landing page. This also ensures that entrepreneurs and potential business owners have a chance to direct themselves to the most appropriate agency or department quickly and efficiently. Atlas Alabama is all about streamlining the information process!

Visit the Atlas Alabama booth at ALM's Annual Convention!

Atlas Alabama will be demonstrating municipal landing pages and its other capabilities at the 2016 Alabama League of Municipalities Annual Convention and Expo in Huntsville this May, so be sure to stop by our booth! You can also contact the Atlas Alabama's project manager, Arleen Alexander, with the Alabama Department of Revenue at 334-353-2369 or by email at arleen.alexander@revenue.alabama.gov. ▪

Arleen Alexander is the Governmental Relations Manager for the Alabama Department of Revenue. Arleen was hired by Revenue Commissioner Julie Magee in November 2015 to serve as the liaison between the Commissioner's office and local government officials and serves as project manager for Atlas Alabama. She travels around the State, meeting with municipal and county leaders, promoting the benefits of Atlas Alabama. Prior to her employment with ADOR, she worked for 23 years in the petroleum and convenience marketing industry, working for and representing small businesses.

ALABAMA INSPIRED: The Year of Alabama Makers

Alabama Tourism Department   www.alabama.travel

Creative artisans, carvers, designers and cooks are scattered across Alabama, eager to share their handmade treasures during 2016, *The Year of Alabama Makers,* which will celebrate everything from Gee's Bend quilts to Mercedes SUVs, craft beer from the Back Forty brewery in Gadsden to Muscle Shoals music and novels by Alabama authors. Makers – those who merge imagination and art with commerce and manufacturing – use their creativity, skills and culture to produce something uniquely their own and uniquely Alabama. The Year of Alabama Makers is about providing a pathway to products that tell a personal story as well as a story of place and time in our state. Alabamians and visitors to our state are encouraged to browse **www.alabama.travel** or **www.alabamamakers.com** for information on dozens of festivals featuring unique goods made in Alabama, manufacturing plants that open their doors for tours, as well as numerous charming galleries, studios and businesses in cities, small towns and places off the beaten path to meet the makers and expand your collections of Americana.

Music Notables

In Muscle Shoals, discover why Rolling Stones guitarist Keith Richards called this northwest Alabama city "rock 'n roll heaven." Here, The Stones recorded one of their biggest hits, "Brown Sugar." When you visit, tour FAME recording studio. Later take your photo in front of the Muscle Shoals Sound Studio at 3614 Jackson Highway in Sheffield, just like Cher did for her album cover. These are just two locations that were featured in the documentary *Muscle Shoals.*

One of the greatest songs that captures the Muscle Shoals sound is Alabama-born Wilson Pickett's "Mustang Sally." Visit the nearby Alabama Music Hall of Fame in Tuscumbia for a celebration of the song's 50th anniversary and to see memorabilia from all of Alabama's notable music makers. The state also boasts a Jazz Hall of Fame in Birmingham and four other museums dedicated to individual music greats, including the W.C. Handy Birthplace, Museum and Library in Florence, Hank Williams Boyhood Museum in Georgiana, Hank Williams Museum in Montgomery and the ALABAMA Fan Club and Museum in Fort Payne.

Attend the W.C. Handy Festival in Florence, Frank Brown Songwriters Festival on the Alabama coast and The Hangout Music Festival in Gulf Shores. It is in local music halls and during festivals like these that groups such as Athens-based Alabama Shakes, whose soulful rock album *Sound & Color* debuted at No. 1 on the Billboard 200, and Birmingham-based St. Paul and the Broken Bones, a seven-piece soul band, developed its talent.

Belly Fillers

From Sister Schubert's homemade rolls to pickles, jams and jellies produced from well-preserved family traditions, Alabama boasts a multiplicity of food products made right at home. If you like syrup, then you'll love the deliciousness of Alaga Syrup, made in Montgomery and distributed in stores all over the country. In Headland, Todd Farms brings a new perspective to the syrup-making business. The owners not only sell the product but demonstrate how pure sugar cane is turned into syrup. Browse the unique cane syrup museum they offer as well.

