

TML Fall Board meeting



Photo by Victoria South

Tommy Pedigo, Sparta mayor and TML district director, confers with Tom Beehan, Oak Ridge mayor and TML president, at the Tennessee Municipal League's Fall Board meeting. The Office of Opens Records Counsel, unfunded mandates, and legislative issues to be addressed during the 106th General Assembly were among the agenda items discussed. See Page 6 for more meeting photos.

TACIR completes study on PC 1101 growth law

Ten years after passage of Public Chapter 1101, the state's comprehensive growth policy, decision makers with the Tennessee Advisory Commission on Intergovernmental Relations (TACIR) say it is time to let local government officials decide their own futures on the issue.

The full commission in mid September voted to adopt the findings of a special working group charged during the past year with determining whether the intent and goals of the legislature have been fulfilled with the passage of PC1101. Additionally, the work group was asked to identify those parts of the act that need strengthening, clarifying or otherwise amending based on the experiences of its members.

The 21-page report draws a number of conclusions about the growth policy and makes recommendations for improvements and possible legislative amendments to the act. Because of the working group's makeup, the recommendations lean strongly toward additional planning requirements at the county and city level.

At the top of the list of conclusions was a note about the significant decline in the number of annexation bills introduced in the General Assembly since the act's passage. The act is generally considered to have been most successful at defusing annexation and incorporation battles between cities and counties and amongst individual cities.

Because of TACIR's role in the implementation of PC1101 when it

passed in 1998 as a result of the "Tiny Towns" issue the previous two years, the commission has been at the forefront of PC1101 decisions and has been the go-to for study on the issues, including a number of bills assigned to TACIR by the legislature during the past few years.

The approval of the report is a signal that TACIR members agree that the agency's studying of the act is complete. It also opens the door for potential amendments to PC1101, unless the legislature asks for TACIR's services again.

During the first five to six years after passage of the act, most emphasis among all governments was to comply with the requirements to have an approved growth plan and create the required Joint Economic & Community Development Board (JECDB). The consensus was that the new law should be given time to work, so amendments to the comprehensive growth act were deferred.

David Connor, executive director of the Tennessee County Commissioners Association, and Chad Jenkins, deputy director of the Tennessee Municipal League, addressed the commission as did Rick Emmett with the city of Knoxville.

Following the presentations to the committee, Mayor Tommy Bragg of Murfreesboro made a motion to accept the report of the working group and draw the decade long involvement of TACIR with the growth law to a close. The commission approved the motion.

See **TACIR** on Page 7

Federal preemption looming on cell towers

The Federal Communications Commission (FCC) is fast-tracking a proposal that, if adopted, will effectively preempt local zoning of cellular towers.

Among other things, the proposed declaratory ruling (WT Docket 08-165) requested by the cellular telephone industry would implement a 45 and 75 day "shot clock" for municipalities to act on local zoning applications concerning the siting of cellular towers.

Municipalities would have 45 days to approve applications to collocate antennas on existing towers and structures and 75 days to approve new cellular towers and antennas. If municipalities fail to act on the application within the prescribed time periods, then approval of applications would automatically be granted.

The National League of Cities (NLC), U.S. Conference of Mayors (USCM), the National Association

of Counties (NACo), and the National Association of Telecommunications Officers and Advisors (NATOA) have filed joint comments in opposition to the petition submitted from CTIA, The Wireless Association.

In their statements, the organizations stressed that the FCC's proposed action directly violates the Telecommunications Act Congress passed in 1996 which preserves local zoning of cell towers and directed the FCC to dismiss proceedings that would have restricted local zoning of cell towers.

The proposed rule is contrary to Congress' findings in the 1996 act that said that the time for municipalities to act on cellular zoning requests are the "generally applicable time frames for zoning decisions," taking into account the "nature and scope of each request," and without giving "preferential treatment" to the cellular industry.

The proposal ignores local zoning procedures, such as the need to notify area residents, scheduling and notice requirements for municipal meetings, the fact that zoning bodies don't meet daily or weekly, and people's ability to appeal decisions from, for example, a zoning commission to a board of zoning appeals or to a city council. In fact, the FCC's deadlines provide incentives for cell companies to delay and appeal zoning matters within a municipality so as to ensure that a deadline is not met.

The proposal also ignores the wide variation in 35,000 municipalities nationwide, and the fact that each cell tower zoning application is unique. Complex or contentious applications may take more than 75 days to resolve. This is particularly the case for cell towers in residential areas where it takes time to conduct the engineering studies necessary to

See **FCC** on Page 4

Festivals: celebrating the heritage of Tennessee's towns and cities

BY VICTORIA SOUTH
TML Communications Coordinator

From mules to strawberries, Tennessee loves to celebrate and as small town festivals increase in popularity across the U.S., they have become larger and more elaborate each season to meet the growing entertainment needs of the 21st century.

No longer billed as backyard bazaars, attendance may morph rather quickly with cities of all sizes hosting anywhere from 8,000 to 650,000 attendees each year requiring strong emphasis on management, operations, funding, marketing, and trends in the hospitality industry.

Certainly items such as location, permits, sponsors and insurance are top considerations when planning a festival followed by programming, production requirements, vending, and manpower (volunteers) to help run the whole thing. Yet, seasoned

See **FESTIVALS** on Page 3



Photo by Tom Raymond, Fresh Air Photographics

Small town festivals are increasing in size and popularity throughout the nation and becoming more industrialized in response to growth. Doc McConnell performs at the Jonesborough Storytelling Festival.

Sparta web site wins top awards

"Bluegrass USA" is finding its way onto the map, physically and online. The bluegrass-themed Web site that was designed and developed for the city of Sparta has earned three new international awards for design and creativity. More importantly, say city officials, it is drawing visitors and interest to the town.

The site, located at www.spartatn.com, was designed and developed for Sparta by WStone & Associates of Cookeville.

The three awards includes:

- **Best in Category** in the 7th Annual Horizon Interactive Awards competition. The site was chosen as the top government site over entries from larger cities and the National Aeronautics and Space Administration.

- **Silver Award** in the creative segment of the Summit International Awards competition. The site was ranked among the best in a group of thousands of submissions from 25 countries. Awards were distributed based on the findings of an international panel of judges.
- **Communicators Award of Distinction** for projects that exceed industry standards in quality and

achievement.

Sparta Mayor Tommy Pedigo said the awards are just another example of Sparta being recognized as a great place to visit. "We already knew the town was a wonderful place to visit," he said. "Now, folks are recognizing that our web site is a wonderful place to stop by, too. The

city of Sparta has earned three international awards for the design and creativity of the city's web site. Check out what everyone is raving about at www.spartatn.com.



The city of Sparta has earned three international awards for the design and creativity of the city's web site. Check out what everyone is raving about at www.spartatn.com.

site has been a tremendous tool in terms of tourism and creating awareness of the city. It's full of information for residents, visitors and potential newcomers, and the creative design makes it attractive and easy to use."

The site's design is based on the

See **SPARTA** on Page 4

Commuter bus service eases pain at the pumps

BY VICTORIA SOUTH
Communications Coordinator

Morning commuters in Sumner County now have a less costly and more relaxing alternative to get to downtown Nashville, the RTA Relax & Ride bus service, a joint venture between the Regional Transportation Authority and the cities of Hendersonville and Gallatin.

The buses, deluxe Grayline models, designed to hold 56 passengers, come fully equipped with restrooms and televisions and make two stops in downtown Nashville and three stops on 21st Ave. Gallatin passengers board at the

Wal-Mart Monday through Friday at 5:45 a.m. or 6:30 a.m. and buses make two stops to pick up commuters at the Kohl's Department Store off New Shackle Island Road in Hendersonville at 6:05 and 6:50 a.m.

The service is not available on weekends or holidays.

"People are looking for ways to cut fuel expenses and this option provides more flexibility helping citizens at a time when gas is \$3.85 or more a gallon," said Gallatin Mayor JoAnn Graves.

"Commuters can get their coffee and newspaper, relax and ride," Graves said.

The fare is \$3.50 each way,

\$1.75 for seniors 65 and over with children four and under free. Passengers also have the option of paying \$60 for a 20-ride pass.

The state of Tennessee and Vanderbilt University offer their employees free bus transportation, Graves notes, where employees simply swipe an ID card at the bus fare box.

"The partnership works two-fold," said Graves. "It provides a community mass transit plan and takes cars off the road helping cities come into (air quality) attainment."

According to Graves, the city of Gallatin is currently in a non-attain-

See **BUS** on Page 4

Capitol Steps booked for Annual Conference



Over 25 years ago, the Capitol Steps began as a group of U.S. Senate staffers who set out to satirize the very people and places that employed them. Since then, the Capitol Steps have recorded 28 albums, have been featured on NBC, CBS, ABC, and PBS, and is a returning favorite at National League of Cities conferences. The Tennessee Municipal League is bringing the ensemble to the 2009 Annual Conference in Chattanooga. So mark your calendar for June 13-16, 2009, and plan to attend this not to be missed event.

NEWS ACROSS TENNESSEE



BY TML STAFF REPORTS

CARTHAGE/SMITH COUNTY

Tennessee Department of Transportation Commissioner Gerald Nicely joined family members of TDOT workers killed in the line of duty at the Smith County Welcome Center Sept. 24 to dedicate the new Highway Worker Memorial. The new black granite memorial honors the 106 highway workers killed in the line of duty since 1948. Following the unveiling of the memorial, the names of each of the workers were read and family members had an opportunity to lay a rose at the foot of the stone.

CHATTANOOGA

A wide spectrum of businesses, nonprofits and public entities convened in downtown Chattanooga to showcase smart energy options for consumers. The East Tennessee Smart Energy Odyssey, a joint effort of the East Tennessee Clean Fuels Coalition (ETCFC) and the Chattanooga Green Committee, appointed by Mayor Ron Littlefield, aims to reach out to the public about energy education recommending ways for the city to reduce its carbon footprint and become more sustainable. Approximately 30 different organizations provided accessible hands-on displays to encourage citizens to immerse themselves in cleaner energy technologies.

CHATTANOOGA

The Tennessee Regulatory Authority has approved a 4.37 percent rate hike for Tennessee-American Water Co., which supplies Chattanooga. The company had sought a 21.7 percent increase.

CLEVELAND

In advance of expected development from the future Volkswagen plant in Chattanooga, Mayor Tom Rowland asked the Cleveland City Council to consider annexing land around Interstate 75's exit 20 interchange. Rowland also said a long-sought interchange on U.S. Highway 64 Bypass near exit 20 has been put on a planning fast track by the Tennessee Department of Transportation.

CLEVELAND/BRADLEY COUNTY

Walker Valley High School math teacher Luajuan Bryan was named Tennessee Teacher of the Year at an annual ceremony. Bryan will automatically move on to represent the state in a national competition.

