

More TML initiatives approved by legislature

Three more of TML's 2007 legislative initiatives have won approval in both Houses.

SB 1723 by Sen. Bill Ketron and HB 1788 by Rep. Ulysses Jones expands the ability of local governments to purchase secondhand items from governmental agencies as well as private individuals or entities provided the price range is comparable with national standard. HB 1788 passed the House May 29 with a 95-1-1. It passed the Senate April 30 with a unanimous vote.

SB 1722 by Sen. Ketron and HB 1789 by Rep. Jones allows municipalities to use competitive sealed proposals to purchase goods and services instead of competitive bids when the purchasing agent determines that the use of competitive bidding is either not practicable or not advantageous to the municipality. HB 1789 passed the House May 29 with a 95-0-1 vote. It passed the Senate April 30 with a unanimous vote.

SB 1623 by Sen. Raymond Finney and HB 969 by Doug Overbey allows municipal ordinances prohibiting weed growth and debris on private property to be enforced against owner-occupied properties. HB 969 passed the House May 29, 86-9-1. It passed the Senate May 7 with a 24-2 vote, with 4 present but not voting.



Sen. Bill Ketron

Purchase of Used or Second-hand Items

The Municipal Purchasing Act of 1983 details the process by which municipalities may make purchases.

Under the provisions of the 1983 law with amendments, open market purchases under \$1,000 are unrestrained by law, requiring no bidding or advertisement at all. For purchases between \$1,000 and \$10,000, there is no requirement to advertise and a city may make purchases on the open market, provided they have obtained at least three competitive quotes, when possible. For purchases, leases or lease-purchase agreements that exceed \$10,000 in any fiscal year, municipalities are required to publicly advertise and competitively bid all purchases.



Rep. Ulysses Jones

However, T.C.A., Section 12-3-1003 authorizes any municipality to purchase from any federal, state, or local governmental unit or agency secondhand articles or equipment or other materials, supplies, commodities, and equipment without public advertisement and competitive bidding as required by the Municipal Purchasing Act of 1983.

The need for purchasing of used or second hand goods and services is experienced by all municipalities in various forms. The inability to make these type purchases without the cumbersome and time consuming process of competitive bidding and public advertisement often results in unnecessary spending and impedes a municipality's ability to be cost effective and good stewards of public funds. See **LEGISLATION** on Page 2

Lawmakers approve money, accountability for schools

BEP reform funding passes

SB 2177/ HB 2293 (Kyle/ Wittingham), Gov. Phil Bredesen's education reform measure, replaces the existing funding formula and utilizes property assessments and sales tax revenues to determine each school system's ability to fund education costs.

The plan phases in an increase in the state's share of funding for teachers' salaries from 65 to 75 percent over two years; increases the average teacher salary from \$36,500 to \$38,000; increases the state's share of funding for "at-risk" students from 38.5 percent to 100 percent; and increases funding in order to reduce the ratio of teachers for English learners from 1 teacher for 45 students to 1 teacher for 20 students. Bredesen intends to fund half of the program in this year's budget, utilizing \$144 million generated from a proposed 40-cent increase in the tax on a pack of cigarettes, combined with \$140 million in surplus tax revenues realized by the state. SB 2177 passed by a vote of 32-1; HB 2293 passed by a vote of 84-11.

Senate, House pass different versions of Accountability Bill
SB 570/ HB 472 (McNally/ Fitzhugh) was amended to require Local Education Agencies (LEAs) to establish plans of accountability that identify areas of strengths and weaknesses and propose strategies

to improve areas of weakness. The bill directs the Office of Education Accountability to review a sample of such plans annually to determine what actions were taken in response to the annual plans, and to report results to the Select Oversight Committee on Education and the Education Committees of the House and Senate. It also allows the state Department of Education to assume responsibility for operating failing schools two years sooner than allowed under current law.

The House further amended the bill to create a K-12 capital outlay account, which caps money available for lottery scholarships at \$250 million and directs excess lottery funds into an account to provide grants to fund K-12 capital projects. The House passed the bill, as amended, by a vote of 93-1.

In an effort to resolve the differences between the two bodies regarding the capitol outlay amount, the Senate referred the bill to the Senate Education Committee for further consideration. The committee rejected an amendment that mirrored the K-12 capitol outlay agreement adopted by the House. Subsequent to the Senate Education Committee's action, the House reconsidered the accountability and passed the Senate approved version which did not include the K-12 capitol outlay initiative.

Police use of emergency vehicles

Part 2 - Tennessee Statutory Exposures

BY ROBERT H. WATSON, JR.,
Attorney, Watson, Roach, Batson,
Rowell & Lauderback, P.L.C.
&
MICHAEL G. FANN
Director of Loss Control
TML Risk Management Pool

The U.S. Supreme Court recently issued its decision in the case of *Scott v. Harris*, 2007 WL 1237851 (U.S., April 30, 2007), drawing the attention of governmental administrators and leaders throughout the public sector. Part 1 of this series examined the impact of this decision on the civil rights liability exposures pertaining to the Fourth Amendment seizure issue. Part 2 will outline the impact, if any, that the *Scott* decision will have on law enforcement's exposure to loss from tort negligence claims in state court.

State tort negligence issues arise from the negligent use of a motor vehicle and are primarily focused on property damage and bodily injury incurred by innocent members of the general public. If the damage and injury results from negligent contact by the pursuing and/or responding police vehicle, then a portion of the financial liability has consistently been attributed to the police agency.

These tort negligence issues are typically determined by the Tennessee Supreme Court's application and interpretation of Tennessee state law.

Scott v. Harris is certainly a beneficial decision for law enforcement as it relates to police liability and reasonableness of 4th Amendment seizures via Precision Intervention Technique (PIT) or ramming maneuvers. However, it must be noted that the *Scott* case deals with injuries to the individual who is fleeing and not third parties injured in a pursuit. Under state law, the police agency is already protected from tort negligence liability for injuries caused to those who flee police. However, the overwhelming majority of losses from police pursuits come from the liability to innocent third parties in-



The overwhelming majority of losses from police pursuits come from the liability to innocent third parties injured when struck by fleeing drivers.

jured when struck by fleeing drivers. Unfortunately in Tennessee, much See **POLICE** on Page 6

U.S. Senators introduce compromise Internet tax bill

BY CHRISTINA F. LOFTUS
Nations Cities Weekly

Last month, Sens. Lamar Alexander (R-Tenn.) and Tom Carper (D-Del.) introduced legislation that would extend the current moratorium on taxes on Internet access for another four years. S. 1453 extends the original 1998 moratorium that is scheduled to expire on Nov. 1.

Besides extending the moratorium, the legislation would clarify the definition of "Internet access" and preserve the grandfather clause in the original legislation that protects state and local taxes imposed on Internet access prior to 1998.

"This is a common sense compromise that would extend the moratorium for another four years without blowing a hole in the budgets of state and local governments," Alexander said. "A permanent moratorium would create a massive federal unfunded mandate, which members of congress have repeatedly promised not to do."



Sen. Lamar Alexander

"Our bill would ensure that consumers continue to enjoy tax-free access to the Internet, including e-mail and instant-messaging," said Carper. "In the meantime, we fix many problems with the current law so that as future services, such as cable television, migrate to the Internet, we don't completely erode the tax base of state and local governments."

Although state and local government groups generally oppose See **INTERNET** on Page 7

TML 2007 Nominating Committee appointed

TML President Tommy Bragg has appointed the 2007 Nominating Committee:

- Mayor Charles Farmer, committee chairman, Jackson (West Tennessee)
- Mayor Royce Davenport, McMinnville (Middle Tennessee)
- Vice Mayor Jean Davis, Cookeville (Middle Tennessee)
- Councilman David May, Cleveland (East Tennessee)
- Councilman John Franklin, Chattanooga (East Tennessee)
- Alderman Bob Kirk, Dyersburg (West Tennessee)
- Mayor Randy Brundige, Martin (West Tennessee)
- Mayor Tommy Bragg, Murfreesboro, TML president, (Ex-officio, non-voting member)

The committee will meet on Monday morning, June 11 at 9:15 a.m. in the Administrative Conference Room at the Knoxville Convention Center.

The nominating process

In accordance with the TML by-

laws, the Nominating Committee will nominate a slate of officers and at-large board directors for the 2007-2008 term of office. The positions are:

- President
- First Vice President
- Second Vice President
- Third Vice President
- Eight At-large Directors

In making its selections, the Nominating Committee gives consideration to the representation of women and minorities, geographic divisions, and an appropriate balance of mayors, council members, and appointed managers/administrators. The election of officers and at-large board directors will take place during the TML annual business meeting on Monday, June 11.

President and Three Vice Presidents. The custom is to select the president from among the three vice presidents on a sequential basis among the Grand Divisions. This practice assures the League of a president with experience on the See **NOMINATING** on Page 6

Featured conference speakers focus on negotiation techniques, bond ratings

How annexations affect city bond ratings and negotiating through collaborate problem solving will be the focus of two workshop presenters at the Tennessee Municipal League's Annual Conference in Knoxville, June 10-12.

Both sessions are offered at this year's conference and are funded by the Herb Bingham Consultancy fund. They will be conducted by David Rusk, an independent consultant on urban and suburban policy, and Alex Miller, the University of Tennessee William B. Stokely Professor of Management.

Miller, whose specialty is strategic planning, will introduce the concept of negotiating through mutual gains and collaborate problem solving rather than contentious bargaining when he conducts his workshop, *The Art of Negotiation*, on Monday, June 11, from 2:15 to 4 pm.

