September 8, 2008 www.TML1.org Volume 59, Number 15 6,250 subscribers



Revamped nutrition laws beckon fresh produce to state's schools

BY VICTORIA SOUTH TML Communications Coordinator

As obesity figures continue to soar across the U.S., federal and state governments are placing more emphasis on procuring fresh fruits and vegetables for the nation's schools. Tennessee ranks sixth in obesity among adults in 37 states, according to a report by the Robert Wood Johnson Foundation. From 2005-2007, 29 percent of Tennesseans were reported as obese, a 1.2 percent rise from the previous threeyear average.

The 2008 farm bill has amended the Richard B. Russell National School Lunch Act, adding the Fresh Fruit and Vegetable Program in a limited number of states and expanding fresh fruits and vegetables to selected schools in the 50 states, the District of Columbia, Guam, Puerto Rico and the Virgin Islands.

The Fresh Fruit and Vegetable

Program targets students in the neediest elementary schools in each state where schools may apply for funding to operate the program on an annual basis.

"Fresh produce for children at school gives them an early start on healthy eating habits that can stay with them after school, and throughout their lives," said Agriculture Secretary Ed Schafer.

"This program will help educate students about the importance of good nutrition, including eating fresh fruit and vegetables. We know that far too many young people are struggling with being overweight and even obese. Now, more than ever, children need our help in building good eating habits so they can have a long and healthy life."

Due to federal grant funding through the Fresh Fruit and Vegetable Program, 25 Tennessee elementary and middle schools will offer free fruits and vegetables to

TVA rate increase to affect city electrics

students this school year. The program aims to increase student consumption of fresh or dried fruit and fresh vegetables. Dried fruits may not be mixed with candy or coated, and fruits and vegetables may not be canned, frozen or vacuum packed.

Local farmers may have a greater chance to participate due to amendments to the Tennessee School Nutrition Program.

Public Chapter 963 (SB 3341) requires more research into the availability of locally grown agricultural products while facilitating a more farmer-friendly bidding pro-

Working hand-in hand with SP 30-2008, (Applying Geographic Preferences in Procurements for the Child Nutrition Program), which encourages the purchase of locally grown and locally raised products and is effective Oct. 1, 2008, Public Chapter 963, requires Tennessee See PRODUCE on Page 3

Public Records request forms available on line

Public records request forms are now available online to assist Tennessee citizens and governmental entities in requesting or providing access to public records.

Three forms were developed by the Tennessee Comptroller's Office of Open Records Counsel as required by Public Chapter 1179, Acts

In the final days of the 2008 session, the Tennessee General Assembly approved changes to the state's open records law. The new law, PC 1179, provides that in the event access to a public document is not readily available for viewing, governmental agencies (records custodians) are required to respond to records requests within seven business days of receipt of the request, provide an estimated time that the record will be made available, or provide a written reason for lawfully denying access to the record.

In an effort to standardize the process across the state and to assist custodians in complying with this component of the new law, the Office of Public Records Counsel has developed three separate forms that a custodian (municipality) may use for such purposes. While it is an option, municipalities are strongly encouraged to make use of these

The Inspection/Duplication of Records Request Form is for use by citizens requesting copies of public records. The Tennessee Public Records Act prohibits governmental entities from requiring a Tennessee citizen to submit a written request when exercising the right of inspection. However, the Act does require a request to be sufficiently detailed to enable the records custodian to identify the specific records to be located or copied. The Inspection/ Duplication of Records Request Form will assist citizens in making sufficiently detailed requests.

The Records Request Denial Letter and the Records Production Letter are both for use by records custodians responding to requests for public records made through the Tennessee Public Records Act.

The forms, along with instructions on how and when they are to be used, can be found on the Comptrol-See RECORDS on Page 7

TML Pool to offer new special events coverage

The TML Risk Management Pool through sponsorship of the National League of Cities now offers a Tenant Users Liability Insurance Program (TULIP) to cover individuals and organizations that use municipal premises and facilities. The TML Pool covers the premises, actions and activities of municipal entities in accordance with its Liability Insurance Policy, but does not cover the individuals and/or organizations that may use municipal premises and/or facilities.

Why TULIP?

Requests to use municipal premises and facilities have become a common occurrence. Individuals and organizations that use your governmental facilities are not covered under the TML Pool insurance program. This opens the possibility of the municipal entity becoming drawn into unnecessary claims.

The solution to this dilemma is the Tenant Users Liability Insurance

Program. TULIP is a low-cost insurance policy that protects both the "Tenant User" and the municipal entity. A "Tenant User" is any outside party using the municipal entity's facilities. The policy applies to bodily injury or property damage arising out of the use of the municipal entity's premises by Tenant Users. Premium costs are traditionally paid by the Tenant User. Premium costs are based on the nature of the event, the number of event days, the number of participants, the level of risk and any special requirements.