CLINTON

East Tennessee auto parts maker Aisin Automotive Casting is settling in at 500,000 square feet, thanks to a 240,000-square-foot expansion of their existing building. Along with the double expansion, the company will be growing its 450-person workforce by roughly 150 employees as the facility becomes fully operational. The engine plant will produce the new 4C engine for the Toyota Camry.

FRANKLIN

Lowell McAdam, president and chief executive officer of Verizon Wireless, and Jerry Fountain, Verizon Wireless Carolinas/Tennessee region president, joined with dignitaries and guests to celebrate the official grand opening of the company's \$54 million regional headquarters facility in Franklin. The state-of-the-art green facility currently has 85 new employees in training and will hire an additional 500-600 employees over the next three to five years, according to Fountain. Nearly 700 Nashville-area Verizon Wireless employees re-

located to the 191,142 square foot regional headquarters facility, which is building to a capacity of more than 1,300 when it is fully operational.

FRANKLIN

Franklin teacher, Jonathan Eckert, a seventh-grade science teacher at Poplar Grove Middle School, was awarded one of only 25 Teaching Ambassador Fellowships with the U.S. Department of Education. Eckert was featured on the U.S. Department of Education's monthly TV show, "Education News Parents Can Use."

GREENVILLE/GREEN COUNTY

An aeronautics grant of \$3.42 million has been approved for the Greenville-Greene County Municipal Airport. The grant is the state's portion of the first phase of the runway realignment project to correct major safety concerns at the Greenville-Greene County Municipal Airport. According to the Airport Authority chairman, the total grant amount is \$3.6 million, which is 90 percent of the \$4 million project cost. \$3.6 million already has been allocated from the state to pay for property appraisals and other items related to the project. The grant requires a 10 percent match, or \$400,000 in local funds, and local officials are continuing to consider options for providing these funds. Greenville officials are proposing that the Airport Authority use its own reserve funds to secure a bond for the first phase of the project.

KNOXVILLE

There is a plan in place to save the University of Tennessee's Department of Audiology and Speech Pathology. A Board of Trustees committee proposed keeping the department and its clinics in Knoxville but transferring the administration side to the UT Health Science Center, based in Memphis. The graduate program will remain unchanged, but students will no longer be able to enroll to earn a bachelor's degree.

KNOXVILLE

A study released earlier this month by the Milken Institute listed Knoxville as 60th among the best-performing large cities, up from 79th a year ago. The survey ranks cities based on nine factors, including growth in jobs and wages and the concentration and output of high-tech businesses in a community. An author of the study said much of Knoxville's performance stems from population growth that has occurred in the last five years - leading to growth in service industries such as health care and education - and the housing downturn has been less severe in East Tennessee than in some parts of the country.

MEMPHIS

ServiceMaster Co. is expected to lay off as many as 200 information technology employees in Memphis this year in a move that could wipe out its entire IT department, according to industry sources. The sources added that the company will likely use contract labor IT staff instead of in-house employees.

MURFREESBORO

Seventh and eighth grade students at Kittrell Elementary School in Rutherford County received their very own laptop computers bought and donated by Ira and Sara Brody of Murfreesboro. The students will be able to keep the computers through twelfth grade and beyond. The Brody's have also set up a non-profit group called Rutherford Leap and hope to get donations to fund com-

puters for all 3,000 seventh graders in the county every year.

NASHVILLE

The 10-county area around Nashville has created far fewer jobs in the past year than it did in 2006-2007, and economists expect net gains in employment to slow even more before the economy brightens. The region, including Davidson and Williamson counties, had a net increase of 5,241 jobs for the 12 months ending June 30. That's less than one-third of the jobs gained in the previous 12-month period when the national and local economies were much brighter. It's also well below the Nashville Area Chamber of Commerce' annual goal of adding 11,500 net new jobs to the region.

OAK RIDGE

Due for completion by mid-2009, a speculative industrial building program for Oak Ridge has been revived. The building will be marketed to auto parts suppliers, especially those linked to the new Volkswagen factory in Chattanooga. Construction of the \$1.4 million shell of the industrial spec building should begin this fall. The 50,000-square-foot structure - which can be doubled in size - will be next to the old K-25 site, a former uranium enrichment facility that's being cleaned up and sold to private sector firms.

ROGERSVILLE

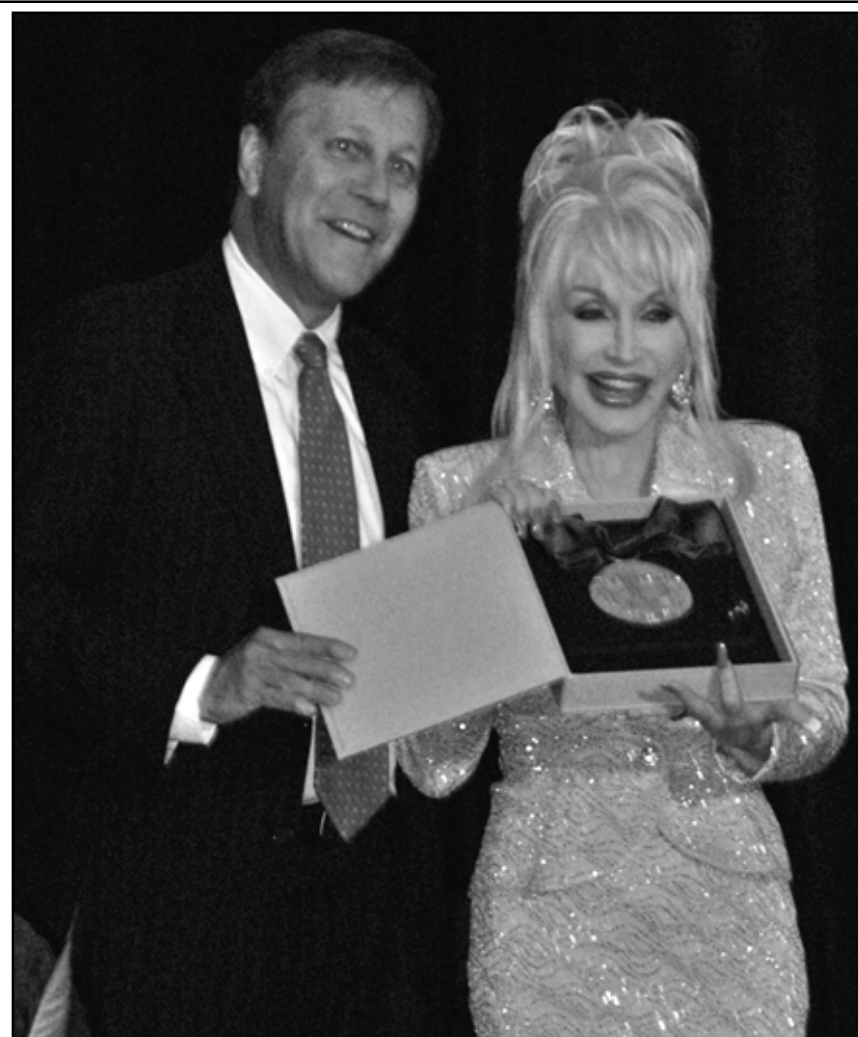
Plagued with setback after setback since the project was launched in 2003, the Hale Springs Inn renovation is back on track with an estimated completion time of April thanks in part to a new \$168,000 state grant. Gov. Phil Bredesen visited Rogersville with state Sen. Mike Williams, for a formal check presentation ceremony in front of the 184-year-old inn. This new funding is the second Tennessee Department of Transportation enhancement grant awarded for the project, the first of which was approximately \$800,000 awarded in 2004.

SHELBYVILLE

Representatives from the Tennessee Department of Transportation (TDOT) joined state and local leaders in Shelbyville September 30 to celebrate the completion of a new railroad overpass located along the future Shelbyville Bypass corridor. Construction on the Walking Horse and Eastern Railroad Project began in September 2007 and was completed in May 2008, two months ahead of schedule. The project's final cost was \$17,000 dollars less than the construction bid. The overpass will create a safer environment for motorists by eliminating an at-grade railroad crossing once the bypass is constructed.

SIGNAL MOUNTAIN

Water rates are expected to go up 12.77 percent next year for Signal Mountain and Walden's Ridge when the two communities' current contracts with Tennessee-American Water Co. expire, officials say. The increase was part of the ruling handed down by the Tennessee Regulatory Authority when the agency decided on Tennessee-American's latest rate increase request. Tennessee-American has three-year contracts to supply water in bulk amounts to Signal Mountain and Walden's Ridge Utility District. The reason given for this differential is that the areas have not been subject to past rate increases in 2004 and 2006 and because of the terms of the contracts. The eight-page authority ruling also provides that \$75,000 of the additional revenues from Signal Mountain and Walden's Ridge go toward offsetting Tennessee-American's charges to commercial users. Signal Mountain's water department has about 3,000 customers.



Dolly Parton, received the National Medal of Arts Award during the National Assembly of State Arts Agencies (NASAA) meeting in Chattanooga. Presenting the award was Dana Gioia, chairman of the National Endowment for the Arts.



TDOT Commissioner Gerald Nicely and Chief Engineer Paul Degges join the family members of workers memorialized on the stone to unveil the new TDOT Highway Worker Memorial.

SODDY-DAISY

A proposed toll bridge project connecting Soddy-Daisy and Harrison across the Tennessee River is one of several toll projects still under consideration, according to Tennessee Department of Transportation Commissioner Gerald Nicely. The Tennessee Tollway Act, which the General Assembly passed last year, allows TDOT to bring one bridge project and one road project that would use tolling as their main funding source to the General Assembly for approval. For the project to move

forward, it must have strong public approval.

WAYNESBORO

The city opened its first municipal golf course after purchasing and renovating the old Green River Country Club in August 2007. The city bought the nine-hole course, driving range, practice green and clubhouse situated on approximately 100 acres east of Tennessee in southern Waynesboro.

NATIONAL BRIEFS



BY TML STAFF REPORTS

A bill approved by the U.S. House would add about 1,500 miles of "previously undocumented" routes to the Trail of Tears National Historic Trail followed by the Cherokee when they were taken from their ancestral homelands in the East and marched to reservations on the Great Plains. Rep. Zach Wamp, who introduced the bill, said the additional 1,500 miles results from research of military journals, newspaper accounts and vouchers. One path that would be added stretches from Fort Payne, in northeastern Alabama, through Tennessee, Kentucky, Missouri, Arkansas and Oklahoma and another starts at Charleston, Tenn. through Arkansas.