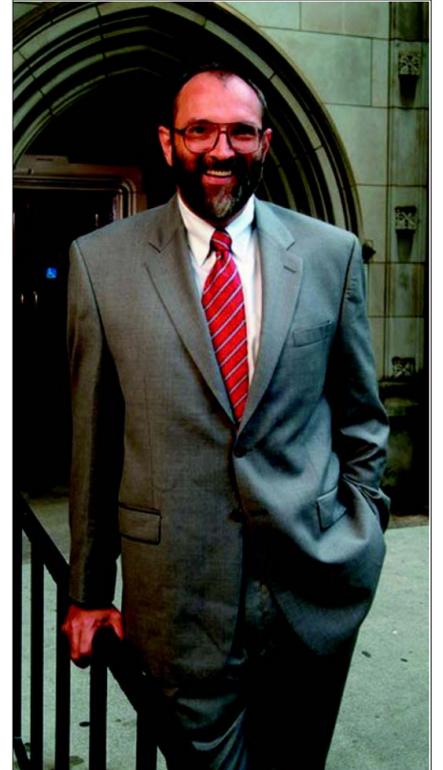
Dean Miller will discuss the major differences of the two approaches: how to move away from contention to cooperation, and what to do if the other party does not want to "play nice."

Miller's teaching has involved him in the radical redesign of UT's MBA program that has generated nationwide interest. He was also the team leader that developed the concept of Tennessee's ground-breaking Executive MBA program. He

has received five teaching awards and is the author of *Strategic Management*, a best-selling textbook on strategic planning. Miller is an active consultant whose manufacturing clients have included Philips Consumer Electronics, Eastman Chemical, Lockheed Martin, Union Carbide, Navistar, and Rockwell International.

Rusk, a leading American regionalist who combines strong analytical skills with practical political experience will conduct his workshop, *Annexations and the "Fiscal Fate of Cities"* Sunday, June 10, from 3:30 to 4:30 p.m. He will explore the relationship between a city's annexation patterns and its fiscal health.

As one of the nation's top urban policy experts, he believes that annexing land is an important route to economic health and the development of the nation's urban areas. He will demonstrate how the flexibility See **SPEAKERS** on page 6



Alex Miller is one of the featured Herb Bingham speakers at the TML Annual Conference in Knoxville, June 10-12. Miller's workshop is part of the Monday afternoon lineup.

TML initiatives approved

LEGISLATION from Page 1
lic funds.

By amending the statute to authorize any municipality to purchase used or second hand articles, goods, equipment, materials, supplies, or commodities from any private individual or entity without public advertisements and competitive bidding provided the purchased item is valued through a nationally recognized publication or by a licensed appraiser.

With the new law, a more time efficient and cost effective form of purchasing can be utilized by municipalities further ensuring good stewardship of public funds.

Municipalities' RFP Authority

Under provisions of the 1983 Municipal Purchasing Act, the competitive bidding process, by nature, is limited in scope. With the competitive bid, only the bid specifications may be evaluated for the bid award.

Circumstances arise in municipal government that present a problem for which soliciting competing solutions would be a more desirable course of action. In many of these circumstances, the need to evaluate a proposed solution based on discussion and evaluation with qualified professionals is demanded to best tailor a solution to the needs of the municipality.

Because of the restrictive nature of the competitive bidding process, a more flexible tool in these limited circumstances is the Request for Proposal (RFP). Beyond the cost or bid, RFP's would provide an alternative to present a problem confronting a municipal government to qualified professionals and solicit their respective solutions. Upon discussion and evaluation of these competing solutions, a more educated decision can be made with regard to what is in the best interest of the municipality.

Unfortunately, RFP's are limited in the state of Tennessee to licensed professionals such as architects, engineers, attorneys, financial advisors, and educators.

By amending the statutes to allow municipal governments to utilize RFP's, more flexibility in circumstances best suited for this type of scenario can be utilized to make sound decisions based on competing solutions and ultimately be better stewards of public funds.

Owner-Occupied Parcels

Cleaning up dirty, unsightly and unsafe properties improves the health and safety of the community, increases property values, and creates a better living environment for city residents.

T.C.A. 6-54-113 authorizes municipalities to take action against owners of overgrown and dirty lots that endanger the health, safety or welfare of the citizens in the community. The statute stipulates that municipalities must send notification of the violation, via U.S. mail, to the property owner's last known address. The notification must state that the property owner is entitled to a hearing and contain:

- A description of the violation and the consequences of failing to remedy the condition;
- The person, office, address, and telephone number of the department or person giving notice;
- A cost estimate for remedying the noted condition; and
- A place where the notified party may return a copy of the notice, indicating a desire for a hearing.



Sen. Raymond Finney



Rep. Doug Overbey

Further, the statute states that, if after 10 days following notification, the owner refuses to clean up the property at his own expense; then a municipality is authorized to clean up an overgrown and dirty lot, to perform any necessary tasks to eliminate the dangerous conditions, and to file an automatic lien against the property. Such liens are to be collected at the time the property owner remits any taxes due.

The problem is that T.C.A. 6-54-113 (e) does not apply to any parcel of property upon which an owner-occupied residence is located. Therefore, if the property contains an owner-occupied residence, then the municipality is barred from filing an automatic lien. In such cases, the only recourse available to a municipality seeking reimbursement for the costs associated with cleaning up an overgrown and dirty lot is to expend taxpayer funds to file a court action to attach a lien.

A municipality's ability to remedy dangerous conditions and health hazards within its city limits is enhanced. Additionally, eliminating the need to file court orders to attach a lien will result in savings to taxpayers.

MTAS moves salary survey on-line

BY Richard Stokes
MTAS HR Consultant

For years, MTAS conducted its annual salary and benefit survey the same way, a cumbersome process requiring participants to complete extensive paperwork. The information was entered into a database and reports generated upon request. The lag time until the data was ready for review was often four to six months.

Now, MTAS has initiated the first phase of an Online Salary and Benefit Survey Project moving the collection and report generation for the salary survey online.

The online survey provides cities with several advantages. The data in the survey will be the most current information. Cities will have the ability to modify their data at any time resulting in real-time information rather than numbers that are a year-and-a-half out of date.

The most beneficial part of the online format is the ability to browse all data, search for specific data, or select the data you want to review,

Jackson pilot city for NLC wellness technical assistance program

BY VICTORIA SOUTH
TML Communications Coordinator

Jackson's citizens are well on their way to becoming the healthiest in Tennessee as the city was chosen among six nationally to participate in an NLC sponsored wellness technical assistance initiative to combat childhood obesity and promote youth and community wellness.

NLC's Institute for Youth, Education and Families (YEF Institute) launched the project in partnership with the American Association of School Administrators (AASA) and support from the Robert Wood Johnson Foundation.

For a one-year period, the program will provide technical assistance to Jackson's municipal and school leaders providing the city's leadership teams an opportunity to consult with national experts in the areas of local wellness policies, childhood obesity, active living, healthy eating, and school health councils while fostering peer learning initiatives.

As a result, in July 2006, the Jackson city council passed a resolution to create a task force, *Fit for Life*, to study the issues of childhood obesity and community-wide nutrition in accordance with recent laws passed by Congress and the Tennessee General Assembly requiring schools and school districts to develop objectives to promote healthy weight guidelines and overall health and wellness in students.

Increased emphasis has been placed on local wellness policies as the Centers for Disease Control and Prevention (CDC) estimates more than 12.5 million children are overweight in the United States and state lawmakers become increasingly concerned about soaring health-care costs.

"The city of Jackson remains committed to increasing community awareness of this serious risk to our children," said Jackson Mayor Charles Farmer. "We are unifying the efforts of local health and youth services agencies within our community."

As part of the wellness initiative, Jackson's city-school partner-



Children participate in "Fit For Life" summer youth olympics, a city-wide summer fitness program initiated by the city of Jackson's Recreation & Parks Department

ships have developed six steps toward the community's overall community wellness objectives:

- City-wide pedestrian and bicycle plan involving construction of trails that link schools, parks, and other sites throughout the city;
- New city ordinance requiring future residential subdivisions to have pedestrian sidewalks and bike trails;
- Community, city and school personnel education concerning Tennessee regulations on vending machines in schools, school nutrition policies, and 90-minute weekly exercise requirements for grades K-12;
- Expansion of walking programs in area schools;
- Discounted rates at local health clubs and YMCA for the city and school system;
- A partnership between two Jackson Recreation and Parks Department sites including areas for special needs children, the Boys & Girls Club, Jackson YMCA, Cane Creek Baptist Church, Salvation Army, New St. Luke Baptist Church, and

Operation Hope Neighborhood Ministries to implement summer fitness programs which will culminate with a city-wide *Fit-ness Olympics*.

"We welcome and need technical assistance to help us develop a structure around how the city task force and the School Wellness Advisory Council can come together and work on the common issue of improving the health and wellbeing of youngsters and adults in our community," said Dr. Nancy Zambito, superintendent of the Jackson-Madison County School System.

According to the National Conference of State Legislatures, at least 18 state legislatures have considered bills to set or increase the minimum number of P.E. minutes required and seven states, including Florida and Mississippi, have decided to reinstate P.E. classes with mandates determining how often and how long students should be physically active at school, according to Stateline.org.

In February 2006, team members from Jackson and the Jackson-Madison County School System attended the NLC-AASA Leadership Academy held in Nashville where the city and school system developed steps to broaden the membership of the school wellness council to include elected representatives from city, county, and state government.

"The issue of childhood obesity and poor nutrition in our community needs to be addressed through a collaborative community approach that includes government, school, civic, and community input," said Madison County Mayor, Jerry Gist. In the coming year, YEF Institute staff and the AASA will strive to foster more effective connections between city and school teams in their efforts to combat childhood obesity.

During the next five years, the Robert Wood Johnson Foundation announced that it would commit \$500 million toward combating childhood obesity.

For more information about the technical assistance program, contact Leon T. Andrews Jr., program director for youth development at the YEF Institute at (202)626-3039 or Andrews@nlc.org.

such as municipality, position, salary range, fiscal budget, and much more. Cities will also have the ability to download information into Excel spreadsheets at any time.

MTAS began the lengthy negotiation process with various software vendors several years ago and selected VC3, the vendor that manages the Municipal Association of South Carolina's Compensation Survey, a dynamic IT services organization that delivers customer-oriented solutions to both the commercial and public sectors.

To access the survey, enter the survey website [http://www.mtas.tennessee.edu/public/web.nsf/Search/MTAS Salary Survey?Open Document](http://www.mtas.tennessee.edu/public/web.nsf/Search/MTAS%20Salary%20Survey?OpenDocument). Log in using a password that will be provided by MTAS. Your password will be e-mailed or mailed to you within a couple of weeks.