From syrup to sausage, you'll feel a true Southern connection when you sample Alabama's own Conecuh Sausage, a hickory-smoked product brand that began back in 1947 in Evergreen. Visit during the Conecuh Sausage Festival in October or check out Conecuh's retail store for flavorful sausages all year long. The Overall Company in Opelika is not your run-of-the-mill coffee house. It not only offers freshly roasted organic coffees and delicious blended teas, but its popsicles are a frosty delight. From the taste of salted caramel to lemonade-basil popsicles, you'll find yourself licking your lips for days. The folks at Sims Food in Dadeville describe their product, Wickles Pickles, as "wickedly delicious and truly irresistible." Perhaps the secret lies in their 70-year-old family recipe that includes a custom blend of spices and other ingredients. You can order Wickles Pickles online or look for them in various retail outlets. To tame a sweet tooth, you'll want to get to know favorites like Selma Good in Selma, which makes some of the best cookies around, and Granny Hester's Fine Foods in Fort Payne, which sells Granny Hester's Sweet Potato Biscuits that can be found in more than 1,000 stores nationwide.

Want milk? Birmingham-based Barber Dairies, founded by George H. Barber, started in the 1930s and has been going strong ever since. Barber's milk, buttermilk, cottage cheese, dips and sour cream are sold under the Barber's brand

throughout Alabama, the Florida Panhandle, southern Georgia and the northern and southern portions of Mississippi. Belle Chevre Goat Farm in Elkmont offers a different look into the dairy farming business. This artisanal goat cheese-making operation was established in 1986 and acquired by current president Tasia Malakasis in 2007. Belle Chevre's product line includes classic goat cheese and fromage blanc as well as a quartet of sweet breakfast cheeses and more.

Coffee and tea lovers can enjoy Red Diamond or Milo's Sweet Tea in hotels and restaurants or pick up their favorites in local groceries. Both companies are based in Birmingham. Piper and Leaf, located in Huntsville, offers wonderful blends of gourmet teas made from local ingredients straight from the garden, farm, forest or briar patch. Find Piper and Leaf tea in loose leaf form in many local shops in and around Huntsville. If you're looking for a cup or jar of the delicious leaves, you can visit almost any farmers market in the area or stop by the Tea Shop located at Lowe Mill Center for the Arts. For those who prefer a relaxing glass of wine or some delicious craft beer, spend the day along Alabama's Wine Trail, sampling everything from traditional flavors to true Southern favorites like blueberry and muscadine wines, or stop by any one of a number of local breweries found throughout the state along the Alabama Craft Beer Trail.

Storytelling Stars

Successful writers come from every corner of the state and have produced works in every genre. Classics like Harper Lee's *To Kill a Mockingbird* and Truman Capote's *Breakfast at Tiffany's* and *In Cold Blood* share bookshelves the world over with a host of other noted Alabama authors. Readers can enjoy the richly Southern *Fried Green Tomatoes at the Whistle Stop Café* by Fannie Flagg or head to where the water is warm and the drinks are cold in *Tales from Margaritaville* by Jimmy Buffett.

There is just something special about Monroeville. This small town has become known for producing multiple best-selling writers including Lee, Capote and *Crazy in Alabama* author Mark Childress. Lee and Capote grew up together in Monroeville, and the town inspired her 1960 Pulitzer Prize-winning novel, *To Kill a Mockingbird*, and her recently published best-selling novel, *Go Set a Watchman*. Several

times each spring residents of Monroeville produce a two-act play version of *To Kill a Mockingbird* in the same historic courtroom that inspired the sets of the Academy Award-winning movie starring Gregory Peck.

Just 10 minutes outside of Birmingham is the small town of Irondale and the famous Irondale Café—the real-life inspiration for the Whistle Stop Café in Fannie Flagg's popular novel *Fried Green Tomatoes at the Whistle Stop Café*. Just like its fictional cousin, the Irondale Café is known for its fried green tomatoes, which are featured on the list of "100 Dishes to Eat in Alabama Before You Die."

A trip to Montgomery takes you to the F. Scott and Zelda Fitzgerald Museum—the only museum in the world dedicated to the memory of the Fitzgeralds. While living in Montgomery from the fall of 1931 through the spring of 1932, Scott worked on his novel *Tender Is the Night* and Zelda began her only novel, *Save Me the Waltz*. Their house on Felder Avenue, in the Old Cloverdale neighborhood of Montgomery, was preserved and converted into the Fitzgerald Museum. Several special events are planned this year to celebrate the museum's 30th anniversary.