U.S. Sen. Lamar Alexander has signed on to a bill that seeks to create a civil rights history project using the resources of the

Library of Congress and the Smithsonian Institution. The Civil Rights History Project Act of 2008, would make available for public consumption a collection of oral histories gathered from major figures involved in the civil rights movement. Gathering video and audio recordings for the project would be the Library of Congress' American Folklife Center and the Smithsonian's National Museum of African American History and Culture.

The University of Tennessee College Of Medicine's campus in Chattanooga has received a \$2.4 million federal grant to participate in a sweeping national study that will follow 100,000 children from conception through age 21. The study, called the National Children's Study, will look at children from 105 locations across the United States, observing the effects of environmental influences on the children's health and development.

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Festivals: Celebrating the heritage of Tennessee's cities

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festival organizers also say they are in a constant state of flux, employing ideas and management skills that come through research and experience.

"Everyone likes a party and festivals are the ultimate calling card, but, it's no longer about putting on a little neighborhood party; many people don't understand that across every front, festivals are an industry," said Steven Wood Schmader, International Festivals and Events (IFEA) president/CEO.

"As crowds grow and needs grow; organizers have to think about the important things. We started writing down what we knew and now there are more than 300 educational event management courses available."

This year, organizers for the 2008 Foothills Fall Festival weren't surprised when \$35 general admission tickets sold out in just four weeks in response to big name musical acts including Billy Ray Cyrus, Kenny Rogers and Foreigner, a huge children's adventure area, and rows of food and craft vendors.

"People are looking at unique

ees and patrons."

In Chattanooga, "slow and steady" is the mantra of Chip Barker, Riverbend Festival executive director. "You need a strong, strategic plan and grow it," Barker said. "The rule of thumb is taking five years to survive and grow. Don't try to become too big, too fast."

In 1981, Riverbend, now among the top 10 percent of festivals in the country, was conceived at a time when downtown development in Chattanooga was at an all time low.

"Downtown was blighted, Barker explains. "We needed to bring the diverse elements of the community together, which was done through the common language of music with the magic of the river at the center of it all."

In 28 years, "Five Nights in Chattanooga," as it was originally called, has grown to nine nights, six stages and more than 100 performing artists with a professional management staff, a 20-member board, and 1,400 volunteers. Financially struggling at one point, Riverbend organizers changed a number of things, according to Barker, tighten-

decision-making tools.

"The internet helps tourists and locals alike know what to expect from an event," said Susan Jones of Nellen/Jones Public Relations, "If they like what they hear online, they e-mail their friends with the link and so it begins."

"One of the biggest challenges has been the growth of our festival," said Teena Hewgley, vice president of South Pittsburg's National Corn Bread Festival.

Developed by a group of citizens hoping to divert commuters off a new by-pass and into the financially struggling little community," the event has literally changed the face of the city, with closed buildings reoccupied with thriving businesses, and new community projects all over South Pittsburg.

People come from everywhere to see the sights, hear the music, feel the history, and of course, taste the cornbread, according to Hewgley. A project that began "with no money," now has enough to fund itself each year and give the rest away to local charities.

"We have land-



The Jackson Bluegrass Festival revives the sights and sounds of when famous local artists Sonny Boy, Maebelle Carter, and Carl Perkins began their careers.



Attended by more than 100,000 visitors, the Humboldt Strawberry Festival represents 75 years of tradition in West Tennessee celebrating the expanding agricultural industry in the region.



Photo by Victoria South

According to the International Festivals & Events Association (IFEA), festivals have become instrumental in promoting diversity within communities. The annual Celebration of Cultures in Nashville is a virtual showcase of entertainment and foods from across the globe.

hometown events as a way to spend their long weekends," said Maryville Municipal Events Coordinator, Jane Groff. "What have we learned? Too many things to name, but the main thing is: if you build it, they will come."

Donning their thinking caps, the group used the event's sold out status for leverage, reeling in a number of additional volunteers this year with the promise of admission. Recruiting the amount of volunteers needed each year has been a challenge, according to Groff, along with "raising the bar" every year in terms of festival offerings and funding the increasing cost of entertainment and activities.

"It has been a city wide effort and teamwork is crucial to the success of the event," Groff said. "Festivals should evoke a feeling of pride in the community, an opportunity to experience world class entertainment in your own back yard. A sense of ownership is important, from sponsors and volunteers, to employ-

ing the budget, and increasing sponsorship with a mixture of local and national entities.

According to the IFEA, many festivals are forming global partnerships when searching for sponsors, as Schmader notes, "We're in tough economic times. Festivals can't always survive with just the home town heroes anymore."

Riverbend organizers also beefed up their marketing efforts, working with the local media to expand its outreach through radio, T.V., and print.

Marketing strategies have also become important to the city of Paris, a place more widely known for its annual fish fry. Taking a cue from chambers of commerce and other organizations that offer information via the internet, organizers employed "word of net" marketing to get the word out about the new "Eye Full of Paris Festival - A Celebration of the Arts," noting a growing trend among festival goers who use online audio and video clips as



The National Cornbread Festival was created to promote the sights, sounds, tastes, people and history of South Pittsburg. South Pittsburg High School Coach Vic Grider whips up some championship cornbread at the festival's annual Celebrity Row.

scaped a walking track, helped build a girl's softball field, given monies to help restore the local theatre, helped with our city landscape and given money to various nonprofits to help children, and the list goes on," said Hewgley. "The hardest thing to do is decide which project to give to each year."

Another hard part is for cities to experience the loss of a year of planning and effort, which can be diminished with one rainy weekend and "hoping that the University of Tennessee doesn't have a home game or play a highly ranked game the day of the festival," adds Linda Kauffman, Jackson recreation coordinator and director of the South Jackson Community Center.

Jackson's Bluegrass Festival is dedicated to promoting local artists and the city's Golden Circle Opry held each year at the South Jackson Community Center November.-April.

"You have to be flexible," said Kauffman. "You have to know your audience, know when an event or activity is more trouble than what it's worth, have good marketing skills, and do not let one vendor give food away when others are selling," she said. "Have a good variety of entertainment, food and other activities and learn which vendors you can count on."

The city chose Malesus Civic Park to hold the Bluegrass Festival because the South Jackson Community Center is located in the park, according to Kauffman,

"If there is inclement weather, the music portion of the festival can



The "Eye Full" of Paris-A Celebration of the Arts festival initiates new trends in festival marketing via the Internet where potential attendees may preview audio and video clips of featured performers.

About the IFEA

Headquartered in Boise, Idaho, the International Festivals & Events Association's (IFEA), primary focus is identifying and providing access to the professional resources and networks that will inspire and enable those in the festival industry to realize their dreams, build community and sustain success through celebration.

The IFEA staff is ready to help provide answers, guidance, information, resources, contacts, programming, benefits, and support that cities need to hold successful festivals. Educational programs include:

- **Annual Expo** - The largest trade show in the industry geared specifically to festival and event decision-makers, featuring creative ideas, products and services.

- **Webinar Series** - Offering informative and educational sessions, hosted by industry leaders and special guests, covering a wide variety of topics important to your organization's success.
- **Bookstore & Resource Center** - Information on all event planning needs
- **"ie" magazine** - Featuring the latest issues and trends, event and professional profiles, regional and international perspectives, resource reviews, and more.

- **Venue and Safety Security** - Covering all aspects of life safety and asset protection

For more information about the IFEA's educational resources and webinar series, visit www.IFEA.com



Originally called "Five Nights in Chattanooga," Riverbend, is now among the top 10 percent of festivals in the country. Capacity crowds have reached in excess of 650,000 or some 80,000 attendees an evening.

Sparta web site wins awards

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city's role as a cradle for early bluegrass artists. It includes a comprehensive list of events, key tourist attractions, historical events, modern objectives, and sections about relocation and economic development.

The Horizon Interactive Awards competition received entries from dozens of countries and was PHOTO judged by a panel of media and public relations professionals. Competition organizers have a stated goal of creating a "level playing field to all participants regardless of company size." Other Horizon Interactive Awards Best in Category winners include sites built for Mercedes-Benz, the Lollapalooza music festival and Reebok.

"The 2008 competition was the most competitive to date. The work

in this year's competition is at such a high level that the judges really had their work cut out for them," said Mike Sauce, founder of the Horizon Interactive Awards. "All of the winning entries displayed a high level of sophistication, aesthetic creativity, technical excellence and clear purpose."

The Summit Creative Award was created to recognize and celebrate the creative accomplishments of small and medium sized advertising agencies and other creative companies throughout the world.

The Communicator Awards program has honored the best creative work in the communications fields for 14 years. By winning the Award of Distinction, Sparta's web site demonstrates that its design and development is among the best in the industry.

Local zoning of cell towers at risk

FCC from Page 1

see whether there truly is a "gap" in service that needs to be filled, how tall a tower must be to fill the gap, what alternative solutions are available, and (if a tower in fact is needed) whether it needs to be camouflaged in a sign or as a tree to preserve the character of the neighborhood.

"Zoning is - - and always has been - - a matter of uniquely local concern," the joint comments state. "The FCC cannot be the local zoning board for cell towers nationwide. Congress recognized this when in 1996 you preserved local zoning of cell towers and told the FCC to get out of the cell tower zoning business. The FCC proposal ignores this Congressional direction."

NLC, USCM, NATO, and NACo, are among a host of government entities that are urging members on the House or Senate Commerce Committees to cut off funding for the FCC proceeding, and to tell the FCC not to adopt these proposals. Tennessee U.S. Reps. Bart Gordon and Marsha Blackburn are

members of the House Commerce committee, which are charged with oversight responsibilities of the FCC.

In their closing remarks, the joint agencies stated, "The commission does not have the authority to issue the declaratory ruling requested by CTIA because it would be contrary to Congress's intentions. Further, the current process for addressing land use applications ensures that the rights of citizens in our community to govern themselves and ensure the appropriate development of the community are properly balanced with the interests of all applicants. The system works well and there is no evidence to suggest that the Commission should grant a special waiver of state and local law to the wireless industry. Any perceived difficulties experienced by wireless providers can and are adequately addressed through the electoral process in each individual community and the courts. Federal agency intrusion is neither warranted nor authorized."

Associate Profile: Click2Enter

Click2Enter, Inc. of Sonoma, California was incorporated in 1999 to manufacture and market the proprietary Click2Enter-I (C2E-I) emergency gate access control system. The C2E-I system allows an authorized individual to control any electronically operated mechanism such as gates, doors, roll-up doors, foyer entry doors, etc., with their existing unmodified two-way radio communications device.