Once logged into the system, city representatives should update contact information and transfer old data into the new database. This will eliminate the need to re-enter data,

especially if there are no changes.

An added feature is the ability to increase salaries by COLA percentages. If the only change to employee salaries is based on a COLA increase, the city can enter the COLA amount and the information is automatically updated.

Once the data is entered, city officials will have the opportunity to review and check the data before submitting it. Once submitted, the data will be reviewed by the MTAS staff.

Participants will receive notification about when cities can begin the report generating process. The phase concerning online collecting and reporting of benefit survey information may take several years to complete.

The database is on-line and ready for review.

If you have any questions or need other HR assistance, feel free to contact either of the MTAS HR Consultants, Bonnie Curran at (865) 974-0411 or Richard Stokes at (615) 532-6827.

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I-75 Welcome Center opens with ribbon cutting



At the ribbon cutting ceremonies for the I-75 Welcome Center in Hamilton County are from left to right: U.S. Congressman Zack Wamp, Commissioner of Veterans Affairs John Keys, Commissioner of Tourist Development Susan Whitaker, Commissioner of Transportation Gerald Nicely, East Ridge Mayor Mike Steele and Director of Welcome Centers Barry Young.

The Tennessee Department of Tourist Development and Tennessee Department of Transportation (TDOT) hosted the grand opening ceremonies of Tennessee's newly completed I-75 Welcome Center last month in Hamilton County. The center is located at 1500 I-75 Northbound.

Tourism Commissioner Susan Whitaker and TDOT Commissioner Gerald Nicely were on hand to officially open the center with a ribbon-cutting ceremony.

Special guests also included U.S. Congressman Zack Wamp, Commissioner of Veterans Affairs John Keys, Chattanooga Mayor Ron Littlefield, and East Ridge Mayor Mike Steele.

"This new welcome center sets the stage for our visitors to enjoy the perfect combination of Tennessee warmth and hospitality," said Commissioner Whitaker. "The building offers a sense of welcoming. Add to that the outreach of our dedicated staff and our guests have a great start to the perfect Tennessee vacation experience."

TDOT Commissioner Gerald Nicely added, "We are pleased to take part in opening the new I-75 Welcome Center. The new center showcases the many attractions Tennessee has to offer for travelers and helps keep them informed on changing roadway conditions. A kiosk located within the new welcome center allows motorists to check their route for any delays so that they don't spend their time in Tennessee waiting in traffic."

Designed as a log cabin and featuring 4,976 square feet, the facility combines the warmth of Tennessee with the modern advantage of new construction. Included in the expansive lobby area is a gathering spot complete with a fireplace and rocking chairs.

In addition, the welcome center is the first in the state to feature a family assisted restroom and includes overall expanded restroom facilities.

Tennessee's welcome centers are constructed by the Tennessee Department of Transportation and are operated by the Tennessee Department of Tourist Development.

STATE BRIEFS



BY TISH WOMACK

Thirteen Tennessee schools were included in Newsweek's "America's Top Public Schools" list for 2007. Of the 1,236 on the list, Tennessee schools with their ranking: Martin Luther King High School, Nashville (23); Hume-Fogg Academic High School, Nashville (55); Brentwood High School, Brentwood (212); Hillsboro High School, Nashville (424); Ravenwood High School, Brentwood (550); Oak Ridge High School, Oak Ridge (555); Franklin High School, Franklin (667); Fairview High School, Fairview (828); White Station High School, Memphis (887); Farragut High School, Knoxville (1,103); Cordova High School, Cordova (1,104); West High School, Knoxville (1,121); and Dobyns-Bennett, Kingsport (1,186).

Employment projections by the Tennessee Department of Labor and Workforce indicate an increase of 75,900 jobs in 2007 and 2008. Increases in the administrative, managerial, and transportation industries are expected, but also in the short term, declines in manufacturing.

The three most popular specialty license plates in Tennessee are environmentally oriented with Friends of the Great Smoky Mountains National Park plate leading the way. Following that plate were the Animal Friendly and Eagle Foundation plates which raised money for their groups. The Smoky Mountain plate raised \$510,000 in 2006.



Read it On-line at www.TML1.org

BY TISH WOMACK
TML Research Analyst

DYERSBURG/DYER COUNTY

The Tennessee Board of Regents honored Dyersburg and Dyer County with its Excellence in Philanthropy award for the creation of the Dyer County Promise scholarship program. The program, begun in 2006, is jointly financed through city and county budget appropriations to provide scholarship money to city and county high school seniors with a "C" average to attend Dyersburg State Community College. The effort is to keep students in the area and to create an educated work force.

JOHNSON CITY

The eighth annual Boone Lake cleanup brought out more than 400 volunteers who collected over 24 tons of tires, rims and other debris from the lake and several of the lake's connecting streams.

JOHNSON CITY

Vice Mayor Jane Morton has challenged Tri-Cities leadership to lose weight and get fit by walking as much as possible over the next three months. Each participant will be outfitted with a pedometer. She has been walking three miles a day for 17 months and is feeling lighter and fitter than before through the "Up &

At 'em" program she started in Johnson City.

KINGSPORT

In the short time since red-light-running cameras were installed at six busy intersections, a 25 percent drop in red light violations has been noted.

LAKELAND

Thirty years ago Lakeland incorporated with 516 residents within its 5.4 square-mile limits; today there are 10,000 residents within its 24 square miles. The city's first mayor, Beverle Rivera, was the first female mayor in Shelby County.

LEWISBURG

U.S. Tank and Cryogenics Equipment, seller of new and fully-refurbished liquid cylinders and bulk tanks, has broken ground for its facility in Lewisburg Business Park. The company, relocating from Bradenton, Fla., will open in October with 40 employees and anticipated 90 in the future.

MURFREESBORO

The Murfreesboro Fire Department has moved into the top tier of cities with its Insurance Services Office rating of Class 2, the best rating in the state. Memphis, Chattanooga, and Cookeville are the only other cities with Class 2 ISO ratings. Residents and business owners will benefit from the upgrade with lower fire

insurance premiums.

NASHVILLE

Green Roofs for Healthy Cities has recognized Nashville's Public Square in front of the Metro Courthouse with a "green roof" award. The green grass roof covers the underground parking garage at the courthouse.

NASHVILLE

Affiliated Computer Services, Inc., a call center, has added 375 employees to its existing 120 member work force. The company employs more than 570 in Tennessee.

NORRIS

The Museum of Appalachia now an official affiliate of the Smithsonian Institution, will partner with Smithsonian's outreach units that include study tours, workshops, lectures, and curriculum development with local schools.

OAK RIDGE

The 12,000 full-time employees of the U.S. Department of Energy's Oak Ridge facilities impact the local economy far beyond what would be expected of their \$760 million payroll. According to a report issued by the University of Tennessee Center for Business and Economic Research, Oak Ridge operations had an "output benefit" of \$3.6 billion, representing about 1.8 percent of Tennessee's total gross product.



PEOPLE

BY TISH WOMACK

Lambuth University announced the establishment of the John S. Wilder Institute for Public Service in honor of state Sen. **John Wilder**. Sen. Wilder has donated to the Jackson school books, writings, paperwork and memorabilia detailing his tenure in the Tennessee Senate.



Wilder

A new pavilion at Bradley/Cleveland Services was dedicated to Cleveland Mayor **Tom Rowland** and wife, **Sandra**, for their years of work with the Special Olympics. Bradley/Cleveland



Services is a nonprofit organization serving those with developmental disabilities and at-risk children in the Cleveland area.

Former Knoxville Mayor Ambassador to Poland **Victor Ashe** acquiesced to President George Bush's request to remain as ambassador until the end of the president's term in 2009.

Surgoinville has hired **Jeff Hesoun**

as police chief to replace Chief **Dale Scalf** who retired in June.

Westmoreland has appointed **Deneise Etheridge** interim police chief to replace **Kevin Nation** who resigned in late April. Etheridge has been with the department since 1995.

Elizabethton Police Chief **Roger Deal** will retire in June following a 30-year career with the department.

Jackson Police Department's first black uniformed police officer, **James N. Cherry Jr.**, died May 23 at age 80. He joined the department in 1964 and retired in 1989 as the highest-ranking black police officer in Jackson history.

Retired Crossville Police Chief **Robert Franklin Fouch** died at

age 76. Following a 30-year career with the Tennessee Highway Patrol, Fouch served a total of 12 years as police chief for Crossville before retiring in 1995.

Jackson's soon-to-retire Mayor **Charles Farmer**, remembering the help extended to Jackson following tornados that devastated Jackson, is encouraging Jackson citizens to reach out and support tornado-ravaged Greensburg, Kan. through participation in a silent auction held on June 2. The auction was sponsored by private citizens and a Jackson market and café.



Farmer

NATIONAL BRIEFS



BY TISH WOMACK

The U.S. Census Bureau reports that the nation's public school districts spent an average of \$8,701 per student on elementary and secondary education in fiscal year 2005, up 5 percent from the previous year. New York spent the most at \$14,119 per student; Utah the least at \$5,257. Tennessee was seventh from the bottom, spending \$6,729 per pupil. Seven of the top 10 with the highest per pupil expenditures were in the

Northeast; four of the 10 states with the least per pupil expenditures were in the South.

The number of miles driven by Americans has dropped in the last 18 months for the first time in 26 years according to a *USA Today* analysis of highway data. Several factors are contributing to the dip including an aging population and people living nearer to their working places, but mostly because of the ever increasing gasoline cost.

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TML announces the 2007 Achievement Awards

Gatlinburg: Excellence in Governance

Excellence is par for the course in Gatlinburg where city leaders continually strive to boost successful services to a whole new level of quality and innovation.

The look and feel of Gatlinburg's downtown area has been greatly enhanced after the city commission initiated an extensive revitalization project to remove unsightly overhead wiring, redirecting it safely out of sight underground, while Gatlinburg's solid convention business is booming greater than ever thanks to a recent \$16 million expansion and renovation to the Gatlinburg Convention Center.

Visitors along Main Street will be charmed by the latest tourist experience, "Tunes and Tales" featuring strolling performers in period costumes during the summer

months and upgraded parking facilities compliment the city's wildly successful new "disc golf" course.