Bayou La Batre lies along the Mississippi Sound on the Gulf of Mexico, about 30 minutes outside of Mobile. Known as the Seafood Capital of Alabama, the town is also home to the fictional Bubba Gump Shrimp Company from the novel *Forrest Gump* by Mobile native Winston Groom. The town celebrates its fishing heritage with annual events, such as the Blessing of the Fleet and Taste of the Bayou.

There is nothing like relaxing on the white-sand beaches of Alabama's Gulf Coast, listening to the waves and enjoying a good book. Mobile native Jimmy Buffett is known for his music, but he is also a best-selling author. His *Tales from Margaritaville*, a collection of short stories, spent seven months on *The New York Times* best seller list. His autobiography, *A Pirate Looks at Fifty*, went straight to No. 1, making him one of the few authors to ever reach No. 1 one on both the fiction and nonfiction lists.

Crafty Creators

The talented individuals who use their hands to make art you will cherish can be found across Alabama. Brothers Dylan and Keith Cochran make chairs at Wood Studio in Arley (near Cullman). Ernst Wardner Designs constructs heirloom-quality, custom furniture in Gadsden. At the Rail Studio in Montgomery, workers use reclaimed wood to create beautifully crafted furniture, and at Southern Accents Architectural Antiques in Cullman, you'll find just the right antique element to enhance your latest home design project. Celia Dionne, a textile expert who runs Coastal Textile Center & Clara's Loom near the coast in Bon Secour, allows visitors
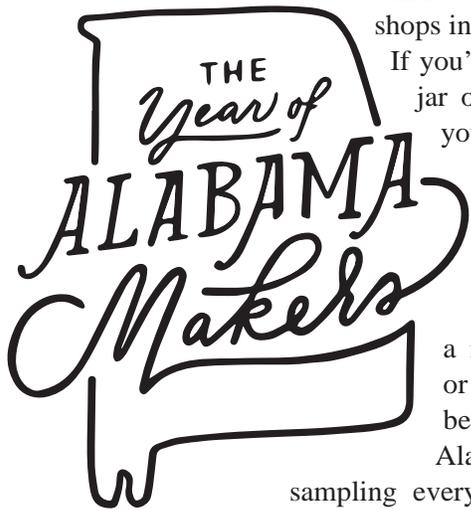
Bicentennial Community Celebration Committees
Form Yours Today!

Alabama's Bicentennial, which will be celebrated 2017-2019, is a unique opportunity for our municipalities to participate in a very specific historical milestone. For example, if your community has an annual festival, you could use the ALABAMA 200 branding to broaden your festival by incorporating the history of the festival, the history of your community and highlighting some of the elements that make your community unique and historically significant. Some communities may decide to take on a special project for the Bicentennial, such as a cemetery restoration, painting a mural on a downtown building or renovating a historic structure. The options and opportunities are endless, which is why the Alabama Bicentennial Commission wants an accurate database of what communities are doing throughout the state.
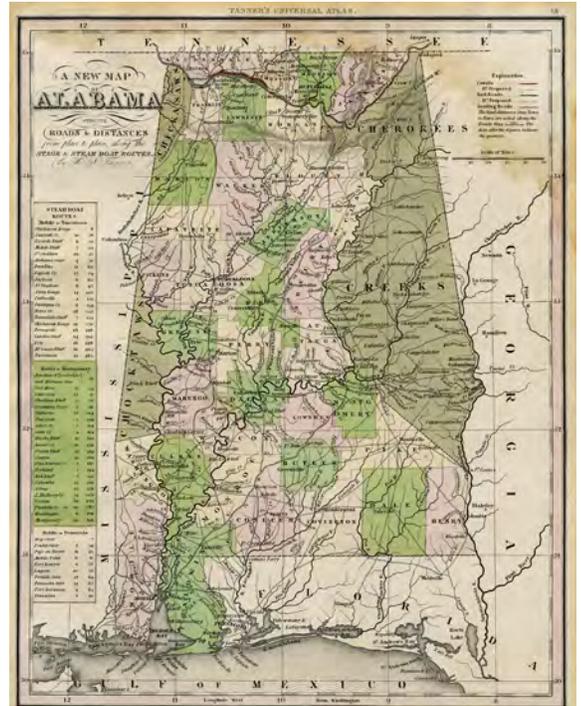
The Bicentennial Commission and the Alabama League of Municipalities encourages every city and town to be part of the Bicentennial process (2017-2019) and consider immediately forming a **Community Celebration Committee**. *To apply for grant funding or to receive* **ALABAMA 200** *promotional and branding materials from the Bicentennial Commission, your municipality* <u>*must*</u> *designate an official Community Celebration Committee that is approved via special resolution by the Mayor and Council.* **Download the necessary resolution at alabama200.org under the "Get Involved" tab, "Community Resources" link.**

A copy of your resolution, as well as the contact information for the Chair of your Community Celebration Committee, must then be submitted to the Commission, which is forming a database to enable the Commission to send relevant information to the correct people. Community Celebration Committees can be composed of *anyone* from your community, especially people from historical, educational, cultural and/or civic and community organizations such as schools, libraries, history/heritage groups, tourism/economic development organizations, etc. We encourage you to engage your community leaders, activists and historians in this process.