The Click2Enter, Inc. product allows any two-way (transceiver) radio system to act as a key, which replaces various control devices such as keys, electronic controls such as garage-door openers, codes, access cards, strobe lights, sirens, etc. The C2E-I addresses the shortcomings of other systems currently on the market, increasing officer safety, reducing response time, providing mutual-aid compatibility, protecting valuable gates, and increasing property-owner value. The C2E-I provides all of these important features and costs the public safety agency nothing, because they already possess the control device—Their Radio Transceiver.

Click2Enter, Inc. has a Distribution/Installer network around the United States and Canada. Our network is comprised of: Distributors of gates and gate control products; Installers operating in the access control, gate and fence business; security dealers working with building entry and alarm systems; and commercial door contractors operating in the rolling steel overhead door market. Our objective is to make the Click2Enter system available to installers and other users through a network of value-adding distributors.

Click2Enter, Inc. holds two U.S. Patents, one Canadian patent, and six European patents to protect this innovative technology. Also, Click2Enter, Inc. has been granted a registered trademark ® to establish a strong product identity in the marketplace.

Click2Enter, Inc. maintains an active roll in the area of overall gate safety. While the Click2Enter system is directly engaged with the control of gates and doors, as a



company we are actively engaged in promoting other aspects of gate safety management. Click2Enter, Inc. has maintained an aggressive roll in advocating the use of other safety features into electromechanical gate operations. Most important is our advocacy of the use of battery backup systems to ensure that gates will "FAIL in the OPEN" when a

power failure occurs.

Click2Enter, Inc. has an innovative product that solves a myriad of problems in the emergency access control field. We see our activity in the state of Tennessee as critical to our success, and we are very pleased to support the Tennessee City Management Association as a Corporate Business Member.



The city of Athens closes a \$2.6 million loan with the Tennessee Municipal Bond Fund. Pictured are: Joe Muscatello, TMBF representative; Mitchell Moore, city manager; John Proffit, mayor, and Doug Rodgers, Athens Utility Board finance director.

Program makes bus service more available

BUS from Page 1

ment status of federal air quality standards.

The cities of Gallatin and Hendersonville are under no obligation to continue the one-year pilot program, but may choose to do so at the end of the year.

The RTA bus project proceeds a new initiative to be administered by The Tennessee Department of Transportation's (TDOT) Multimodal Transportation Resources Division called the Intercity Bus Demonstration Program, designed to increase mobility throughout the state.

"Our goal is to have an intercity bus service that offers set schedules and standard pick up-drop off loca-

tions across the state by January 2009," said TDOT Commissioner Gerald Nicely.

"This will mean better access in more places, particularly for rural areas of the state."

The program utilizes federal 5311 (f) grant funds to build on current services offered in Tennessee by Greyhound and other rural transit operations.

In 2006, TDOT conducted a study of intercity bus service throughout the state discovering that the majority of rural transit operators in Tennessee did not offer scheduled, regular route services and that most agencies operated on a "demand response" basis.

Federal 5311 (f) grant funds

became available for eligible projects October 1 and will be available for 2009 and beyond. According to TDOT, an average of \$1.3 million will be available each year for Tennessee.

These grant funds may be used to purchase buses, vans, radios, wheelchair lifts, computers, and other equipment necessary to maintain and transport human-service agency clients and general public passengers in non-urbanized areas. Funds may also be used to build intercity bus shelters, joint-use stops, intermodal facilities and bus depots, as well as performing preventative maintenance.

Interested parties such as RPOs, MPOs, existing private and publically-owned bus operators, firms, companies, agencies and individuals should submit an application describing a program that will provide beneficial Intercity Bus transportation service throughout the state. The grant application can be found on the TDOT Multimodal Transportation Resources Division website.

TML requests E-mail addresses

The quickest way to keep city officials apprised of legislative happenings is through e-mail or fax.

Please send any changes in your contact information to Mona Lawrence, by fax at 615-255-4752, by e-mail to mlawrence@TML1.org, or call 615-255-6416.

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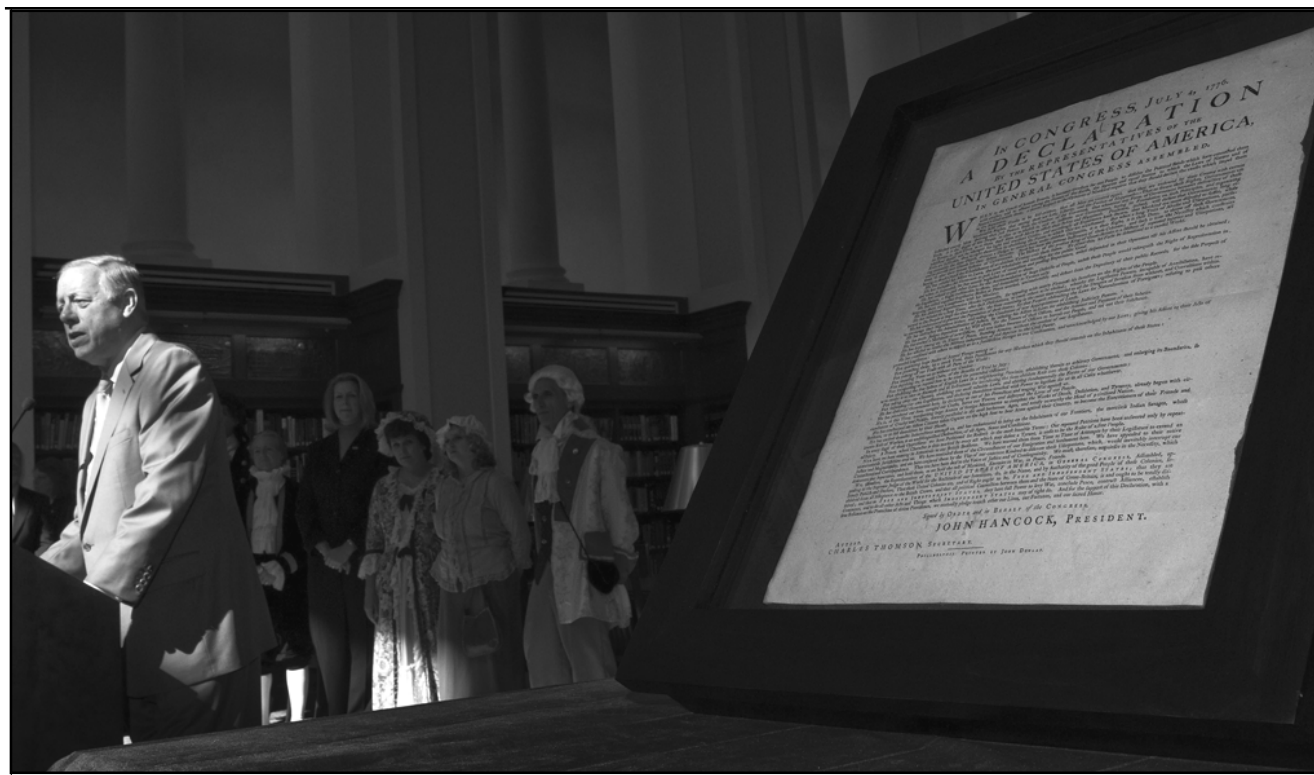


Photo courtesy of the TN State Photography Service

Gov. Bredesen speaks to the public following the recent unveiling of a rare original copy of the Declaration of Independence displayed at the Nashville Public Library. The document is one of only 25 remaining copies created on the evening of July 4, 1776.

STATE BRIEFS



BY TML STAFF REPORTS

Gov. Bredesen has requested a federal designation of agricultural disaster for 39 counties in Tennessee to help farmers who have suffered crop and livestock losses as a result of persistent drought conditions. A designation from USDA would allow qualifying farmers to receive federal farm disaster assistance that could help them manage losses and plan for next year. The counties include: Anderson, Benton, Bledsoe, Blount, Bradley, Carroll, Cannon, Claiborne, Coffee, Fentress, Franklin, Grainger, Greene, Grundy, Hamblen, Hamilton, Hancock, Hawkins, Henry, Jefferson, Knox, Lake, Lauderdale, McMinn, Meigs, Monroe, Morgan, Overton, Pickett, Polk, Rhea, Scott, Smith, Union, Unicoi, Warren, Washington, Weakley and Wilson. Farmers in these counties have reported crop losses, as much as 35 to 70 percent, due to below normal rainfall, low water levels and a cumulative rainfall deficit that has carried over from last year. Once a county is approved, eligible farmers can apply for a variety of federal farm disaster programs including supplemental farm revenue payments, livestock assistance and low-interest emergency loans through their local USDA Farm Service Agency office.

Economics are weighing heavy on the minds of many Tennesseans, according to a new poll by Middle Tennessee State University. The poll finds that Tennesseans' concern about the economy and jobs has reached an all-time high, while their satisfaction with national conditions has hit an all-time low, and their satisfaction with state conditions has reached its lowest point in two years. More than half — 53 percent — of Tennesseans name the economy and job issues as the number-one problem facing the nation.

A federal forensic science grant will be used to aid TBI in forensic criminal investigations and help pay for medical examiner training in Tennessee. The \$228,549 grant is part of the Paul Coverdell

Forensic Science Improvement Grants Program administered by the U.S. Department of Justice. TBI will use part of the grant to purchase an Inductively Coupled Plasma-Mass Spectrometry instrument which will provide accurate analysis of gunshot primer residue and other evidence recovered during criminal investigations for all law enforcement agencies in Tennessee. The State Medical Examiner's Office will use their part of the grant to send non-forensic trained medical examiners and lay death investigators in Tennessee to the Medicolegal Death Investigators Training Course offered at the St. Louis University School of Medicine in St. Louis, Mo.

Arts leaders from across the nation converged in Chattanooga at Assembly 2008, the annual meeting of the National Assembly of State Arts Agencies. The event is a major gathering of public arts grant makers, bringing together representatives from the nation's 56 state and jurisdictional arts agencies for three days of intensive learning hosted by the Tennessee Arts Commission. The event examines the role of the arts in a thriving democracy, highlights the essential contributions that the public sector makes to American cultural life and provides education, networking and leadership opportunities.

A state agency has created a new lending program starting Oct. 1 with the goal of saving people with adjustable-rate mortgages from losing their homes. The Tennessee Housing Development Agency estimates that hundreds of people statewide will qualify to refinance into new, 30-year fixed rate mortgages under the program, called Great Save. The loans, which become available through participating lenders, will carry an interest rate of 5.8 percent. The agency doesn't refinance loans, only providing funding for home purchases, but a change in federal law earlier this year made the new approach possible.

The Tennessee Ethics Commission voted to require more stringent reviews of state officials' financial disclosure forms to en-

sure they list all the required information about possible conflicts of interest. Under the new rules, the commission's staff will more thoroughly review the filings of the Governor, his Cabinet, state lawmakers, university presidents and ethics commission members for any omissions or discrepancies.