A recently completed multi-million dollar expansion of Highway 321 to four lanes has improved traffic flow for commuters whether entering or exiting this thriving municipality.

"As with all well-governed cities, these projects did not have to happen, the services were fine as they were," said MTAS consultant



Summer Visitors to Gatlinburg will be charmed by the latest tourist experience, "Tunes and Tales," featuring strolling performers in costume.

Pat Hardy. "Constant improvements are what the Gatlinburg City Commission and city staff is all about. Those who undertake these difficult efforts while budgeting and maintaining a long list of other services are a rare and special group."

Adherence to strategic planning efforts and MTAS municipal education courses keep Gatlinburg's city leaders and staff well ahead of the game.

In recognition of the city's constant endeavors to improve satisfactory services and implement innovative ideas, the Tennessee Municipal League will present Gatlinburg with the 2007 Excellence in Governance Award.

Unrivaled services and progressive leadership has endeared Gatlinburg to citizens and tourists alike for generations to come.

Kingston: Excellence in Public Safety

Improved municipal fire protection and lack of funding is a poor combination, but the city of Kingston through hard work and perseverance, prevailed nonetheless in establishing improved fire protection services and earning a desirable Insurance Services Office (ISO) rating, saving thousands of dollars annually in reduced premiums for its citizens.

Like other smaller fire departments, Kingston has been challenged throughout the years by budget issues. A total of eight career employees and 20 volunteers answer approximately 500 emergency calls each year within a 7.4 square mile radius.

In 2000, newly appointed Fire Chief Willie Gordon began the long battle to improve Kingston's fire protection services securing donated property, materials and labor assistance from the Morgan County Regional prison to build a second fire station in a 5-mile annexed area without fire protection. The city purchased a new fire engine to accompany the previously owned 1978 model along with a new ladder truck.

Then, in 2006, a committee comprised of Kingston city council members assisted by MTAS Fire Management Consultant Gary West, devised a task list of improvements that would ultimately earn

Kingston a class 4 ISO rating and place the city's fire department among the top 10 percent in the state among fire departments with this rating.

During the year-long process, Gordon recruited a state certified training officer to conduct the state firefighter certification program and additional training included the first responder medical program and certification of several fire personnel as hazardous material technicians.

"Many cities are challenged by shortfalls in funding and many leaders curb their efforts when times are tough," said West. "Chief Gordon, the Kingston Fire Department, and the Kingston City Council have worked very hard to improve their community fire protection services over the past seven years and they truly deserve recognition for their relentless efforts."

In recognition

of Kingston's tireless commitment to improving community fire protection services, The Tennessee Municipal League will present the city with the 2007 Excellence in Public Safety Award.

Through hard work and a focus on quality, Kingston has overcome adversity out of concern for the property and lives of its citizens.



Kingston overcame numerous challenges in order to build a second fire station to serve citizens without fire protection, add additional equipment, and improve their level of fire protection services overall throughout the city. Kingston Fire Chief Willie Gordon and Kingston firefighters stand next to a new ladder truck purchased by the city.

Spring City: 2007 Small City Progress Award



The Spring City Marina will be expanding its recreational facilities with a restaurant, boat slips, cabins and camping area for the enjoyment of Spring City citizens. The marina enhancement is just one of several projects currently underway throughout the community.

The small town of Spring City is growing up and with projects everywhere, Mayor Kelly Reed, City Manager Woody Evans and the city commission couldn't be more excited.

New commercial construction includes the New Volunteer Electric Building along with a 42-room Howard Johnson Motel, Community National Bank and a strip mall along with two family-style restaurants. Construction will begin soon on a new Public Works Building and renovations to the depot will mark the future home of the Spring City Chamber of Commerce and Town Museum.

A 32-unit townhouse project on Watts Bar Lake and a new subdivision, Sunrise Estates, will provide charming homes for the expanding community of 2,025 while the local marina expands with a restaurant, boat slips, cabins and camping area.

"The developments dur-

ing the past year have resulted in great teamwork among the staff and elected officials in Spring City," said MTAS Management Consultant Warren Nevad. "These examples demonstrate Spring City's recent commitment to economic and community progress."

Street paving and downtown sidewalk repairs are currently underway in conjunction with the new 4-lane highway project and a grinder pump grant will ultimately add an additional 227 new sewer customers to the city's infrastructure and connect the TVA Nuclear Plant to the Spring City sewer plant.

In recognition of city leaders' commitment to municipal improvements through economic and community development, the Tennessee Municipal League will present Spring City with the Small City Progress Award.

The continued economic progress of Spring City makes it an exciting place to call home.



Photo courtesy of Charlie Mauk, Herald & Tribune

Pictured are *Herald & Tribune* publisher Lynn J. Richardson (left) and Jonesborough Mayor Tobie Bledsoe

Jonesborough: Excellence in Communications

Information is an important commodity in the town of Jonesborough. Mayor Tobie Bledsoe and Town Administrator Bob Browning have initiated a unique family literacy and communications project that places a free newspaper in every household throughout the community.

After numerous attempts to keep residents informed about town meetings, activities and other items of interest, the two developed a Community Awareness Project (CAP) in cooperation with *The Herald & Tribune* that places a town/corporate funded subscription in every home within the city limits.

"We can't imagine any other town in America being so bold and so determined to keep their residents informed that they would provide the local newspaper to every family in town," said Lynn Richardson, *Herald & Tribune* publisher. "By doing so, they are putting reading materials into homes which might not put an emphasis on reading."

TML will recognize Jonesborough's effort that ensures information reaches all of its citizens by bestowing a 2007 Excellence in Communications Award to the city.

Through initiative and integrity Jonesborough has taken municipal communications to the next level.

2007 TML Achievement Awards continued

Trenton: Small City Progress



By applying for and receiving grants, the city of Trenton creates better services for its community and is on the move as a progressive city. The new Lyndale Street bridge is part of the latest developments.

Rogersville: Excellence in Planning

Rogersville, in East Tennessee, is a progressive, old-fashioned, down-home community and city leaders plan to keep it that way. Incorporated in 1903, the tiny town of 4,500 has worked hard to protect and preserve the traditional appearance and character of their community while providing new amenities and expansion of services.

The city has invested toward creating a charming town center area along with \$6 million to upgrade all of its school facilities, complete an expansive city water line program for underserved areas, and develop a full-scale skate park and walking trail system.

Rogersville is home to several

historic buildings including the oldest courthouse in Tennessee. The dedication to the preservation of history throughout the community is reflected in the partnership of two entities, the City and the Rogersville Heritage Association. The two organizations purchased and renovated *The Hale Springs Inn*, one of the last remaining original hotels in Tennessee.

With the city providing the management and financial backing for purchase and renovation of the hotel, the Heritage Association will continue to operate the structure as a hotel when restoration is complete.

"Many significant accom-

plishments have been made over the past few years by the unending commitment of the Board of Mayor and Aldermen and city staff," said Pat Hardy, MTAS Consultant. "They work extremely well together as a team and the general feeling in the community is that there is nothing they can't accomplish together."

The Tennessee Municipal League, in recognition of Rogersville's unlimited vision and successful planning efforts, will present a 2007 Excellence in Planning Award to the city.

The goals of historic Rogersville continue to shine thanks to excellent city planning.

For a small town, Trenton operates just like a big city seeking improvement grants and marching forward as an active thriving community.

With more than \$1.11 million in residential and community improvement under its belt, Trenton's cash reserves have increased more than 18 percent from \$2.718 million to \$3.213 million in just 2 years, according to proud Mayor Tommy Litton, 2006 President of the West Tennessee Mayor's Association.

With this increase, new industry has called Trenton home, American Phoenix in 2004, followed by Air Duct, Inc., in 2005, Hobbs Bonded Fibers in 2006 along with 2 new recycling facilities.

The city's infrastructure needs are secure with the awarding of a \$3.96 million grant for the rehabilitation of the wastewater treatment plant and construction of a new lagoon while the Trenton Water Treatment Plant proudly received

its highest score, 98 percent.

The citizens of Trenton can rest easier as the Trenton Police Department employs its \$350,000 Weed and Seed grant along with a \$48,000 grant to combat domestic violence.

The Trenton Fire Department will also function in top form with a \$19,000 equipment grant.

With a growing YMCA membership of 500, Trenton is a community that works and plays together. The city was recognized for rapid response and clean-up after the devastating storms of 2006 and municipal information is more readily available thanks to the city's new website.

Leadership education should keep the city moving forward. Four of Trenton's six aldermen have completed the MTAS Elected Officials Academy.

In recognition of the manpower, paperwork, and teamwork Trenton has put forth toward becoming a progressive city, the Tennessee Municipal League will present the city with the Small City Progress Award.



The town of Rogersville has maintained its historic flair thanks to careful city planning and preservation of historic sites within the community.

Millersville: 2007 Innovation Award



The repairs for this Millersville home included: A new roof, gutters, paint, mailbox, driveway and deck pressure washing, new shutters, outbuildings, porch repairs, landscaping, yard seeded, trees trimmed, junk hauled away, new air conditioner, and play yard courtesy of the ReNew Crew, Millersville's new program to assist the elderly, needy, and disabled citizens with home repairs through donated supplies and volunteer labor.

"The ReNew Crew" is Millersville's new program to help elderly, disabled, or low-income homeowners with desperately needed home repairs, while fostering pride in homeownership throughout the community.

Utilizing donated funds, materials and labor, the program has improved the lives of two Millersville families and united Millersville citizens from all walks of life in an annual common goal.

Initially, the ReNew Crew committee had planned to aid one homeowner in their first event; however, the program became such an unanticipated success, drawing

more than \$5,600 in donated funds, scores of volunteers, and hundreds of dollars in donated materials from area businesses, that the city was able to aid two families, according to the program's coordinator Karen Smith, Millersville Codes Administrator.

Completed projects include: new roofing, damaged siding, storm windows, shutters, light fixtures, paint, deck pressure washing, back porch, outbuildings, junk removal, play yard construction, landscaping, mailbox, and driveway repairs.