Mail or email a copy of your resolution as well as your committee chair person's contact information to: Howard Graves, Alabama Bicentennial Commission, 401 Adams Street, Suite 126, Montgomery, AL 36104 or Howard.Graves@bicentennial.alabama.gov.

Alabama200.org

to watch as yarn is spun and woven into materials you'll just have to take home.

Along the way from north Alabama to the Gulf Coast, pull over at Orr Park, situated near Shoal Creek in Montevallo. Here among the ancient cedar trees, local artist Tim Tingle has carved dragons, wizened men and other enchanting creatures into the trees that line the walking trail. You will also find potters plying their craft – from Jerry Brown in Hamilton, noted for his "ugly" jugs, and Tena Payne of Earthborn Studios, who supplies the Hot & Hot Fish Club in Birmingham with their unique dishes, to Pottery By Williams in Monroeville, where you can watch Sam Williams making a variety of handcrafted pieces, and Tom Jones Pottery in Fairhope.

Glass-blowing artists can be found in Fort Payne at Orbix Hot Glass and also at The Hot Shop at The Coastal Arts Center of Orange Beach. Jake Carnley created the Great Bear Wax Co. in Birmingham. He says that the inspiration behind each scented candle stems from his memories and passions that include the outdoors and nature. You can view works by a number of other crafters in west Alabama. Black Belt Treasures Cultural Arts Center in Camden features potholders and quilts made by the Gee's Bend Quilters, a group of women who have become world-renowned for their artistic elements and unique quilting designs. Visit HERObike in Greensboro, where they make bicycles out of bamboo they grow. The Rural Studio, located mainly in Hale County in west Alabama, is an undergraduate program of the School of Architecture, Planning and Landscape Architecture at Auburn University. *The New York Times* has featured the students' designs, ranging from houses and parks to a fire station and more. Equestrian lovers will want to seek out The Saddle Guy in Grady, just south of Montgomery. There, Kevin Parrish handcrafts leather saddles that are a treat for the eyes whether you ride horses or not.

Not Done Yet

In addition to festivals, food, crafts, music and stories, Alabama is home to many outstanding and well-known fashion designers, including Billy Reid, Natalie Chanin and Heidi Elnora, as well several standout manufacturing makers such as Mercedes, Tiffin Motorhomes, Golden Flake, Blue Bell Creamery and Priester's Pecans.

Visit **www.alabama.travel** or **www.alabamamakers.com** for information on The Year of Alabama Makers! ∎

Official Publication: ALABAMA LEAGUE OF MUNICIPALITIES

Municipal Debt Recovery at Your Fingertips!

www.alintercept.org

In 2014 the Alabama Legislature enacted an amendment allowing municipalities and counties to attempt to recover delinquent debts owed by individuals to local governments by collecting this debt from the individual's state tax refund. As part of the 2014 legislation, the Alabama Department of Revenue (ADOR) agreed to process these debts through only two clearinghouse entities: the Alabama League of Municipalities (ALM) for municipal entities and the Association of County Commissions of Alabama (ACCA) for county entities. In 2015, ALM formed Municipal Intercept Services, LLC (MIS) as its clearinghouse entity to act as a conduit between participating Alabama municipal entities and ADOR. The MIS system does *not* serve as a debt collection service or agency. It only exists as the conduit between participating entities and ADOR and is designed to complement any existing collection efforts.

Participating entities input their delinquent debt information into the MIS web-based system thereby certifying that the debt data is correct, the debts are, indeed, delinquent and the debts are final. The data submitted to the MIS system is then formatted to ADOR's specifications and submitted to the department for processing. ADOR will then use this data to attempt finding a matching Alabama State tax refund for the debtor based on the debtor's Social Security Number. This process of matching and collecting a debt from a refund is what ADOR calls an "intercept".