A new study says the economic impact of climate change will cost Tennessee and other states billions of dollars, and delaying action will raise the price tag. The report, by the University of Maryland's Center for Integrative Environmental Research, says increases in temperature greater than the global average, a 7 percent increase in precipitation and increases in extreme weather are predicted for Tennessee. The forestry sector may see some benefits, but the state's strained water resources may suffer, as may infrastructure, the hunting industry and public health.

Unemployment rates rose in August in 78 of Tennessee's 95 counties, according to figures released by the Tennessee Department of Labor and Workforce Development. Perry County had the state's highest unemployment at 16.2 percent, down from the July rate of 19.5, followed by Lauderdale County at 12.5 percent, down from 14.7 percent in July.

Fewer Tennesseans are without health insurance, according to a study by the University of Tennessee conducted by the school's Center for Business and Economic Research. The study found that the estimated number of state residents without health insurance dropped to more than 566,000, or 9.3 percent of the population. That's down from last year's estimates of more than 608,000, or 10 percent of the population. The study credits the decline, in part, to the growth of Cover Tennessee, a state health care program that began in 2007.

Tennessee is one of the top 10 states in introducing immigration-related bills in 2007, an online database of the 50 state legislatures shows. The Migration Policy Institute in Washington, D.C. created the database with researchers at the New York University School of Law.

Murfreesboro's McGannon recognized by national peers

The International Municipal Lawyers Association (IMLA) recently honored Murfreesboro City Attorney Susan Emery McGannon by giving her the Joseph I. Mulligan Distinguished Public Service Award for 2008. The award is given to honor a local government attorney for "significant and surpassing achievements in the field of local government law." Recipients must also have enhanced the image of the local government attorney through the personal characteristics of integrity, honesty, leadership, selflessness, dedication, tact, diplomacy, political acuity, and astuteness.

McGannon was nominated for the prestigious award by attorneys from other Tennessee cities. She was previously designated by IMLA as a Local Government Fellow, the only Tennessean to be certified since the Fellows program began in 1999.

McGannon received a second, and independent, honor from IMLA when she was nominated and elected



Susan McGannon

to serve on the Board of Directors at its 73rd Annual Conference recently held in Las Vegas, Nev.

IMLA has been a resource for American and Canadian local government attorneys since 1935. It provides a clearing house for information, continuing education programs, a specialization certification program and assistance in litigation and legislative drafting.



PEOPLE IN THE NEWS

BY TML STAFF REPORTS

Johnny Hayes, a former TVA director and long-time Democratic political figure, died at home in Sideview, Tenn., after a lengthy battle with stomach cancer, he was 67. An Alcoa native, Hayes served in former Gov. Ned McWherter's cabinet, first as commissioner of the Department of Employment Security and later as commissioner of the Department of Economic and Community Development. He was appointed to the TVA board in 1993 by President Bill Clinton.



Hayes

U.S. Sen. Lamar Alexander, was named a Guardian of Small Business by The National Federation of Independent Business (NFIB) for his "outstanding voting record on behalf of America's small business owners in the 110th Congress." NFIB's voting record tallies 11 key small-business votes in the U.S. Senate taken during the 2007 and 2008 sessions. Issues range from tax relief and affordable health care to lower energy costs and regulatory reform. NFIB will present Guardian awards to 58 senators and 194 representatives who voted favorably on key small-business issues at least 70 percent of the time during the 110th Congress. Alexander was praised for having a 100 percent NFIB voting record.



Alexander

Connie Smith, the state Department of Education accountability chief, has been promoted to assistant commissioner of education for the DOE. Her new title is



Smith

Gov. Phil Bredesen was presented with an award by the United Ways of Tennessee (UWTN) recognizing his leadership for his specific efforts promoting early childhood learning in Tennessee. One of his most successful programs, Tennessee's Voluntary Pre-kindergarten Program, aims to provide the state's four-year-olds the learning experiences needed in order to succeed in school, with an emphasis on at-risk students and high-priority communities.



Bredesen

Tennessee Democratic Party Chairman **Gray Sasser's** wife, Kathryn, has given birth to their first child, Martha Gray Sasser.

Randall York of Crossville has been appointed as the district attorney general in the 13th Judicial District. The vacancy was created by the resignation of William E. Gibson. The 13th Judicial District is composed of Clay, Cumberland, DeKalb, Overton, Pickett, Putnam and White Counties.



York

With the appointment of **Sharon Gail Lee, 54, of Madisonville, for the first time, women will make up the majority of the Tennessee Supreme Court.** Lee, who has served on the Tennessee Court of Appeals since 2004, fills a vacancy created by the recent retirement of Justice William "Mickey" Barker. Before her appointment to the bench, Lee developed experience in both civil and criminal litigation working in various partnerships and as a solo practitioner before her appointment to the Tennessee Court of Appeals,



Lee

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- 18,960 municipal vehicles with total insurable values of some \$350 million.



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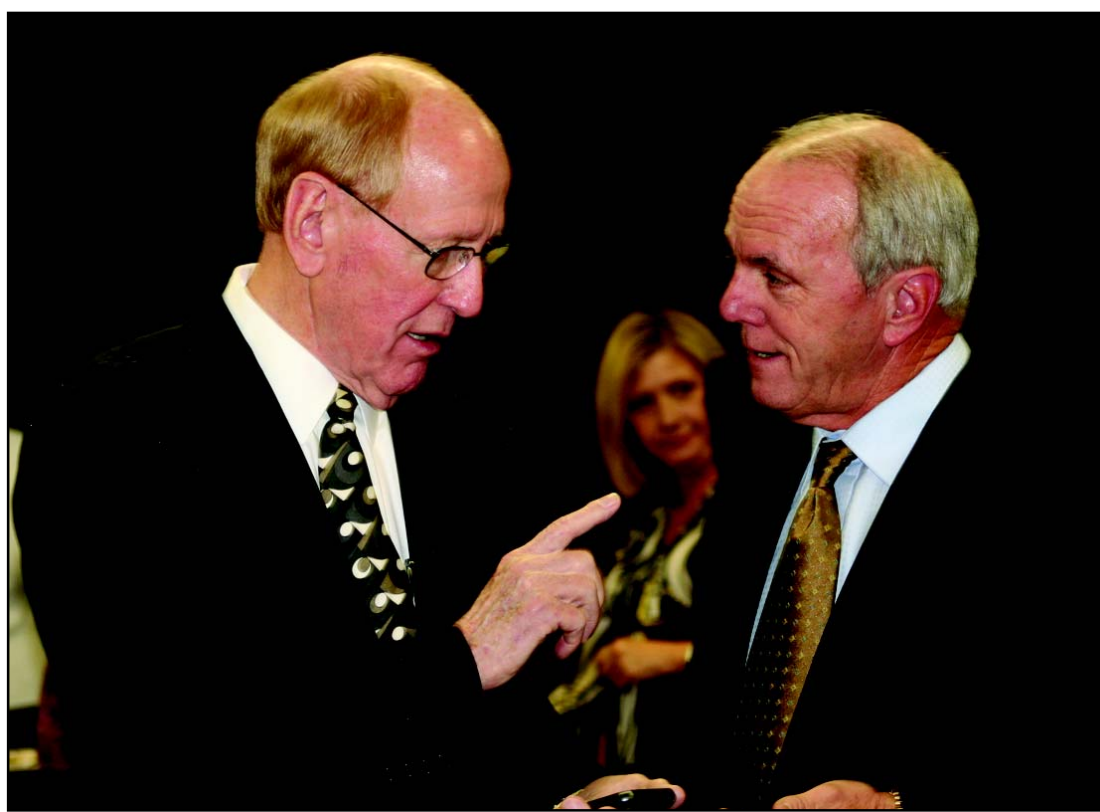
TML Board adopts 2009 legislative agenda



Tom Beehan, Oak Ridge mayor and TML President



Karl Dean, Nashville mayor, and Alan Barker, Humboldt mayor



Charles "Bones" Seviars, president-CEO TN Municipal Bond Fund, and Johnny Piper, Clarksville mayor



Kay Senter, Morristown vice mayor and TML vice president



Shirley Fox Rogers, LaFollette council, and Linda Bennett, Chattanooga council chair



Betsy Crossley, Brentwood commissioner



David Gordon, Covington mayor, and Eddy Ford, Farragut mayor



David May, Cleveland city councilman

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Tommy Bragg (2006) Mayor, Murfreesboro
Bob Kirk (2004) Alderman, Dyersburg
Tom Rowland (2002) Mayor, Cleveland
Sam Tharpe (2001) Vice Mayor, Paris
Dan Speer (1997) Mayor, Pulaski

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TACIR completes growth law study

TACIR, from Page 1

According to the report, 16 counties have amended their initial growth plans, and others are contemplating amendments. In each case, the urban growth boundaries have been expanded, but there is some question about whether such changes were preceded by the required analyses as required by law.

Recommendations from the work group include:

- Growth plans should be restudied and amended on some kind of a regular basis to determine if the original plans are still valid and if circumstances have changed to the extent that amendments are needed. For fast growth areas, every five years would be a feasible time frame; for slow or no growth areas, every 10 years would be justified.
- All areas submitting amendments to their growth plans should be required to update and report the items as originally required in T.C.A. 6-58-106 and submit those reports and studies to PGAPAC as a part of the submission for growth plan approval. All approvals of amended growth plans must be contingent upon the content analysis and projections contained in the reports. The automatic approval of just a growth plan map if all governmental entities agree on the map should be repealed. Approval by LGPAC could only be given if the reports and documents justified the map.
- The studies and reports required by T.C.A. 6-58-106 should be connected to the comprehensive planning authorized by Title 13. All growth plan elements for each gov-

ernmental entity in a county should be prepared by and approved by the local planning committee, if one exists in the entity. If a city or county has adopted a general plan according to PC1150, then any amended growth plan is required to be consistent with the adopted plan.

- Municipalities should have the power to adopt plans and regulatory ordinances within their UGBs under the provisions for municipal-regional planning in Title 13 without obtaining county approval.
- Utility provision and extension should be consistent with growth plans where such plans contain sufficient detail and projections to affect utility determination and planning for future growth. Utility planning among municipalities and rural utility districts should be coordinated. The largest water utility district in a county should be considered for membership on the coordinating committee.
- The membership of the JECDBs should be reconstituted to more closely reflect the make-up of the coordinating committees. The BECDBs should then replace the coordinating committee as the entity to convene and prepare amendments to the existing growth plan in the same way that the coordinating committees have done since initial passage of the act. The requirement for an executive committee should be optional with the jurisdictions in the county.
- Each county should have a place to publicly display the approved growth plan so that the public has ample opportunity to examine it.

Internet posting should also be considered, and adequate legends and details should be included so that the general public can interpret the maps and plans.