In recognition of Millersville's forethought to provide aid to disadvantaged citizens while instilling pride

in their community, the Tennessee Municipal League will present the city with an Innovation Award.

A community "can do" spirit, caring, and pride makes Millersville a great hometown.

Pikeville: Excellence in Economic Development

A grassroots partnership between the city of Pikeville, Tennessee Valley Authority, Sequatchie Valley Electric Cooperative and Bledsoe County administrative officials organized by Pikeville mayor Greg Johnson demonstrates exactly what teamwork can accomplish in cities across Tennessee.

The Tennessee Municipal League will award Pikeville with a 2007 Excellence in Economic Development Award recognizing the city's detailed Downtown Streetscape plan and collaborative effort to redefine Pikeville's downtown district.

The initial phase of the city's Downtown Economic Development Plan began with a thorough evaluation of the quality and type of pedes-

trian and vehicular lighting within the central business district.

The plan highlights a work program and data collection process involving community input, satellite imagery and a field survey of the district.

The final phase of the plan evaluates factors associated with local economic development issues and trends and provides recommendations to the city concerning municipal site context; local access & linkage; commercial use and activities and comfort and image.

Through successful partnerships, economic planning and community involvement, Pikeville's revitalized downtown district is a positive reflection of community-wide participation.



Community input was highly important as Pikeville planned their Downtown Streetscape development. A grassroots partnership between the city, Tennessee Valley Authority, Sequatchie Valley Electric Cooperative, and Bledsoe County administrative officials along with Pikeville mayor Greg Johnson has produced a detailed study and plan for Pikeville's future Town Center area.

**TML Achievement Awards
will be presented during
the Annual Conference on
Tuesday, June 12
at 9:00 am in Ballroom ABC
of Knoxville
Convention Center**

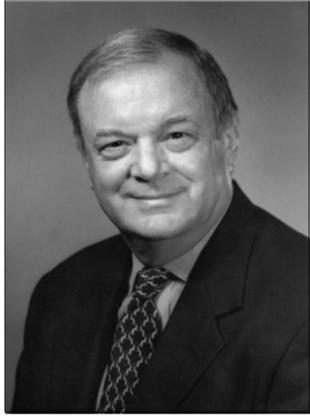
Conference speaker focuses on techniques, city bond ratings

SPEAKERS from Page 1

to annex surrounding land and communities is as important to a city's bond rating and a sign of fiscal health as the area's poverty rate or median household income. Expanding elastic cities maintain growing tax bases and can sell bonds at lower interest rates, meeting needs for both municipal facilities and major infrastructure with regional benefits.

Rusk has been described as the hottest urban expert in the nation today. He is a former federal official, New Mexico legislator and mayor of Albuquerque, the USA's 36th largest city. Rusk is now an independent consultant on urban and suburban policy. He has spoken and consulted in more than 120 U.S. communities.

The Bingham Consultancy Fund honors Herbert J. Bingham who served as the Tennessee Municipal League's executive director from 1946-1982. In 1949, he helped create the Municipal Technical Advisory Service at the University of Tennessee. Funding for the Bingham Consultancy comes from an endowment created as part of the University's 21st Century capital campaign. More than 150 cities



David Rusk is described as the hottest urban expert in the nation.

made gifts to the endowment, as well as organizations of city officials including the Tennessee City Management Association, Tennessee Municipal Attorneys Association, Tennessee Association of Municipal Clerks and Recorders, and the Tennessee Chapter, American Public Works Association. In addition, the TML Risk Management Pool and the Tennessee Municipal Bond Fund have given to the fund.

Tennessee legislature creates megasite authorities

Tennessee Department of Economic and Community Development Commissioner Matt Kisber praised bill sponsors Sen. Lowe Finney and Rep. Craig Fitzhugh along with members of the Tennessee General Assembly for passage of the Tennessee Regional Megasite Authority Act of 2007. The act authorizes Tennessee cities and counties to work together to develop regional industrial megasites designed to attract new jobs and capital investment.

"By this action, the Tennessee General Assembly has made it easier for cities and counties to work together to develop sites attractive to companies with plans to invest in new plants and create new jobs," said Commissioner Kisber. "This legislation allows for the creation of regional megasite authorities to access state programs designed to help fund the creation of infrastructure like roads and utility access."

Sen. Finney was the sponsor of Senate bill 2141 and House Finance Committee Chair Fitzhugh sponsored House bill 2172 which create the same rights and requirements for regional megasite authorities as Tennessee law currently holds for industrial development boards, including the ability to issue bonds, enter into payment in-lieu-of-tax agreements and receive grants or loans. The legislation also specifies that the authorities are subject to the same open meeting and open records requirements as industrial development boards.

"This law sets up an orderly, transparent process through which counties and cities can enter into cooperative agreements to establish

megasites, while allowing members of the public to provide input to that process," said Sen. Finney. "Communities who want to create these sites now have clear guidance about how to go about it."

"I believe this effort will make Tennessee more competitive in attracting large scale industrial investment," said Fitzhugh. "It gives cities and counties a mechanism for cooperating on a regional scale, sharing in both the costs of development and the benefits of new jobs and investment."

The legislation defines a megasite as an industrial site of "generally 1,000 contiguous acres in size" and establishes governance by a board of directors consisting of the mayors of each county or municipality participating in the effort, along with a member of the industrial development boards of each participating community. In addition, two non-voting members may be selected by the U.S. Representative in whose district the site lies and by the Tennessee Valley Authority. Each director will serve a two-year term without compensation. The legislation requires each megasite authority to file an annual report with the state board of equalization and to provide an economic impact plan defining the boundaries of the megasite and detailing how costs and revenues will be apportioned among the participants. A certificate of incorporation will be issued by the Secretary of State to create the megasite authority.

The law also requires the TDEC commissioner to establish the process by which megasites can be certified by the state of Tennessee.

Nominating committee named

NOMINATING from Page 1

Board. The two remaining vice presidents have traditionally been re-elected and rotated to the next higher vice president's slot in order to rotate up to the presidency. A new third vice president is selected from the same Grand Division in which the new president resides.

In the normal rotation, Alamo Mayor Tommy Green would become president — and a new third vice president from West Tennessee would be nominated.

At-Large Directors. The Nominating Committee will nominate eight at-large directors. Two at-large directors are nominated from each Grand Division, as well as two additional directors who are minorities and/or women. At-large directors serve one-year terms, and can serve consecutive terms. It has been customary to re-elect at-large directors completing their first term to an additional term so that they serve at least two years on the Board.

Three current at-large directors have served two years: Clarksville Mayor Pro Tem Morrell Boyd, Milan Mayor George Killebrew, and Alcoa Mayor Don Mull.

District Directors. District directors for Districts 1, 3, 5, 7 (because 2007 is an odd-numbered year) will be nominated by members during the district meetings on Mon-

day, June 11, at 8:30 – 9:15 a.m. Each municipality has one vote in district elections. District directors serve a two-year term, with half of the districts selecting new directors each year.

Other directors. The individuals who serve on the TML Board of Directors in designated positions, not nominated by the Nominating Committee include:

- District Directors (one from each of TML's eight districts, elected in the District Meetings held during the TML Annual Meeting)
- Mayors of the four largest cities in Tennessee
- Past presidents of TML who hold an elected position at municipality from which initially elected
- The president or designee of Tennessee Women in Government (voting)
- The president or designee of the Tennessee City Managers Association (voting)
- Director designated by the Tennessee Municipal League Risk Management Pool Chairperson
- Director designated by the Tennessee Municipal Bond Fund Chairperson
- Presidents of Affiliated Organizations (non-voting, unless the designee is also an elected official or a city manager/city administrator).

Statutory exposures in police emergencies

POLICE continued from Page 1

of the liability in these accidents is assigned to the governmental agency, even when the pursuing vehicle is not physically involved in the accident.

In the case of *Scott v. Harris*, the U.S. Supreme Court was faced with the question of whether a law enforcement official can be consistent with the Fourth Amendment when he attempted to stop a fleeing motorist from continuing his public-endangering flight by ramming the motorist's car from behind. The Court found that the video clearly showed that Deputy Scott did not violate the Fourth Amendment.

In *Scott*, the U.S. Supreme Court stated: "... [w]e are loath to lay down a rule requiring the police to allow fleeing suspects to get away whenever they drive *so recklessly* that they put other people's lives in danger." In fact, the Court found by reviewing the video that Harris' flight from police in this case posed "extreme danger to human life" and clearly posed "an actual or imminent threat to the lives of any pedestrians who might have been present, to other civilian motorists, and to the officers involved in the chase." However, to significantly reduce the tort negligence exposure to pursuing agencies, the state Supreme Court or state legislature would have to adopt similar positions.

As stated in Part 1 of this series, the U.S. Supreme Court's decision in *Scott* is certainly not a pass to allow pursuits at no risk to the pursuer. However, it is a beneficial case.

Police pursuits are always a risky tactic and should be undertaken only under appropriate restrictive circumstances. If the department has the in-car camera and can show the dangers of this reckless flight to the motoring public, then that can greatly enforce the defense of the pursuing officer as related to a

seizure under the Fourth Amendment.

There is little doubt that *Scott v. Harris* is a significant victory for law enforcement in this country. However, governmental liability to innocent third parties is generally judged as a statutory issue governed within each state independently, and in Tennessee, the controlling case continues to be *Haynes v. Hamilton County* 883 S.W. 2d 606 (Tenn. 1994). Until the Tennessee Supreme Court adopts language similar to *Scott* that suggests that fleeing suspects driving recklessly are the responsible and financially liable parties when they cause damage and bodily injury to innocent members of the general public, then police agencies will still be subject to the *Haynes* ruling which outlines that the court will weigh the risk of injury to the general public against the reason that the pursuit was initiated in the first place. If the court believes this justification to be unreasonable, then they likely will continue to hold the pursuing agency liable.

To see what has brought Tennessee to this point, let's examine a short history lesson regarding the pursuit law in Tennessee. Tennessee Code Annotated (TCA) § 55-8-108(e) is the statute designed to be the guiding standard regarding liability due to high speed pursuits. The last sentence of § 55-8-108(e) contains the phrases "negligent conduct" and "proximate cause" of injuries arising from pursuit accidents. In 1994, the Tennessee Supreme Court in *Haynes* defined what the legislature meant by these phrases. It should be noted that the legislature hasn't chosen to amend or further define TCA § 55-8-108(e) since 1987.