Coverage & Limits

Coverage limits of \$1 million are available for liability for bodily injury and property damage. The policy will pay those sums that the insured (the Tenant User) becomes legally obligated to pay as damages because of bodily injury or property damage to which this insurance applies. Coverage includes premises See POOL on Page3

When the Tennessee Valley Au-

BY JOE WHITE Nashville Bureau

thority determined in mid-August that electric rates would have to go up by 20 percent Oct. 1, it set off a mad rush by cities and city-owned utilities to figure out how the change would affect their coming year.

TVA officially opined that consumers would see an increase of \$12 to \$15 per 1,000 kilowatt hours.

Since cities have to pay their utility bills for heating and cooling, like everyone else, the raise has an impact on city budgets.

But municipally owned utilities each had a different problem under the increase. At press time they hadn't all decided exactly what they will do. There are 61 municipal electric systems in the state.

Sources familiar with the municipal electrical distributors said each utility has a different amount of reserves. Those with large reserves may be able to absorb some of the increase, at least temporarily. But in general, municipal electric agencies have to cover the base cost of the electricity they retail to consumers.

Part of the TVA increase passed on Aug. 20 was a 17 percent hike in the "fuel cost adjustment," a mechanism that in theory could go down as well as up. The fuel cost adjustment (FCA) was authorized in 2003 and



Watts Bar, TVA's third nuclear power plant, is located on 1,700 acres beside Chickamauga Reservoir in Spring City. TVA has announced a 20 percent rate increase effective Oct. 1.

has been in use about two years. It was developed to deal with a rapidly fluctuating market for natural gas.

The FCA is refigured every three months and (according to standing operating procedure) is passed along directly to the cus-

But it had never been so high. In April it had been hiked 7 percent, about one-half-cent per kilowatt hour. October's increase will add another 0.68 cent per kilowatt hour. And in general, utility managers were pessimistic about the costs of fuel going down.

The official announcement

from the Murfreesboro Electric Department spelled that out.

"At MED, we buy the electricity we deliver to our customers from the Tennessee Valley Authority (TVA), and almost all of our revenue goes to buy that electricity."

In the state capital, Nashville Electric Service has already announced it will pass the increase along to its customers.

In Memphis, the state's largest public utility – in fact, the largest in the TVA area - went so far as to request that TVA put off the raise. Jerry Collins is president of Mem-See TVA on Page 7

Regional Jail Authority Act provides support, options

BY VICTORIA SOUTH

Local and county governments with aging, antiquated or overcrowded jails may have more options due to amendments to Public Chapter No. 1092 (HB3958) Regional Jail Authority Act effective July 1, 2008.

The law allows the governing bodies of two or more local governmental entities to create a regional jail authority to acquire, construct, equip, maintain and operate jails or workhouses. Authorities have the right to contract and to do any and all things necessary by the authority and have power of condemnation or may issue bonds in the same manner as local governments.

Already in practice in West Vir-

ginia, North Carolina and Ohio, Regional Jail Authorities could be particularly beneficial to smaller, economically disadvantaged counties without significant funding to renovate and modernize their correctional facilities, according to Jim Hart, UT County Technical Assistance Service (CTAS) Jail Management Consultant.

"A Regional Jail Authority provides entities the opportunity for partnership and to explore the options," said Hart, suggesting several scenarios in which the law could benefit regions.

"If you look at an older, outdated facility and the laundry list of renovations necessary to bring it up to codes or start talking about build-See JAIL on Page 7



Amendments to the Regional Jail Authority Act allows two or more local governing bodies to create a regional jail authority.

Traffic Court New reporting requirement for The purpose of the law is to

BY REX BARTON MTAS Police Consultant

The Tennessee Legislature passed a new law requiring all courts to report dispositions of traffic cases that are dismissed when the offender

completes a court-ordered driver

education or driver improvement

school. The new law, Public Chapter 1181, amends T.C.A. § 55-10-301, requiring courts to report dispositions of traffic offenders sentenced to complete a driver improvement school, or "traffic school" as many refer to it, to the state department of safety. The law became effective July 1, 2008.

create a database of traffic offenders who have had their traffic offenses dismissed upon completion of a driver improvement class or traffic school. Without such a database it has been impossible to determine if an offender has previously been ordered to complete a traffic school in other jurisdictions. In fact, some offenders were treated as a "first time offender" several times in different jurisdictions. By maintaining the database of those having offenses dismissed upon completion of a school, the courts will be able to view those dismissals as part of a person's driv-

The department of safety is cur-

rently making changes to the court action report form to incorporate a new field for reporting a dismissal of a charge upon completion of a traffic school. It is unknown when the new form will be available.

If you currently use the "Court Action Report Form" to report dispositions, you may use the the "RE-MARKS" field of the current form to report dismissals due to completion of a traffic school. Write "Traffic School," and indicate the date the school was completed.

If you are using software to produce the printed court action report, you should notify your vendor to make this change, but you can manu-See TRAFFIC on Page 7

NEWS ACROSS TENNESSEE



BY TML STAFF REPORTS

CLEVELAND

Several business and local government groups are combining their planning processes for the arrival of Volkswagen at Enterprise South in Hamilton County. Mayor Tom Rowland said the Southeast Tennessee Development District possibly will help the entire region, including some of North Georgia, with planning. The Cleveland/Bradley Chamber of Commerce, told the Cleveland City Council the VW task force includes representatives from builders, real estate companies, city and county school systems, law enforcement and others.