- Existing growth plans and all new amendments should be converted to the appropriate digital format. One noted advantage of this is to allow localities the ability to overlay parcel information, which will enable more accurate population and growth data for the next census and future assessments of the effectiveness of the PC1101.
- The burden of proof in contested annexation cases and other annexation procedures should be eased for those cities that have adopted a long-range general plan that contains a plan for annexation, as appropriate, and a detailed plan of services with a timetable for implementation. Any such annexation would have to be in agreement with the plan.
- In the event that a municipality or county adopts a plan under the authority granted by PC1150 as discussed above and incorporates such plan into the growth plan required by PC1101, then no action should be required of the other jurisdictions as long as the plan or an amendment only addresses the areas inside a city and its UGB or county authority over PGAs and RAs.
- Extreme slopes, wetlands, floodplains and other sensitive areas should be excluded from any planned growth area proposed by a county and placed in a rural area designation.

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**Oct. 11: Germantown Street Festival**

Nashville Historic Germantown. This inaugural event complements the 28-year old Germantown Octoberfest. Free concerts on three stages between 10 a.m. and 6 p.m. Stages located on the corner of 5th Ave. North and Monroe Street.

Oct. 17-19: Mountain City Pumpkin Festival

Mountain City. Admission free. Great food and appalachian arts & crafts, kids funville area with games and prizes, beauty pageant, seed spitting contest, antique tractors and cars, pie eating contest, pumpkin pie baking contest, pumpkin carving contest and much more. For more information, visit the website at www.pumpkinfest.org or call 423-246-5483.

Oct. 18: Hatchie Fall Fest

Brownsville. Family event featuring live music, contest, arts and crafts and kid's activities. Admission is free. For more information, call 731-780-5144.

Oct. 18-19: Cleveland Apple Fest

Downtown Cleveland. A family event featuring juried arts and crafts, live bluegrass, pony rides, apple desert competition, and Little Miss Apple Blossom pageant. Admission charge. For more information, call 423-421-7275.

Oct. 18-19: Music and Molasses Festival

Nashville's Tennessee Agricultural Museum. See sorghum molasses making the old-time way, cooking and tasting exhibits, bluegrass music, gristmill, sheep herding, and demonstrations. For more information, call 615-837-5197.

Oct. 24: Franklin Wine Festival

The Factory at Franklin. More than 300 wines from all over the country paired with culinary offerings from Middle Tennessee's finest chefs. Two entertainment stages and live auction. For more information, call 615-329-9191.

Nov. 1: The Americana Folk Festival

Burns. A celebration of roots music and folk art nestled within Montgomery Bell State Park. For more information, call 931-721-6738.

Municipal Administration Program October Schedule - Drug Fund (6170)

This course covers all aspects of drug fund administration. Discussion will include the accounting process required for confidential expenditures; allowable expenditures; budget requirements; maximizing drug fund revenues; and how the special revenue account (drug fund) differs from the confidential expense account.

Instructors

Rex Barton, MTAS Police Consultant
Ralph Cross, MTAS Finance Consultant

Who Should Attend

City recorders, sheriffs, county finance directors, city clerks, finance directors, police chiefs, command officers, investigation supervisors responsible for confidential drug fund expenditures, or anyone with responsibilities relating to the drug fund.

**Time**

Public administration courses are from 8:30 a.m. to 12:30 p.m.

Dates and locations

Oct. 14	Knoxville
Oct. 15	Johnson City
Oct. 16	Collegedale
Oct. 21	Bartlett
Oct. 22	Jackson
Oct. 30	Franklin

Training Facilities

Bartlett Bartlett Performing Arts and Conference Center, 3663 Appling Road
Collegedale Collegedale City

Hall, 4910 Swinyar Drive

Franklin Williamson County Exposition Center, 4215 Long Lane

Jackson West Tenn. Center for Agricultural Research, Extension, & Public Service, 605 Airways Blvd.

Johnson City Johnson City Public Library, 100 West Millard St.

Knoxville UT Conference Center, 600 Henley Street

To register, please visit the MTAS web site at www.mtas.tennessee.edu or contact Elaine Morrissey at Elaine.morrissey@tennessee.edu or 865.974.0411.

For program information, contact Kurt Frederick, MTAS Training Consultant, at 615.253.6385 or e-mail kurt.frederick@tennessee.edu. Fees are \$25 per person per class for municipal employees and \$55 per person per class for all other participants.

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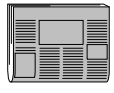
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Advertising: \$9.25 per column inch. No charge to TML members. Send advertising to: TT&C Classified Ads, Mona Lawrence, 226 Capitol Blvd, Suite 710, Nashville TN 37219; e-mail: mlawrence@TML1.org; or fax: 615-255 4752.

ASSISTANT CITY RECORDER

MURFREESBORO. The city is seeking to hire an Assistant City Recorder/Chief Accountant who is a Tennessee licensed CPA with a minimum 5 years of professional accounting experience, preferably in governmental accounting or governmental auditing. Salary range is \$61,483-\$76,393 DOE. Responsibilities include budgeting, accounting, assisting with audit, purchasing, tax collection, and record keeping. Needs the ability to supervise and work well with others, work with complex financial information, understand the governmental environment, understand internal control issues, and use electronic spreadsheets as well as learning customized software. For a full job description and application please visit www.murfreesborotn.gov or call 615-848-2553.

COMMUNITY DEVELOPMENT PLANNER

CLEVELAND. The City is accepting applications for the position of Planner in the Community Development Department. Qualified individuals will possess a minimum of a Bachelors Degree in urban planning or related field. Computer skills, GIS skills, and writing and analytical skills, public speaking, and customer service skills are very important. One (1) year experience in urban planning or highly related field desired. Experience in transportation and land use planning, masters degree, and AICP membership are desired. Valid Tennessee driver's license required. Duties include: Collecting and analyzing data, preparing reports and other planning documents; interpreting maps, drawings, and regulations for the purpose of making recommendations and providing information; staff support of the MPO, the Planning Commission, the Board of Zoning Appeals, and other city boards; responding to questions concerning transportation and land development regulations; making professional presentations; preparing components of the Long Range Transportation Plan, annexation studies, neighborhood planning reports, and zoning staff reports; reviewing subdivision plats and site plans; other duties as assigned. Submit a resume with letter of interest and references to City of Cleveland, ATTN: Personnel Department, P.O. Box 1519, Cleveland, Tennessee 37364-1519. Beginning salary \$40,799. Resumes may be sent to jdavis@cityofclevelandtn.com. EOE. Position open until filled.

DIRECTOR OF FINANCE

BENTON, ARKANSAS. Benton Utilities is accepting applications for Director of Finance & Administration/Treasurer. This position has the dual role of planning, organizing, managing and directing the financial operations and services for the City of Benton General Funds under the direction of the Mayor and Benton Utilities under the direction of the Utilities General Manager. The incumbent serves in a managerial capacity

to ensure compliance with all regulatory financial statutes/guidelines and quality of departmental services and also serves as the City's financial liaison to City Council and Council committees. Candidates must have a comprehensive knowledge of principles/practices/methods of public finance administration and utility administration; comprehensive knowledge of cost/revenue projection methods and techniques; comprehensive knowledge of investment options and risk management issues. Qualifications include a bachelor's degree and 8 years related experience or equivalent combination of education and experience and a minimum of 8 years of management experience. Application, complete job description, and benefit summary can be printed from the City of Benton website www.benton.ar.gov. Application with cover letter should be mailed to Kathy Kirk, Human Resources Manager, P. O. Box 607, Benton, AR 72018-0607; 501-776-5900, ext 106; fax 501-776-5912. Position is open until filled. EOE

FIRE CHIEF

ELIZABETHTON. The city is accepting applications for the position of Fire Chief. This position plans, coordinates and supervises all fire operations inside the City, supervises thirty-three full-time Fire Department employees and reports directly to the City Manager. Minimum Qualifications: Bachelor's Degree (B.A.) from four-year accredited college or university in Fire Science; or more than 10 years experience in Fire Services with a minimum of 3 years as Fire Officer in paid department; or equivalent combination of education and experience. Firefighter Journeyman-Instructor, Fire-ground Safety Officer and experience in TOSHA, OSHA, EPA & NFPA Regulations. Must possess a valid Tennessee Driver's License. Salary DOQ with a competitive benefits package. Send applications/resumes with cover letter and references by Oct. 22, 2008 at 5 p.m. to: Human Resources Director, 136 S. Sycamore Street, Elizabethton, TN 37643 - 423-547-6248, Fax: 423-547-6249. EOE

FINANCE DIRECTOR/ASSISTANT TO THE MANAGER

BLACK MOUNTAIN, N.C. Salary: DOQ/E. The town is accepting applications for the position of Finance Director/Assistant to the Manager. Position reports to Manager and is responsible for administration of Finance, Water Administration and Information Services. Duties include: supervising the financial activities of the town; managing preparation of three-year financial plan (operating budget) and CIP; contract, grants, and project administration; and, other duties as assigned by the Manager. The town is hoping to find an experienced financial professional who has experience in, or is interested in expanding their skills into, other administrative areas. Combination of education and experience equivalent to graduation from an accredited college or university with major course work in finance, public administration or related field and extensive experience in municipal government. Salary range: \$52,083-\$78,104. The job description and application, (which is required) are available at www.townofblackmountain.org. Return to: Town Clerk, Town of Black Mountain,

102 Montreat Road, Black Mountain, NC 28711. Position open until filled. EOE

MUNICIPAL POLICE CHIEF

ERWIN. The town is accepting qualified applications for the position of Municipal Police Chief. This employee is responsible for the planning, organizing and directing of all activities of the Police Department, overseeing 10 full-time police officers and 1 full-time investigator. The employee is under the general supervision of the City Recorder and Mayor. Qualifications include: Graduation from an accredited high school or equivalent, preferably graduation from a college or university with major course experience in police administration or related field. Must possess a valid Tennessee driver's license. Must have five years experience in law enforcement administration. Must be POST certified. Salary DOQ plus excellent benefits. Application is a public record. Send resumes, obtain application or receive more information from: Town of Erwin, P.O. Box 59 211 North Main Ave., Erwin, TN. 37650. Phone: 423-743-623. EOE

MUNICIPAL POLICE CHIEF

SOMERVILLE. The Town of Somerville is accepting qualified applications for the position of Municipal Police Chief. This employee is responsible for the planning, organizing, and directing of all activities of the Police Department, overseeing nine full-time police officers and one full-time investigator. The employee is under the general supervision of the City Administrator. Qualifications include: Graduation from an accredited high school or equivalent, preferably graduation from a college or university with major course experience in police administration or related field. Must possess a valid Tennessee driver's license. Must have five years experience in law enforcement administration. Must be POST certified. Salary DOQ plus excellent benefits. Application is a public record. Deadline to apply is Oct. 30, 2008. Send resumes to obtain application or receive more information from: City Administrator, Town of Somerville, 13085 N. Main Street, Somerville, TN 38068. Phone: 901-465-9500. The Town of Somerville is in compliance with Tennessee Title VI. EOE