Previous to *Haynes*, the Supreme Court ruled overwhelmingly in 1988 (*Tullahoma v. Nevill*) that, as long as the police officer main-

tained physical control of his/her vehicle and the police vehicle was not involved in the accident, then the fleeing criminal was at fault when an accident occurred that caused injury or damage to an innocent member of the general public. The court then confirmed this standard with its 1989 decision in *Spring City v. Kennedy*. However, in the *Haynes* decision, the Tennessee Supreme Court reversed itself and ruled that, in addition to the physical operation of the police vehicle, liability could also be assessed if the officer made a decision to initiate or continue a high speed pursuit under circumstances when a "reasonable police officer" would not do so.

To determine whether or not the officer's pursuit was reasonable, the court ruled that one must weigh the risk of injury to innocent members of the general public against the societal benefits of apprehending the fleeing driver. Most police officers would agree with that last statement. However, the problem occurs when officers are called to "foresee the conduct of" and enforce the law against unreasonable people who choose to run from police regardless of the risk to anyone else. In those circumstances, the court has made the state's taxpayers the "insurance company" of unreasonable criminals by frequently requiring governmental entities to pay the liability losses caused by those criminals. As a result, police agencies must continue to develop and enforce restrictive pursuit policies. This recommendation should not be taken to mean that the police agency will always win liability suits arising from pursuits within this recommended policy. The officer must still weigh the conditions surrounding the police action before engaging in a pursuit, but this restrictive pursuit threshold will put the agency in a defensible position most of the time.

TML study committee to review by-laws

At the TML Board Meeting on March 5, TML President, Mayor Tommy Bragg, appointed a study committee to review and make recommendations for revisions of the by-laws. He appointed all TML Past Presidents and the Executive Committee to serve on the study committee. Deadline for recommendations to the study committee was May 8.

The study committee's members are: Mayor Tommy Bragg, Murfreesboro, Chairman; Vice Mayor, Sam Tharpe, Paris; Mayor Charles Farmer, Jackson; Mayor Dan Speer, Pulaski; Mayor Tom Rowland, Cleveland; Alderman Bob Kirk, Dyersburg;

Councilmember John Franklin, Chattanooga; Mayor Tommy Green, Alamo, TML 1st Vice President; Mayor Pro Tem Tom Beehan, Oak Ridge, TML 2nd Vice President; Mayor Royce Davenport, McMinnville, TML 3rd Vice President; Mayor W.W. Herenton, Memphis; President-CEO Tennessee Municipal Bond Fund, Charles "Bones" Seivers; and City Administrator Jay Johnson, Franklin, Tennessee Municipal League Risk Management Pool.

Any revisions approved by the TML Board of Directors will go to the full membership at the annual business meeting in Knoxville.

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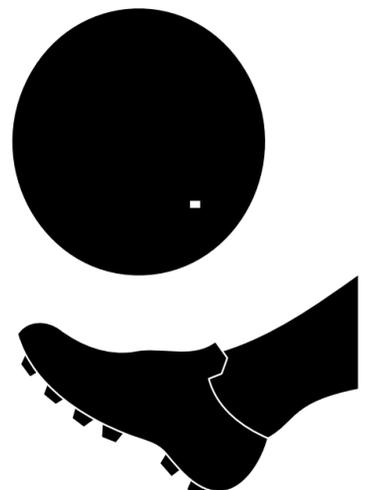
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Governors ask for gas price probe

By Eric Kelderman
Stateline.org Staff Writer

A bipartisan group of 21 governors lashed out at record-high gasoline prices and called for a congressional investigation into whether oil companies are artificially limiting fuel supplies by shutting down refineries.

"We are beyond frustrated. We are angry. We want answers as to why prices at the pump continue to escalate in the absence of new seasonal, weather or world events," said Connecticut Gov. M. Jodi Rell (R), who along with 15 Democratic and five Republican governors suggested that Congress might need to consider new laws or regulations to ensure reliable fuel supplies.

The governors' May 22 letter to Democratic and GOP congressional leaders turns up the political heat on a pocketbook issue already fueling calls in some state capitols to give consumers a break by lowering state gasoline taxes.

Seeking relief from a record average price of \$3.21 a gallon for regular unleaded gasoline calling on the Legislature to suspend the state's 25-cents-a-gallon tax from Memorial Day to Labor Day. Texas legislators are considering a 90-day tax holiday from that state's 20-cents-a-gallon surcharge. And an Illinois state senator has proposed permanently lowering the state's 6.25 percent sales tax on gasoline to 1.25 percent, while keeping a 19-cents-a-

gallon fuel tax.

The Memorial Day weekend set off an annual round of hand-wringing over auto-fuel costs as the unofficial beginning of the summer driving season. But gas prices this year have reached new heights, surpassing spiraling prices after two 2005 Gulf Coast hurricanes interrupted supplies as well as the previous inflation-adjusted record price in 1981.

Several states launched price-gouging investigations into gasoline costs after hurricanes Katrina and Rita, and President Bush called on all 50 state attorneys general to join a Federal Trade Commission (FTC) investigation. In the end, nine states reached out-of-court settlements ranging from \$200 to \$10,000 against roughly 100 individual gas retailers, according to a congressionally mandated report from the FTC.

Oil company executives have attributed the current price spike to refinery issues, including routine maintenance, which is limiting supplies of gasoline in the United States.

Citing oil companies' record profits, Rell said that "it makes no apparent sense to shut down refineries for maintenance as the summer driving season approaches."

Drew Hammill, a spokesman for U.S. House Speaker Nancy Pelosi (D), said the House already held and will continue hearings investigating gasoline prices. In addition, the chamber (May 22) passed a

bill applying U.S. antitrust laws to OPEC, the international group of 14 oil-exporting companies, and is considering a bill penalizing price-gouging.

At the state level, high prices are focusing renewed attention on state gasoline taxes, which range from a high of 42.4 cents a gallon in New York to 8 cents a gallon in Alaska. While Connecticut, Texas and Illinois have proposals to lower state fees on gasoline to spare consumers, other states had been considering increasing their gasoline taxes, the chief source of revenue for much-needed road construction and repair.

Governors in Maine, Minnesota, Nebraska and Nevada have put the kibosh on legislative proposals to raise gas taxes, despite calls to boost funds for road construction and repair.

State and local funding, which makes up about 55 percent of the country's transportation spending, will have to increase from \$75 billion in 2005 to \$89 billion in 2015 to keep pace with the nation's infrastructure needs, according to the American Association of State Highway and Transportation Officials. The group also has said that the federal gasoline tax of 18.4 cents a gallon would have to rise by 10 cents by 2015 to cover a shortfall in the nation's highway account and to make up for the fast-rising costs of road building.

Compromise Internet tax bill introduced

INTERNET from Page 1

federal interference with their authority to develop and manage their revenue systems, NLC, the National Governors Association (NGA), the U.S. Conference of Mayors and the National Association of Counties support the extension of a temporary moratorium as an alternative to legislation introduced in this session of Congress that would make the Internet tax moratorium permanent.

"We should not undermine the ability of governors and mayors to pay for goods and services that everyone depends on. A temporary extension, which this bill includes, will allow us to keep Internet access tax free, while giving Congress more time to understand the Internet's evolution and what it means for state and local governments," Carper said.

In hearings in the House and Senate last week, representatives of

NGA, the Federation of Tax Administrators and the American Federation of State, County and Municipal Employees (AFSCME), urged Congress to proceed cautiously when considering legislation that infringes on the ability of state and local governments to set their own tax policies.

"It is important to keep in mind that the costs of Congressional action would be borne entirely by states and local governments," said Mike Murphy, fiscal policy analyst for AFSCME, at the House Judiciary Subcommittee's hearing.

David Quam, director of federal relations for the NGA, added, "With continued questions as to the scope of the moratorium, the ongoing evolution of the Internet and its developing role in commerce, a temporary extension of the moratorium remains the best way for Congress to avoid any unintended consequences that may arise from a permanent

moratorium."

Sen. Daniel Inouye (D-Hawaii), chair of the Committee on Commerce, Science and Transportation, advised in a hearing last week that in the "difficult intersection between our desire to encourage online commerce and our constitutional responsibility to permit states and localities to manage their fiscal affairs," the committee should strive to reach a "fair and equitable" result in any legislation that it considers.

Inouye acknowledged the phenomenal growth in the Internet since the original act was passed and his preference for a temporary extension, rather than a permanent one, based on the testimony presented at the hearing.

As this debate continues in Congress, NLC in partnership with a broader coalition will continue to advocate for the fair and equitable result called for by Inouye.



Let us know the particulars about your most important festivals at least six weeks in advance of the event. E-mail Tish Womack at twomack@TML1.org or fax to 615-255-4752.

May 25-Oct 26: Frist Friday Concerts on the last Friday of each month from 6-9 p.m. at the Frist Center for the Visual Arts on Broadway in Nashville. Live music by various performers. Free for Frist Center members and visitors 18 years and younger; \$8.50 for adult non-members; \$7.50 for seniors and military; \$6.50 for college students with ID. Visit www.fristcenter.org for more information.

June 15-17: Selmer's Cars for Kids, Southern Style with car show, antique tractor pull, tractor pull, carnival rides, food and music. Visit www.carsforkidsusa.org or call 731-645-6676.

June 15-16: Oak Ridge Secret City Festival with tours of the Y-12 National Security Complex, the Graphite Reactor at the Oak Ridge National Laboratory, music and more.

June 16: Bell Buckle's 13th Annual RC-Moon Pie Festival with a 10 mile run beginning at 7 a.m., games, contests, a parade, arts and crafts, live entertainment, and food. Contact: 931-389-9663.

June 16: Summer Grill Party and Ugly Tomato Festival at Nashville's Farmer's Market from 11 a.m. to 2 p.m.