NOTE: If the debtor is not eligible for an Alabama State tax refund, no money can be collected.

www.alintercept.org

Legal Clearinghouse

Rob Johnston, Assistant General Counsel

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

ALABAMA COURT DECISIONS

Venue: The proper venue in the city water works board's action against the Alabama Surface Mining Commission (ASMC) for issuing a permit to mine coal and discharge effluent into tributary of a river upstream from the water intake was in the county where the water works board had its principal office and did not need to be transferred to county where ASMC maintained principal office. *Ex parte Water Works Bd. of City of Birmingham*, 177 So.3d 1167 (Ala.2014)

Worker's Compensation: Trial court's finding that, at time of accident, claimant police officer was responding to a call within the scope of employment was supported by the evidence. The trial court erred when it imposed liability on municipal employer for past unauthorized medical treatment. *City of Thomasville v. Tate,* 175 So.3d 663 (Ala.Civ.App.2015)

U.S. COURT DECISIONS AFFECTING ALABAMA

Religious Land Use and Institutionalized Persons Act (RLUIPA): The United States District court engaged in a sufficiently focused inquiry in determining that the state department of correction's short-hair policy for male inmates and did not violate Native American inmates' rights under Religious Land Use and Institutionalized Persons Act (RLUIPA). The court found that inmates could use long hair to alter their appearances, that long hair impeded officers' ability to quickly identify inmates in prisons, that inmates could use long hair to identify with special groups, including gangs, and that the inmates did not present any less restrictive alternative that could adequately contain risks associated with long hair. *Knight v. Thompson*, 796 F.3d 1289 (C.A.11 Ala.2015)

Tort Liability: School board was not liable under section 1983 for alleged equal protection violations arising from a female student's rape by a male student. *Hill v. Cundiff*, 797 F.3d 948 (C.A.11 Ala.2015)

Tort Liability: Police officers' firing of their weapons into a vehicle after being shot at and following a high speed chase was reasonable, and so the municipality was not liable under plaintiff's section 1983 claims. *White v. City of Birmingham*, 96 F.Supp.3d 1260 (N.D.Ala.2015)

DECISIONS FROM OTHER JURISDICTIONS

First Amendment: A sheriff's office's actions in requiring Christian evangelists to leave a city festival celebrating Arab culture after a crowd made up predominantly of adolescents began hurling debris at them effectuated a heckler's veto, in violation of the evangelists' free speech rights. The evangelists remained calm and peaceful, but the officers made little effort to control the hecklers, despite a substantial police presence, and instead, threatened to arrest the evangelists for disorderly conduct. *Bible Believers v. Wayne County, Mich.*, 805 F.3d 228 (C.A.6 Mich. 2015)

ATTORNEY GENERAL'S OPINIONS

E-911: The E-911 Board may use its funds to purchase and pay the recurring costs of a GPS location system to dispatch the closest emergency responders. AGO 2016-013

Jail Maintenance: The term "maintenance of a jail" as used in Act 2014-210 does not include salaries or training costs of jailors or the costs of operating the jail, such as utilities. AGO 2016-014

Competitive Bid Law: A proposed contract with a vendor that will provide software development, installation, project management, equipment, information security, testing support, resources, supplies, and delivery and maintenance service to comprehensively manage/operate the Board of School Commissioners of a county ("Board") may be exempt from requirements of the Competitive Bid Law if the Board determines the contract fits within an exemption found in section 16-13B-2 of the Code of Alabama. AGO 2016-015 (NOTE: this opinion is specific to the competitive bid law for certain boards of education, however, the exemption at issue is also found in Section 41-16-51(a)(3) of the Code of Alabama.)

Appropriations: A city may convey property and improvements to a Community Action Committee for less than adequate consideration, only if the city determines that a public purpose is served by the benefits provided to the general public by the Community Action Committee and the property is not needed by the city for municipal purposes. AGO 2016-016

Tax Abatements: The fact that a municipality levies no ad valorem tax does not deprive that municipality and its industrial development board of their power, pursuant to Sections 40-

9B-4 and 40-9B-5 of the Code of Alabama 1975, to grant abatements of county-levied noneducational ad valorem taxes. AGO 2016-017