PLANNER

KINGSPORT. The city is accepting applications for the position of Planner. Qualified individuals will possess a minimum of a Bachelors Degree in Planning, Geography, Public Administration or related field. Computer skills, writing and analytical skills, public speaking, and customer service skills are very important. One (1) year experience in urban planning or highly related field desired. Duties include: Collects and analyzes data for use in assisting the Planning Commission, Board of Mayor and Aldermen, and City administration in defining community problems; Provides assistance in formulating plans and strategies; Provides resource support for other commissions, committees, and boards; Provides assistance in preparing documentation for grants; Prepares special reports and documents of moderate difficulty; Performs other duties as assigned. Submit an application and resume to City of Kingsport, ATTN: Human Resources Department, 225 W. Center Street, Kingsport, TN 37660. Beginning salary \$36,869. Position is open until October 31, 2008. EOE www.ci.kingsport.tn.us

Summary of 2008 Public Acts that affect municipalities

BY JOSH JONES
MTAS Legal Consultant

Public Chapter No. 925 (SB3364) Leave for teachers: Amends T.C.A. Title 49, Chapter 5, Part 7, relative to available leave for teachers. Mandates that licensed teachers be granted leave for military service, legislative service, maternity, adoption, recuperation of health or visitation of a spouse, child or parent deployed for military duty out of the country who has been granted rest and recuperation leave and may be granted leave for educational improvements or other sufficient reason without forfeiture of accumulated leave credits, tenure status or other fringe benefits. Such leave to visit a spouse, child or parent deployed for military duty out of the country who has been granted rest and recuperation leave can be granted no more than 10 days. *Effective July 1, 2008.*

Public Chapter No. 931 (HB81) High school graduation requirements: Amends T.C.A. Title 49, Chapter 3. States the intent of the General Assembly to adequately fund access to Internet services for public school systems and that each LEA have their choice of providers. Charges the Department of Education with administering funding pursuant to an equitable formula. LEAs may expend funds in accordance with their local procurement regulations. *Effective May 16, 2008.*

Public Chapter No. 938 (SB3286) Funding for LEA internet connectivity: Amends T.C.A. Title 49, Chapter 3. States the intent of the General Assembly to adequately fund access to Internet services for public school systems and that each LEA have their choice of providers. Charges the Department of Education with administering funding pursuant to an equitable formula. LEAs may expend funds in accordance with their local procurement regulations. *Effective May 16, 2008.*

Public Chapter No. 940 (SB2155) Extending director of schools contract: Amends T.C.A. § 49-2-203(a)(14) by prohibiting a school board from extending the contract of a director of schools without giving at least 15 calendar days notice prior to the scheduled meeting at which the action will take place. The action must be the first item on the agenda. *Effective May 19, 2008.*

Public Chapter No. 963 (SB3341) school nutrition plans: Amends T.C.A. Title 49, Chapter 6, Part 23. Requires each LEA school board to submit to the commissioner of education a plan for compliance with the state's school nutrition program 60 days prior to the beginning of each school year. Plans must consider availability of local agricultural products, a farmer-friendly bidding process and compliance with food safety standards. *Effective July 1, 2008.*

Public Chapter No. 983 (SB2920) K-8 music instruction: Amends T.C.A. Title 49, Chapter 6, Part 10, by requiring the course of instruction for grades K through 8 to include instruction in art and music. Encourages LEAs to fully implement the art and music curriculum adopted by the state board of education, as well as integration into other core academic subjects. *Effective July 1, 2008.*

Public Chapter No. 989 (SB3702) Internet use policies in schools: Amends T.C.A. Title 49, Chapter 1, Part 2. Requires a director of schools to biennially file an acceptable Internet use policy with the commissioner of education. The policy, which must be adopted by the local school board, has minimum requirements, including preventing inappropriate use and material, required internet filters for pornography, Internet safety programs, and parent communication. School principals must select the appropriate internet filtering technology. Commissioner of education promulgates and distributes rules on Internet safety programs. *Effective July 1, 2008.*

Public Chapter No. 1006 (HB4148) School accountability: Amends T.C.A. Title 49, Chapter 1. States that probationary LEAs will be placed in improvement status for "failure to make adequate progress in meeting the rules, regulations and performance standards of the board". Grants schools placed on probation one year to meet performance standards before the commissioner of education has the authority to approve the allocation of state discretionary grants and/or provide technical assistance through an outside expert. Details the four-year improvement program for probationary LEAs. *Effective May 21, 2008.*

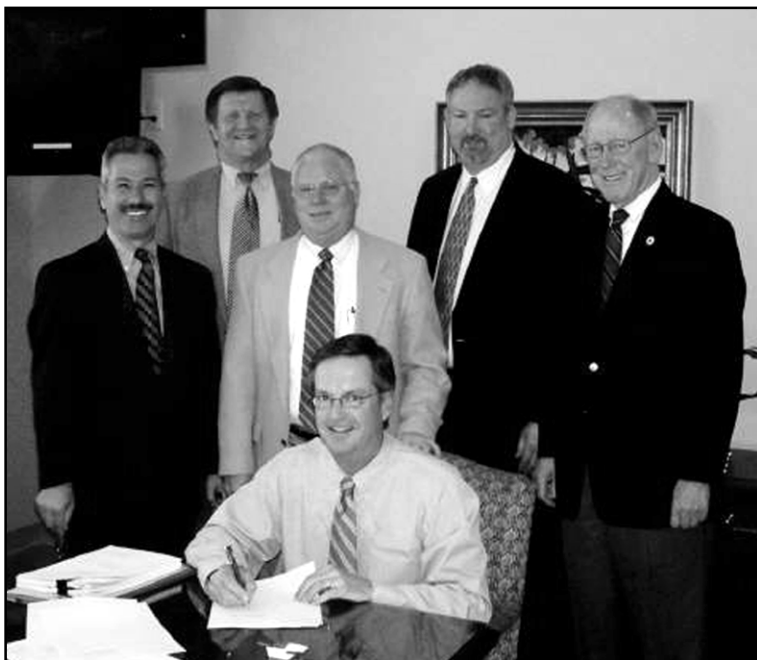
Public Chapter No. 1037 (SB4104) Elective Bible course in LEAs: Amends T.C.A. Title 49, by authorizing the state board of education to develop a curriculum for a state-funded elective course consisting of a nonsectarian, nonreligious academic study of the Bible and its influence on literature, art, music culture and politics. Must be taught in an objective and non-devotional manner with no attempt made to indoctrinate students. Must not include teaching of religious doctrine or sectarian interpretation of the Bible or of texts from other religious or cultural traditions. Must not disparage or encourage a commitment to a particular set of religious beliefs. Curricula must be approved by the board of education. Courses developed by one LEA and approved by the board of education may be adopted by another LEA without board of education approval. Individuals teaching the course must meet all certification requirements and all must not be selected based in whole or in part on any religious test, profession of faith or lack of faith, prior or present religious affiliation or lack of affiliation or criteria involving particular beliefs or lack of beliefs about the Bible. *Effective July 1, 2008.*

Public Chapter No. 1053 (HB2720) Notification of delinquency: Amends T.C.A. § 49-6-3051. Requires the parents, guardians or legal custodians, including the department of children's services acting in any capacity, and a school administrator of any school having previously received the same notice to provide to a school principal or designee, notice of any student being adjudicated delinquent for certain offenses. This notification must be provided when the student initially enrolls in an LEA, resumes school attendance after suspension, expulsion or adjudication of delinquency, or changes schools within the state. Information contained in the notification must remain confidential and may be shared only with the employees of the school having responsibility for classroom instruction of the child, school counselor, social worker or psychologist and school resource officer. Creates offenses for disclosing confidential information and failing to provide requisite notice. *Effective July 1, 2008.*



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UT Vice President Mary Jinks' life, career summed up by public service

BY GAEL STAHL

For more than 20 years, city and county officials knew Mary Jinks as Mary Taylor serving them in administrative roles at the University of Tennessee's Institute for Public Service (IPS). Last year, she married Jack Jinks and since this spring, Mary Jinks has been UT Vice President of Public Service, in charge of dozens of topflight municipal and county technical consultants in the municipal and county advisory services among a host of other university public service agencies and programs.

While her immediate family knows her life story, she has not shared it with others. She was born to Nelson and Barbara Hodge at Jackson/Madison County General Hospital in 1959. Misfortune struck when she was about to turn seven in 1966. Her father, a captain in the Jackson Fire Department, died of a heart attack while working a fire at Lane College. Her homemaker mother, with no skills to work outside the home, struggled to raise three children. They survived for awhile with the help of government assistance and the kindness of relatives. An aunt and uncle then living in Jackson and a great-grandmother who lived to be 87 helped look after them and were important influences during her formative years. For part of her junior high school years, she lived with the same aunt and uncle after they relocated to Memphis and attended public school there.

In 1974, she became a ward of the state and was sent to Tennessee Preparatory School (TPS) in Nashville. The residential school for dependent and neglected children grades 1-12 was home to between 200 and 300 children at any one time. They lived in dorms separated by age groups and had a cafeteria, a school library, and recreational facilities. The self-contained living community had some faculty and staff living in campus apartments. Merrill Hyde, later superintendent of schools in Sumner County, was the school superintendent when Mary was there. Former U.S. Rep. and Metro Nashville Mayor Bill Boner later taught at TPS and was its principal when it closed a few years ago as part of the state's focus on foster homes.

As soon as Mary got to TPS, she began working in the recreational facility doing cooking, cleaning, and taking care of things. During her senior year she was a cheerleader and voted "Ms. TPS." When she graduated valedictorian of her 37-member high school class in May 1977, she was voted "Most Likely to Succeed." She did her school proud going on to earn a bachelor's degree with honors in business administration at UT in June 1981, a master's in public administration in August 1983, and a doctorate of education in higher education leadership in August 2004.

Long-time colleagues only know Jinks as the complete professional, but it is not difficult to see her in school at 17, lean as a ruler, sprightly with vibrant cheerleader energy, popular but not threatening, loaded with talent and a personality that enabled her to get things done whatever the situation. She could have become a lost waif, but evolved instead into a member of a professional and collegial extended family. She may not have too many Christmas stocking memories, but she did gaze through the windows of life and muse on how strangely life sometimes opens and closes doors. From age seven, she would walk through the doors that opened.