June 23-24, 28-30: The 6th annual Lawrenceburg Liberty Festival with a theme of "A Salute to the Golden State of California" and contests, music, food, fun and fireworks. Contact: 931-762-7617 or email aborrow@bell-south.net.

June 30: Alcoa's Freedom Fest beginning at 1 p.m. in the Springbrook Park/Alcoa Duck Pond vicinity. Fireworks at 9:45 p.m. Contact: Tricia Tipton at 865-380-4787 or visit www.cityofalcoa-tn.gov.

June 30-July 1: The 37th Jonesborough Days in the historic district with visits to villages from different periods of time, hand made crafts, free concerts and children's activities. Contact: 866-401-4223 or visit www.jonesboroughtn.org for more information.

July 4: Kingston's Fireworks on the 4th celebration with Miss Firecracker Pageant, children's activities, car show, and the first annual raft race. Contact: Debbie Russell 865-376-1356.

July 4: McKenzie's Freedom Festival with parade, patriotic costume contest, home-made ice cream contest, softball tournament and lots more. For more information call: 731-352-2332.

July 4: Kingston's Fireworks on the 4th Celebration. Contact: Debbie Russell at 865-376-1356

July 7: Watertown's 12th Annual Jazz Festival beginning at 4 p.m. on the town square.

July 8: Half Moon Music Festival on Watts Bar Lake's Blue Springs Cove beginning at 1 p.m.. Call Dr. Wayne Tipps at 865-717-0584 or visit www.halfmoonfest.com for more information.

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ASSISTANT CITY ADMINISTRATOR

DOVER. The town of Dover is accepting applications for the position of assistant city administrator who will become the city administrator upon the retirement of the current administrator. Qualifications for the job are: must be bondable; must have a valid Tennessee driver's license or obtain one within 30 days of hire; must obtain membership in Tennessee City Managers Association; be a graduate of an accredited four-year college or university with a degree in public administration, political science, business management, or a closely related field; have three years full-time work experience in a governmental environment; and be able to pass drug screen test by licensed physician. Application, job description, and instructions are available at the Town Hall during business hours, or by calling 931-232-5907, or by writing P.O. Box 447, Dover, TN 37058. Deadline for applications to be on file: June 29. EOE.

GRANTS & GOVERNMENT RELATIONS SPECIALIST

KINGSPORT. The city of Kingsport is seeking qualified applicants for the position of grants and government relations specialist who will be responsible for researching various grants and writing proposals designed to benefit the city, as well as exploring and identifying intergovernmental and foundation sponsorship opportunities available and beneficial to the city. The person hired will also assist the government community relations officer in areas of Channel 16, the city website, and event planning. The position requires a degree in public administration or closely related field; excellent research ability with strong written and verbal communication skills; thorough knowledge and experience with various computer software and applications; multi-tasking; and initiative. Applications may be downloaded at www.ci.kingsport.tn.us or obtained from the Human Resources Department, 225 W. Center Street, Kingsport, TN 37660. Fax: 423-224-2474. Deadline: June 29. EOE.

HUMAN RESOURCE GENERALIST

BRISTOL. The city of Bristol is accepting applications for the position of human resource generalist who will perform work of considerable difficulty coordinating and administering public risk management and personnel administration. Under the direction of the human resource director, the person hired will assist in ensuring adherence to and compliance with all applicable

state and federal laws as well as city policies related to risk management and personnel, and works with technical independence according to accepted principles and conformity with general city personnel policies and recommended practices. The team player will assist with day-to-day operations and projects within the human resource department. A high school diploma or GED is required; a bachelor's degree from an accredited college in human resource or public administration is preferred, along with three to five years experience in risk management and human resource; or the equivalent combination of education, training, and experience. Excellent communication and interpersonal skills are required. Salary range: \$1,323.07-\$1,538.46 bi-weekly plus excellent benefits. Application and benefit summary available at www.bristoltn.org. Apply to: Human Resources, P.O. Box 1189, 801 Anderson Street, Room 204, Bristol, TN 37621-1189. EOE.

PLANNER/BUILDING OFFICIAL

FAYETTEVILLE. The city of Fayetteville is accepting applications for a planning officer and codes enforcement official whose responsibilities will include meeting with the public on planning issues, conferring with state planning agency as needed, and make presentations to the planning commission. The employee will also be responsible for enforcing codes violations such as overgrown lots and abandoned vehicles. If needed, this will include presentation in court. The successful applicant should have a combination of education and experience equaling four years in planning, political science, public administration, construction, engineering, or architecture. The employee must have or obtain certification as building inspector within six months of hire. Salary: DOQ, plus excellent benefits. Send resume and salary history to: City Manager, 110 Elk Avenue South, Fayetteville, TN 37334. Position open until filled. EOE.

POLICE OFFICER

RIDGETOP. The city of Ridgetop is accepting applications for a full time police officer. The applicant must have a current Post Police Officer Certification, two years experience as a full-time police officer, and basic computer skills. The applicant will undergo a complete background investigation, psychological/medical exam with drug/alcohol screen. Preference will be given to applicants that have related education, training, and experience. Send required application, available at Ridgetop police department, to: 1735 Highway 41 South, P.O. Box 650, Ridgetop, TN 37152. Phone: 615-851-0203; Fax: 615-851-0266. Deadline: June 22. EOE. Drug Free Workplace.

MTAS presents 2007 Annual staff Awards

Five staff members received recognition for providing outstanding service during the annual Municipal Technical Advisory Service (MTAS) dinner and retreat held recently in Nashville.

The coveted Hobday Award named for Victor Hobday, MTAS executive director from 1952 until 1980, was presented to Steve Lobertini, an MTAS codification consultant since 1991. Lobertini supervises, coordinates, produces, and updates city codes, increasing the number of codes produced during his tenure.

"Bob Lobertini continuously provides quality information, ordinances, and codes and is considered a cornerstone of MTAS," said Bob Schwartz MTAS executive director.

"I was really surprised and pleased to receive the 2007 Hobday Award," Lobertini said. "It's quite an honor to be included among the previous winners who contributed so much to MTAS and the cities we serve."

Traiblazer Awards were presented to Gary West, fire management consultant since 2005, Kurt Frederick, training consultant since 1999, and Becky Smeltzer, technical services librarian since 2001.

West was awarded for continuously providing outstanding service to MTAS and Tennessee cities.

"Gary West has established a high standard for new consultants," Schwartz said. "He literally hit the

ground running providing top-quality, high-quantity, fire consulting service from the first day on the job."

Frederick was lauded for his outstanding service to MTAS and Tennessee cities, providing exemplary leadership as executive director of the Tennessee Association of Municipal Clerks and Records and for advancing the success of the MTAS Elected Officials Academy.

"Kurt cheerfully accepts additional tasks that enable MTAS to serve the municipalities of Tennessee," said Schwartz.

Smeltzer was awarded for excellence in maintaining MOLLY, the MTAS library indexing and cataloging system and the essential information it contains.

"Becky provides exceptional leadership for internal training initiatives," Schwartz said.

Tess Davis, MTAS administrative specialist since 2004, was presented the Customer Service Award.

"Tess provides exemplary service to the customers and staff of MTAS along with Tennessee's cities," said Schwartz.



Steve Lobertini (left) is presented the Hobday Award by Bob Schwartz, MTAS executive director.



Frederick

Smeltzer



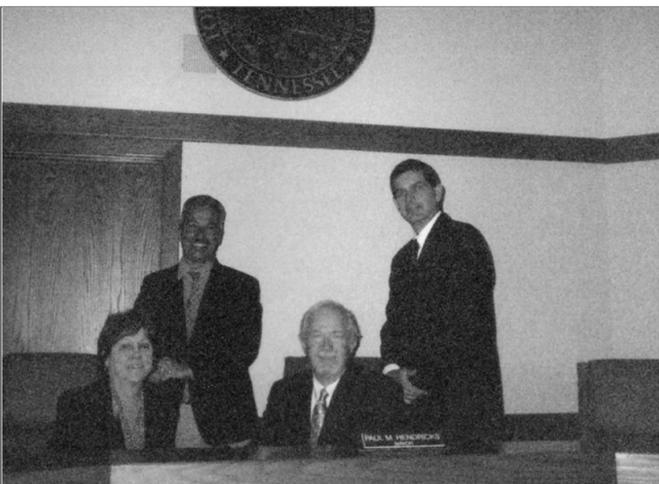
West

Davis

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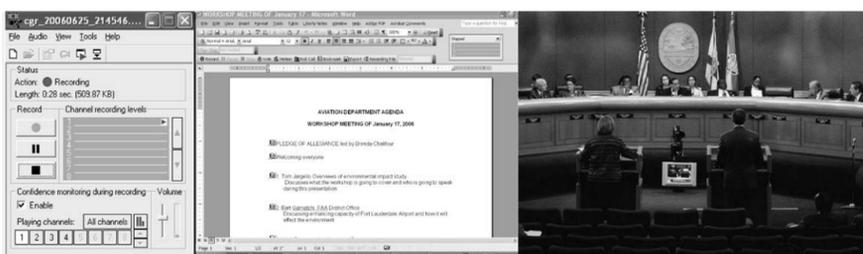
The City of Signal Mountain recently closed a \$7,236,000 loan with TMBF for a new high school. Shown at the loan closing are Diana Campbell, city manager, Dr. Paul Hendricks, mayor and TMBF Representatives Joe Muscatello and Kevin Barnett.



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Councilman Johnny Dodd is all about Jackson kids growing responsibly

BY GAEL STAHL
Editor

Johnny Dodd, who has been a Jackson councilman since 1999, has also served two terms as vice mayor. His career, professional and political, has been about children.

Dodd's father was from Denmark, a western suburb of Jackson and attended Denmark High School, now an elementary school that was remodeled to host different programs including youth programs. In March, Dodd volunteered to coach basketball there. For him it's one of many ways he's tried to stay involved in things and give back. Dodd's mother, Nancy Tate, was from Jackson and attended Merry High School.