Conflicts of Interest: The purchase of property by a city from an estate of which a current employee is a beneficiary could result in a violation of Section 11-43-12, Code of Alabama 1975. The prohibitions found in Section 11-43-12 do not apply to the county commission. Thus, neither the county commission, a municipal employee, would violate the criminal provisions of Section 11-43-12 if the property in question is purchased by the county funds from an estate that has a municipal employee as a beneficiary. AGO 2015-018

Public Records: Letters from the Alabama Department of Human Resources in the district attorney's investigative file, referring complaints about mistreatment of students in church preschools to the district attorney for investigation, are not subject to disclosure under the Open Records Law. No portion of the letter is subject to disclosure. AGO 2016-019

ETHICS OPINIONS

AO 2016-02: The Ethics Law requires that all candidates file with the Alabama Ethics Commission a completed Statement of Economic Interests form simultaneously with the date that candidate qualifies for office. A filing that is properly addressed, postage prepaid, postmarked and mailed on the date the candidate qualifies complies with the statute. A candidate may file a Statement of Economic Interests form online. For the purposes of satisfying the requirements of Section 36-25-15(a) and (b), the "election official" is the individual or office accepting a candidate's qualifying papers, Declaration of Candidacy, or petition for ballot access.

AO 2016-04: A business owned by a member of the municipal airport authority may enter into a lease agreement with the airport authority, provided the member does not vote, attempt to influence or in any manner participate in the bid process, including but not limited to drafting the bid specifications, determining the lowest responsible bidder, or otherwise enforcing the bid. The airport authority member may not use confidential information gained by virtue of his position on the airport authority to benefit his company and their submitted bid. A copy of any contract/lease agreement entered into between the board member and the airport authority must be filed with the Alabama Ethics Commission within ten days of its having been entered into. ▪

F.A.Q.

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

Elections: Electronic Devices/Electronic Vote Counters

Which is required to establish the use of electronic vote counting devices in municipal elections – a resolution or an ordinance?
Although Section 17-7-21 of the Code of Alabama, 1975 uses the word "resolution", the League recommends that municipalities pass an ordinance to authorize the use of electronic vote counting devices in municipal elections because the matter is of a general and permanent nature. (It affects the general public and will continue in force until repealed.) The ordinance must specify the type of equipment to be used and establish the procedure for implementation. A copy of this ordinance must be filed with the Secretary of State. Further, all applicable provisions concerning ordinances, including introduction and publishing, must be followed.

Municipal Overview ————————————————

First, it is important to study the program and the ALM convention app carefully. (Download our *free* convention app by searching the Apple Store or Google Marketplace for ALM Events.) If this is your first convention, you may find yourself overwhelmed and a little confused about where to start. A great place to start is on the League's website, **alalm.org**. Here, you will find registration information, the most up-to-date information about the convention and other information that will help you plan your convention experience. Please visit our site often to stay on top of information about the convention the League provides.

What type sessions are available at the convention? By far the most popular event is the roundtable sessions. These sessions provide a wonderful opportunity for you to learn what is happening in similar-sized municipalities around the state. The chance to share information, ask questions and learn how others have addressed issues confronting you simply should not be missed.

This year, the roundtable discussion sessions will take place Sunday afternoon. Officials from municipalities in each of five population brackets will divide into small discussion groups to share information and ask questions. Moderators will take notes at each table to report back to all attendees at the session. League attorneys will be on hand during these reports to help answer questions that may remain from the discussions.

But don't overlook the training sessions. Substantive training events take place at the general and concurrent sessions and at the opening session. These sessions provide you with detailed information on specific issues.

Governor Robert Bentley has been invited to address our delegates at the Opening Session Saturday. You will also hear from League President Sadie Britt and others.

A general session will be held on Effective Leadership Monday morning. Terry Sanders, our speaker, addressed the League's department heads on this issue earlier this year. Following his presentation, I asked if he would speak to our members as well and I am very excited that he has agreed. You do not want to miss this session. This year's Closing General Session Tuesday morning will include a presentation from Jim Hunt, former Mayor of Clarksburg, West Virginia and Past President of the National League of Cities. He will address how to take your municipality from Great to Amazing. Monday afternoon, the League's attorneys will serve on a panel to answer your questions at the very popular Ask Your Attorney session. In addition to these general sessions, this year's convention schedule is jam-packed with concurrent sessions. This allows attendees to choose from a variety of topics. Additionally, if your municipality sends more than one person to the convention, attending different sessions is a great way to maximize your attendance. The first set of concurrent sessions starts at 11:00 Monday morning. Topics covered include:

- An Update on Alabama's Bicentennial Commission
- The Impact of the Film Industry on Alabama Municipalities

- An Update from the Alabama Department of Economic and Community Affair
- Conflicts of Interests (CMO Core Subject)
- An Update on the Broadband Commission
- How Cities Can Gain Maximum Value from Telecommunication Tower Leases
- Affordable Care Act Compliance

Following a boxed lunch in the Expo Hall, a second set of concurrent sessions will start at 2:00. Topics covered include:

- Sign Regulation after *Reed v. Town of Gilbert*
- Regulation of Drones
- Budgeting and Auditing (CMO Core Subject)
- Mental Health Issues Affecting Municipal Government
- Public Employee Drug Testing Landmines and How to Avoid Them
- Best Practices for Downtown Design: Good Design is Good Business

League policy and business takes place at the resolutions committee and, of course, at the business session. If you are attending the convention strictly for training, it may seem unnecessary or not worthwhile to attend the policy and business sessions. I disagree with that conclusion, though. I think these sessions offer unique educational and networking opportunities and provide you with a good overview of how your League functions and operates. These sessions allow your municipality to directly affect the direction your League takes in the future. Also, keep in mind that you have the opportunity to earn credit in the League's Certified Municipal Official Program for your attendance at almost all sessions during the Convention. The more sessions you attend, the more credit hours you earn.

To take full advantage of your convention attendance, mark your program and update your app to keep track of the sessions you want to attend. If you don't make plans, it's easy to lose track of time and find yourself immersed in conversation with someone outside a training session and miss a session you specifically wanted to attend. Not that there is anything wrong with talking to other officials outside sessions – in fact, you should take advantage of every chance to get to know your fellow officials across the state and discuss municipal business with them.

This leads us to the third way to take advantage of attending the convention – get out of your comfort zone. Split up from other officials from your municipality and attend different concurrent sessions. If each of you attends a different session, your city or town gains broader coverage from your attendance. Spend time with people you don't know. At meal functions, sit with groups from other municipalities. During breaks, make a point of introducing yourself to strangers. Nowhere else will you have this tremendous opportunity to meet as many individuals who share your interests and concerns. Take advantage of this time to network and learn from others. Offer your input and advice to others. You may find a solution. Or you may be the solution

2016 Convention Quick Guide

Huntsville, Alabama • May 14-17

www.alalm.org

All information subject to change.

CMO credits can be earned. See convention app/program for details.

Download our **FREE** convention app, "ALM Events," from the Apple App Store or Google Play!

Saturday, May 14

8:30 a.m. - 5:00 p.m.	**Registration: Von Braun Center**
10:00 a.m. - 11:00 a.m.	**Resolutions Committee Meeting:** Embassy Suites Hotel
1:00 p.m.	AMIC Annual Meeting, Embassy Suites Hotel
2:30 p.m. - 4:30 p.m.	**OPENING SESSION**: Von Braun Center
	Governor Bentley (invited), ALM President's Address, ACE Awards
4:45 p.m. - 5:45 p.m.	ABC LEO Reception
	City of Huntsville Reception

Sunday, May 15

10:00 a.m.	**Prayer Service:** Embassy Suites Hotel
12:30 p.m. - 5:00 p.m.	**Registration: Von Braun Center**
1:00 p.m. - 3:15 p.m.	**Spouses/Guests Reception:** Embassy Suites Hotel
1:00 p.m. - 4:45 p.m.	**Roundtables by Population:** Von Braun Center
5:30 p.m. - 7:00 p.m.	**Exhibitors Showcase and Reception in the Expo Hall:** Von Braun Center