Her 10th grade English teacher took Mary under her wing, and she spent summer vacations with her and her husband for years. They were a help when her older brother was senselessly murdered at age 18 in an armed robbery at the Jackson convenience store where he'd worked a long time. Her younger brother hasn't had a very successful life and served time at several detention centers including the Taft Youth Center in Pikeville.

Wards of the state graduating from high school were guaranteed a scholarship to the public college of their choice. Mary picked the University of Tennessee (UT) because it was good, and because it was far away.

Her guidance counselor said it was too big and graduating from a class of 37, she would find it hard to adjust. When a worker at TPS took her to Knoxville to drop her off at Humes Hall, she didn't know a soul, was assigned a student worker job in the Bursar's Office, and went on to become a residence hall assistant. She majored in public administration taking the political science core hoping to work in government and give back some of what her family had been



Mary Hodge Jinks

given. She graduated with a degree in business administration to make sure she could find a job quickly. With the help of a graduate assistantship from Residence Halls that paid her tuition and housing, she got a master's degree in public administration fully intending to become a city manager. She graduated in 1983 and was immediately hired as the UT Department of Residence Halls' business manager.

Two years later, her dream to do public service was still alive. She saw an ad in the Sunday paper for a business assistant position at the Institute for Public Service, was interviewed by former IPS Business Manager Gary Baskette and Executive Director Tom Ballard, and hired in October 1985. She has been there ever since, changing jobs within IPS every two years or so from finance, to IT, Human Resources, to being executive assistant for Ballard and for two Public Service vice presidents, as assistant director of the Center for Government Training in Nashville, as director of IPS operations in Knoxville, assistant vice president, associate vice president, and now university vice president.

Her daughter, Amanda Taylor, also graduated from UT Knoxville this spring and is looking to work in public service, also. She was born in 1985 when Mary was married to a United States Marine from 1982 to 1989. Having missed out on scouting as a youth, Mary gladly took on her daughter's interest in Girl Scouts and became assistant troop leader. When Amanda played in the high school band, Mary became a band mom.

Last year, she married retired Captain Jack Jinks of the Knoxville Police Department who now works part-time for the Tennessee Wildlife Resource Agency as a boat safety officer at Watts Bar Lake in Roane County. They live in Loudon County, half way between their jobs, which seems to satisfy the need of outdoorsman Jack to live in the country and the need of Mary to live in a city. At his little place on Watts Bar Lake, Jack has succeeded in teaching Mary to bass fish. She finds she enjoys catching bass and any other fish that wants to dangle on her hook.

TT&C: Of all your many jobs at IPS, which was most enjoyable?

MJ: Well, that's an impossible choice, but I know one of my favorite jobs was being assistant director of the Center for Government Training (CGT) in Nashville from 1991-1993. I got to work for all cities and counties in Middle Tennessee as their training consultant helping city managers, mayors, and human resource directors determine training needs and the courses the university could provide them. I worked with the Metro Police Department when they were going through an accreditation process and needed a lot of training for managers and supervisors. I spent about one day a week for nine months at the Metro Police Training Academy working on their training program.

After two years, Tom Ballard asked me to return to Knoxville's

central office to be director of Operations and supervise finance, IT, HR, and all the other operational functions of IPS.

When Vice President for Public Service and Public Relations Sammie Lynn Puett retired, I became assistant vice president with agencies reporting directly to me. This spring, Hank Dye, who has been our university vice president since Tom Ballard retired and has been a wonderful mentor, was fully occupied with being Vice President of Public and Government Relations. He persuaded the president of the university that IPS ought to have its own stand-alone vice president sitting at the table with all the other chancellors and vice presidents discussing strategic planning. Dr. Petersen agreed and promoted me to UT Vice President of public service. Both of them understand and support the mission of Public Service so well that they've put outreach and public service in the six major priority areas in the UT Strategic Plan.

TT&C: What are the university's six priorities?

MJ: The university's strategic plan has the six primary goals of *student access, student success, research, economic development, outreach (public service), and globalization*. We have little to do with student access because that's admissions and curriculum. Our primary involvement in student success is providing internships and jobs for student workers. All the grants and contracts we contribute to the research component and our two primary goals are economic development and outreach.

TT&C: How far does UT extend its public service outreach?

MJ: Everything we do in IPS is outreach and/or economic development. Besides city and county officials, we work directly with manufacturers and the law enforcement community. Everything UT Agriculture does with farmers and homemakers through the Tennessee Agricultural Extension Service is outreach. The Health Science Center does outreach in all its clinics across the state. All UT campuses have outreach programs that provide personal and professional development activities for people in the community. Everything the faculty does working in communities on local projects is public service.

TT&C: What do you do for manufacturers and law enforcement?

MJ: The Center for Industrial Services (CIS) is the arm of IPS that works with small and medium-size manufacturers. Our procurement program is funded through the U.S. Department of Defense to help small and medium-size companies in the state qualify to bid on state and federal contracts. We have a bid matching service where we learn what companies can provide and match them with state and federal government needs. We help companies write responses to RFPs and RFQs and get government contracts.

We also help manufacturers with their improvement services such as lean manufacturing, safety for workers, quality programs, and others. We worked with Saturn early on helping their second and third tier suppliers meet the quality standards of Saturn, and we hope to do the same thing for Volkswagen's suppliers when VW locates its vehicle production plant in Chattanooga.

TT&C: How do you work with law enforcement?

MJ: The Municipal Technical Advisory Service (MTAS) and County Technical Advisory Service (CTAS) and CIS are specifically charged with serving only Tennessee cities, counties and manufacturing. But our Law Enforcement Innovations Center (LEIC), just 10 years old, works with law enforcement agencies all across the country. There is a nationally recognized crime scene investigator school, the National Forensic Academy, that is a 10-week, in-residence training program. Participants spend half of their time in the classroom learning the philosophy and techniques of crime scene investigation and the other half in the field practicing it. To learn arson investigation, we burn a house and blow up a car. To learn how to do a crime scene correctly they go out to the "Body Farm," learn how to excavate a hidden body, secure the crime scene, collect and preserve and prepare the evidence correctly so lab technicians can determine what happened.

They practice blood spatter techniques and figure out from what angle and with what kind of instrument someone was hit or killed. It's a highly successful program with participants from 46 states. We have a great partnership with the Tennessee Bureau of Investigation and are the primary training arm for the forensics side of the Texas Rangers, the Oklahoma State Police, and the Georgia Bureau of Investigation, among others who have committed to send all of their crime scene investigators to our school to ensure they are up on the latest techniques in crime scene investigations.

TT&C: What does the LEIC office on the fifth floor of the Tennessee Municipal League building do?

MJ: LEIC's Drug Free/Safe Schools Initiative is located in Nashville to work closely with the Tennessee Department of Education and with middle school and high school teachers, principals, and counselors to put a drug free, drug resistance curriculum in schools, including an enabling program. They also teach students "no bullying" techniques and life skills.

TT&C: Does IPS still work with Oak Ridge and the National Lab to develop new technologies?

MJ: Yes, we run the Small Business Innovative Research program in cooperation with the Oak Ridge National Lab, the Y-12 National Security Complex and others. Every year all federal government agencies must set aside 5 percent of their research dollars to fund small businesses that have a great idea. We help identify the agencies putting out solicitations and then find entrepreneurs who have licensed some kind of technology from ORNL or UT or created a great idea on their own. We help them write grant proposals to get the federal funding to create a new technology or new intellectual property. The Y-12 National Security Complex also works with us on the Homeland Security Training program we do through the Law Enforcement Center. They provide some of the instruction and assessment work we provide across the nation.

TT&C: What's the latest things going on at MTAS and CTAS?

MJ: The newest thing is a certification process for finance employees called Certified Municipal Finance Officers (CMFO) training program. We helped craft it and the state Comptroller's Office supported it. The legislation passed last year, so we'll be helping all cities improve their

financial capacity by providing the training that will impact the financial health of every city in the state.

Other big news at MTAS is that in August we hired Mike Tallent to be the sixth MTAS executive director in MTAS' 59-year history. Mike, the obvious best choice, has been with MTAS since 1979, knows the staff and understands the issues Tennessee cities face daily. He has been instrumental in developing the new CMFO training program. No one is more dedicated to providing MTAS services to cities than Mike.

During the search process we were fortunate to find Melanie Purcell. She has tremendous experience working with cities and counties and has a strong financial background. She is now the assistant director of MTAS.

CTAS, the sister agency of MTAS, also reports to me and provides the types of services to counties that MTAS provides to cities. CTAS has a huge training arm as well. The County Officials Certificate Training Program is the largest. The newest service CTAS is working on is a Jail Management Program to provide training to county jailers to give them the level of training and expertise needed to improve the jail system.

TT&C: Do you do training work with state employees or officials?

MJ: Yes, we are stepping up our leadership and executive development program. In January, we'll be hosting a three-day leadership training program in Knoxville in partnership with the National State Legislators Conference for all newly elected speakers and speakers pro tem in Houses of Representatives across the nation. Speaker Jimmy Naifeh and Speaker Pro Tem Lois DeBerry both serve in leadership capacities on the national council and on its foundation and were instrumental in bringing that training activity to the University of Tennessee. Harvard and the University of Virginia were the first two hosts of this every-other-year program. Due to some states having term limits, there is turnover among house speakers, so we're expecting 20 to 30 newly elected speakers and speakers pro tem in Knoxville this January.

Since 1983, UT has had the contract with the state of Tennessee to provide the executive development program for the state. The Tennessee Government Executive Institute is a three-week, in-residence program. Thirty state government executives are in Knoxville one week a month for three months. We bring in national experts, highly qualified UT faculty, and provide the executive development they need to lead the state of Tennessee in these changing times.

Since 2000, IPS has hosted the new Tennessee Government Management Institute. It's a two-week training program for mid-level managers in state government. We hold it twice a year with 30 participants each time.

TT&C: What would you like to say about IPS' relationship with TML and city officials?

MJ: We owe our existence to city officials and TML. In the 1940s, Herb Bingham and city officials decided cities needed technical support and chose UT as the venue to provide it. We have tremendous support from city officials and Bartlett Mayor Keith McDonald chairs our advisory committee that helps us look at our strategic plan, funding strategies, and our program.

TML Executive Director Margaret Mahery and Deputy Director Chad Jenkins are great supporters. Margaret served on the search committee for the new MTAS director – a time consuming service. TML is such a great advocate for cities with the legislature, and we provide the training and technical assistance for cities to grow and prosper – a marvelous partnership. I know of no other state that has two great organizations working for cities every day like TML and IPS. Sometimes we take it for granted. I'm proud to be a very small part of it.



Watts Bar Lake in Roane County coughed up this catch by Jinx.