Born in 1967, Dodd was raised in Jackson and graduated from Jackson Central-Merry High School (JCM), a traditional downtown school that he especially commends for its emphasis on teaching history. After graduating in 1985, he attended Jackson State Community College where he played basketball, just like he did at Jackson Central-Merry — with a passion. When his mother got sick, he had to interrupt his schooling and get a job to help the family. She headed a single-parent family of three including Dodd's brother and sister. He also has three sisters and a brother on his father's side. Dodd was the first in his family to go to college.

After more than 15 years working with youth, he returned to college in January. He presently attends Lane College, a four-year school in east Jackson, the recipient of a LEAP grant program geared for students with daytime jobs. They attend classes from 4 to 7 p.m. and 7 to 10 p.m. He plans to graduate with a major that furthers his career of working with youth and to get certification to teach.

His first job was working at the Boys and Girls Club where he was a member as a boy. A turning point for the youngster came when he won his first trophy. From that moment on he was a believer in the mission of the Boys and Girls Club program that is dedicated to helping disadvantaged kids. He's never ceased marveling at how so many children don't discover themselves or grow up until they get to into the program.

He began as a gym director, then became a youth director, and finally worked himself up to unit director. He also filled in as executive director for six months before returning to unit director. After working 15 years with the Boys and Girls Club, Dodd began working with youth in the JCM in-school suspension program.

Dodd, who is single, has a 15-year-old son, John Shay "Rashad" Dodd. Dodd and Tamatha Chapman, his son's mother, are best friends who, coincidentally, were born on the same day of the same year in the same hospital. They don't live together now, but every day they both see their son, who lives with his mother. They raise him together including going together to parent-teacher type functions and school programs.

Dodd was elected to the city council in 1999, re-elected in 2003 and again this year. He has been a member of the Jackson Beer Board since his first election and is a member of the Madison County Board of Health. After the 2007 election, the Jackson Sun called for more give-and-take communication in the mayor/council relationship than in the past. It said that three-term Councilman Johnny Dodd in District 2 had the potential to join a core of serious thinkers on the council likely to raise questions and prompt legitimate debate.

TT&C: Why did you go back to college nearly 20 years later?

JD: When I first went to college I was inspired by a goal to play basketball. I played for the passion of the sport. But my inspiration to go back to college is because now I'm a role model for kids, including my 16-year-old son. He is an A student at Southside High School, ranked 20-something out of 200-some kids. I tell him that he needs to go to college, finish this and do that.

I've always worked with kids and know that kids are looking at you. When you think they aren't looking at you, they're looking at you. So, I'm always telling kids, they need to go school. They can always come back on me and say, "Mr. Dodd, you're doing this, and you didn't go to college." So, I tell them, well, I'm going to better myself and finish my education or get a better



I tell [suspended students] life is a process that you go through, and when you get out into the world, life is bigger than any school.



It is exciting to see how TML works from the inside, how bills of municipal interest are analyzed, favored, or opposed by TML.



Photos by Gael B. Stahl
I think concerned citizens, and also councilmembers, lead best by example.

job, or whatever. Right now, I'm working at JCM. That is not a money thing. It is more about my giving back, because somebody helped me along the way.

TT&C: Who helped you along the way?

JD: I had several teachers who were inspirations such as Miss Sarah Barnes my third grade teacher and my basketball coach, John Lowe, when I worked at the Y program, and a guy named Mike Bledsoe. My basketball coach in high school was William P. Green, who came from the old school. He was an inspiration for getting us involved in learning people skills. He was big on keeping you on the right path of growing from a boy into a man. I look at my Mom too. She was an inspiration when I think of the things she did. We all go through things as a child. I don't want my son to struggle through some of the things I went through. I understand that we all make mistakes.

TT&C: What kinds of struggles?

JD: We moved from house to house so often. There was not the kind of stability I'd hope for. It was because of mother being a single parent. My dad was rarely in my life, not really a father to me. The man who is a father to me is a man Mom dated for years, James Williamson. He came in and stayed with Mom and is still in my life right now as someone I considered my dad since junior high. He was helpful to me during my teen years, someone who whenever I needed him was there for me as a father — an inspiration, a hardworking man. His influence is a big part of why I've tried to give back and pass that along to young people every day I go to work. From him I learned how to be very respectful to people. Being on top — you can always be on top — but, you know, the same people that you disrespect going up are the ones you have to face when you come back down. I've tried to be humble.

TT&C: Why did you change jobs?

JD: I'd worked for the Boys Club for 15 years when a new executive director was appointed. She thought she had a problem with me being on the city council. We had what I guess was a power struggle about that and she gave me an ultimatum to resign or be fired. She wouldn't give me a reason so I refused to resign. I said I would report back to work if she wouldn't give me a reason. I reported back to work on Monday. She called me in and fired me. I said, "OK."

It was major news in the city because I'd been at the Boys Club for 15 years and was a role model for our kids in the community. People liked me. That was about two years ago. After that, I did some little odds and ends. I worked several places to stay afloat and by the grace of God I now have more for less. I'm making less money at JCM but, in a way, I've got more. I think God opened an avenue for me and then showed me some direction. It made me more humble as a person and made me stronger as a person. When you have no option, but feel life is still valuable, you just overcome.

TT&C: How does your in-school suspensions program work?

JD: Instead of sending the kids home, instead of kicking them out of school for three or four days, we put them in in-school suspension where they are able to stay on the path of doing their work. It also gives me an opportunity to dialog with the kids.

Sometimes kids need someone to talk to.

They have to bring their school work with them and complete their assignments in the in-suspension program. They also get an opportunity to discuss things in a peer group environment or one on one.

I talk to them, try to make them think, to help them put themselves back where they left. I help them visualize what they did and consider what they could have done differently instead of saying it was the teacher's fault. I had one kid who continually came in talking about one teacher he couldn't stand. She was going to fail him, he said. I ask, "How is she going to fail you? I mean, you need her, she doesn't need you." I ask when is he going to take responsibility for failing. I tell them that life is bigger than school. School is one step you go through. I tell them life is a process that you go through, and when you get out into the world, life is bigger than any school.

TT&C: How many people do you have in the suspension program?

JD: It varies. On my first block, I have a lot of them coming in because if they are 20 minutes late they don't get to go to class. That's my biggest class, but at the end (of the day) it might be five or six or nine kids depending on what day it is. Every day is something. I'm the only adult in the program. It's my program.

Most schools have in-school suspension programs. When Virginia Crump, the principal, got moved over to JCM, she asked me to be part of her staff since she knew I am somebody who knows kids in the community. I am somebody that gives the kids a chance to do well.

TT&C: Why did you run for office just 12 years out of high school?

JD: By 1999, I was a very involved community leader and role model at the Boys and Girls Club and had been working with kids for years. I just wanted to take another step and try to also help the parents and the community as a whole by stepping up and representing the district where I worked.

I went on the Beer Board the first year I got elected to represent District 2 on the city council. Incumbent Councilwoman Carol Carter-Estes decided not to run, and I won against three other candidates. I won re-election against similar opposition in 2003 and was fortunate to win again this spring.

I think I do a great job addressing issues. The crime rate is down in our community. We have the first redevelopment of 150 units, including apartments and new houses, in my district. We have a brand new retail business strip mall in the community, a business called CTL Fitness, for the first time in four to six years. The community is a lot cleaner.

After a flood in our area, we used federal money to move people out of the flood zone because every time it would rain it would flood their houses. We used a federal grant to relocate them in a better situation. I think I've been of service, been fair, and tried to always support the community with regard to citywide issues.

TT&C: What part of town do you represent?

JD: The east Jackson area, listed as the lower income area in Jackson. Jackson State Community College and Lane College are in that district. Union and Lambuth colleges are on the north side.

I will also continue to work on crime issues in our district. As we lower crime rates, we attract more people to bring business to our neighborhoods. I can't get them to bring their money into our community if they fear they'll get robbed. There was a time when you didn't want to come into east Jackson because of the crime rate. Now the crime rate is down and our area looks much better than it looked eight years ago. The police department and others are working with community people, so we hope other people will invest in our community and bring in a business that is proper for our community.

TT&C: What about the Tennessee Municipal League? You're a rather new member of the board.

JD: My first meetings have been exciting. I'm glad to get the opportunity to serve on this board. It is exciting to see how TML works from the inside, how bills of municipal interest are analyzed, favored, or opposed by TML, and to see how things actually work up on Capitol Hill. My sense is that TML has a powerful board that is going to lead communities and be a spokesperson for all the city councils and mayors in all cities.

TT&C: Did you attend TML committee meetings before being named to the board?

JD: I was in Reno, Nev., recently where I attended every meeting I could attend at the National League of Cities annual conference. I learned that league meetings and networks work well. I learned what is tried and found to work in other cities in the country and what I can take back home to incorporate in Tennessee cities. I attend TML meetings every chance I get and any other meetings that involve city government. I try to be part of it, have a voice and see what is going on out there that I can take back home to my own city. I try to stay updated on issues at the local and state level.

TT&C: Charlie Farmer will retire as mayor soon. You graduated from high school about the time he took office in 1985. Have you worked well together?

JD: I think the mayor and council have been working well together. When Charlie Farmer first ran for office, I worked in that first campaign putting up signs. When he drove to a meeting somewhere, I went with him. I was between jobs and it gave me an opportunity get paid a little money. I was still in high school. His wife, Ondra Farmer, was my chorus teacher. She was also my junior high teacher. Funny how things work. I was working in his campaign and here I am sitting next to him in city council.

Another inspiration in my life was Miss Shirleene Mercer. She was a field representative with Congressman John Tanner. She was the one who talked to Mayor Farmer about me working with him. She was like my second mother. She's been an inspiration, active in the community, outspoken. Few things go on in Jackson without going through her.

She was on the Boys and Girls Clubs Board when we led a march every Friday for 13 years against crime, drugs and violence in our community. The group included Sherleene Mercer and at times others like Benjamin Hooks — people from all walks of life, black, white, doctors, and other community leaders. I did that before I ran for council while working for the Boys Club. Every Friday, I would go out with at least 15 or 20 kids and lead the Crime March in some part of the city. I think concerned citizens, and also councilmembers, lead best by example.



Photo by Gael Stahl

Jackson Councilman Johnny Dodd and Mayor Charles Farmer conversing in lobby of Doubletree Hotel during the TML Legislative Conference March 7.