Monday, May 16

8:00 a.m. - 5:00 p.m.	**Registration: Von Braun Center**
8:00 a.m. - 2:15 p.m.	**Expo Hall is open** *
8:00 a.m. - 9:30 a.m.	**Breakfast in the Expo Hall** (all convention registrants and spouses/guests): Von Braun Center *
8:30 a.m. - 4:30 p.m.	**Municipal Clerks Breakfast/Business Meeting and Training Program:** Embassy Suites Hotel
8:30 a.m. - 5:00 p.m.	**Alabama Association of Public Personnel Administrators:** Von Braun Center
9:30 a.m. - 10:30 a.m.	**General Session – Effective Leadership:** Von Braun Center
11:00 a.m. - 12:00 p.m.	**Concurrent Sessions: 1** (Bicentennial Update; The Impact of the Film Industry on Alabama Municipalities; ADECA Update), **2** (Conflicts of Interest), **3** (Broadband Update; Regulation of Drones) and **4** (Affordable Care Act Compliance): Von Braun Center
12:15 p.m. - 1:45 p.m.	**Boxed lunches in the Expo Hall:** Von Braun Center *
2:00 p.m. - 3:15 p.m.	**Concurrent Sessions: 1** (Sign Regulation After *Reed v. Town of Gilbert*; How Cities Can Gain Maximum Value from Telecommunication Tower Leases), **2** (Budgeting and Auditing; Alabama Department of Mental Health – Is There a Crisis?), **3** (Public Employee Drug Testing Landmines and How to Avoid Them) and **4** (Best Practices for Downtown Design) : Von Braun Center
3:45 p.m. - 5:30 p.m.	**ANNUAL BUSINESS SESSION:** Von Braun Center
6:00 p.m. - 7:00 p.m.	**Reception:** Von Braun Center
7:15 p.m.	**President's Banquet/Entertainment:** Von Braun Center

Tuesday, May 17

8:00 a.m. - 12:00 p.m.	**Registration: Von Braun Center**
8:30 a.m. - 10:30 a.m.	**Ask Your Attorney Panel:** Von Braun Center
10:45 a.m. - 12:00 p.m.	**CLOSING GENERAL SESSION – Amazing Cities:** Von Braun Center
12:00 p.m.	**Adjourn**

CMO MINI BOOT CAMP: ELECTIONS TRAINING (Separate registration/fee required.)

1:00 p.m. - 1:30 p.m.	**Registration: Von Braun Center**
1:30 p.m. - 4:30 p.m.	**Elections Training:** Von Braun Center
4:30 p.m.	**Adjourn**

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* PASSPORT PRIZE PROGRAM: Our Passport Prize Program is uniquely designed to give convention delegates the opportunity to speak more directly with participating vendors during convention Expo hours (May 15 and 16) as well as the chance to win a prize during the Tuesday morning closing general session. Delegates MUST be present to win!

someone else has been seeking. And if you do find yourself lost in conversation with someone who is able to answer a question facing your municipality, that alone may justify attending the convention. It wouldn't be the first time that a chance conversation has offered a solution.

Next, visit the Expo Hall. Exhibitors bring tools and solutions that are designed to help your community. They are happy to discuss what they can do for you. Spending time talking to the exhibitors may bring a new perspective to your convention experience and open doors that you didn't even realize existed.

In the exhibit hall this year, we are proud to introduce you to the GRID – the Government Resource Information District. Here, you will also find exhibitors from state and federal entities and associations that attend the convention to share information from their departments or agencies. They have information on new laws and regulations you must know about. They also have information about the services they can provide your city or town and who to contact to request assistance. Often these services are available to you at no cost. Well worth the time it takes you to stroll through the Expo Hall and expose yourself to the many offerings you will find there.

While you are in the Expo Hall, don't forget to fill out your Passport Prize Ticket. A brief conversation with exhibitors who participate in this program gives you a chance to win one of several prizes that will be given away to attendees who are present at the Closing General Session on Tuesday.

The final way to take advantage of the convention is very basic – attend. You can't learn if you aren't present. It's just that simple.

Municipal leaders in Alabama share a common bond – the desire to improve the quality of life in their community. Once they take office, though, municipal officials soon realize that much of what takes place locally is affected by decisions and developments that take place far beyond their borders. Municipalities affected by these changes share similar concerns and the convention allows their officials to discuss the impact of these changes and how they should respond to best serve their citizens.

The convention offers you with an ideal opportunity to learn about local government, network with other local officials, share experiences and brainstorm ideas for improving your community. Whatever keeps you awake at night, whether it is jobs, finances, communication, technology or other issues, this year's convention offers you a chance to find answers.

I hope that by the time you're reading this, you have already registered to attend the convention. If not, I hope you will make plans to join us in Huntsville. I look forward to seeing you at the convention. ▪

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Steve Martin
Operations Manager, MWCF
P.O. Box 1270
Montgomery, AL 36102
334-262-2566

Richard Buttenshaw
Assistant Operations Manager, MWCF
P.O. Box 1270
Montgomery, AL 36102
334-262-2566

Terry Young
Marketing Manager, MWCF
P.O. Box 43769
Birmingham, AL 35243
1-888-736-0210
email: terry@alalm.org