CLINTON

Modine Manufacturing Co., a global company that makes automobile engine cooling systems and other thermal control equipment, is closing its operation and laying off 53 people, effective Aug. 29, according to the Tennessee Department of Labor and Workforce Development. The Clinton plant makes replacement radiators for Chrysler vehicles such as the Dodge Durango and Ram trucks. A company spokesperson said the plant was closed based on "the anticipated phase-out of certain Chrysler programs and as part of a plan to raise revenue and control costs. The plant has been in Clinton since 1967.

COLLIERVILLE

IPS Corp., a California-based building materials manufacturer, has expanded its distribution center adding 48,000 square feet to its lease at 500 Distribution Parkway and taking up the entire 124,800-square-foot building. The new space includes 2,000 square feet of office space. The company also leases 80,000 square feet at 202 Industrial Park Lane for one of its manufacturing operations.

DYERSBURG

The revitalization of Dyersburg's Downtown area recently received a boost of nearly three-quarter-million dollars in spite of reduced spending by the state. State Senate Majority Leader Mark Norris confirmed a grant for \$722,918 will be awarded for enhancement to Dyer County's Courthouse Square, known locally as Veterans Square. City and county governments applied to TDOT in 2007 for two grants, each to be coordinated by Main Street Dyersburg. Together, the grant requests totaled more than \$2 million and addressed overlapping sections of the Courthouse Square.

GALLATIN

A national campaign in Middle Tennessee kicked off in Gallatin is designed to stop the spread of a virulent staph infection. Methicillin-resistant Staphylococcus aureus (MRSA) is a type of bacteria that is resistant to certain antibiotics, according to the Centers for Disease Control and Prevention. Recently, there have been threats of the common yet highly contagious bacteria among students at three Sumner County schools. The bacteria frequently inhabit a person's skin or nostrils. The campaign, called Clean Hands are Cool Hands, features teen

actor and recording artist Mitchel Musso who portrays Oliver in the Disney Series "Hannah Montana."

GALLATIN

The Tennessee Department of Transportation (TDOT) has plans in the works to build a new bridge over the Cumberland River between Sumner and Wilson counties as part of the Highway 109 project. The estimated \$35 million bridge will be built to the east of the existing structure. State transportation officials had studied the possibility of building the bridge on the west side, but said the impact to the Gallatin water plant and disruption to a Native American archaeological site made that proposal cost prohibitive. David Gregory, director of Gallatin Public Utilities, said he was relieved by the state's decision to go with the eastern bridge alignment since it would have disrupted the water supply for Gallatin, Westmoreland, Bethpage and Castalian Springs.

HENDERSONVILLE

The state pulled the plug on a proposed Nashville-to-Hendersonville toll road because not enough people said they wanted it. A lack of public support for the Hadley Bend Connector led the Tennessee Department of Transportation to cross it off the list of possible toll projects to present to the General Assembly in January. The 6.4-mile road could have cost as much as \$400 million, crossing the Cumberland River three times and linking Vietnam Veterans Boulevard and Gallatin Road in Hendersonville and Briley Parkway in the Music Valley area.

JOHNSON CITY

The Johnson City Power Board opted to forgo a potential windfall to its bottom line, a decision that will cushion the blow to customers of a pending 20 percent rate hike the Tennessee Valley Authority is placing on power distributors starting Oct. 1. Residential customers will pay about 16 percent more for electricity heading into the fall. JCPB Chief Financial Officer Brent Kitzmiller estimates an average rate hike of \$28 a month.

KNOXVILLE

ARC Automotive Inc., a Knoxvillebased maker of automobile airbags, announced it was laying off workers at its Midpark Drive location, off Middlebrook Pike. Gabe Bucca, vice president of human resources for ARC Automotive, said 51 hourly employees, out of a force of 300 workers, were being laid off. The ARC layoffs are the latest of several rounds of layoffs for the company.

MANCHESTER

Newell Rubbermaid announced that its Office Products group, the world's largest manufacturer of ink for writing instruments, will acquire a 60-acre site to build a new state-ofthe-art ink manufacturing facility in Coffee County's Interstate Industrial Park. The new ink facility will represent a \$12.5 million capital investment for building and land improvements and equipment. Design and testing of inks, ink manufacturing and storage of finished goods will be handled at the facility, which will supply the company's nearby

Facilities

Consulting .

Civil

Survey

Environmental

Planning

writing instrument manufacturing facilities in Tennessee as well as its operations in Europe, Latin America and Asia.

MARTIN

Fechheimer Brothers Co. has announced it will be shutting down during the next several months, leaving 156 employees without jobs. Fechheimer representatves said there is not enough work to keep the plant open. The Tennessee Department of Labor will have a Rapid Response team available to help workers with unemployment insurance, job placement and skills training. The Cincinnati-based company is owned by Berkshire Hathaway.

MEMPHIS

A \$5.4 million Federal Aviation Administration grant has been awarded to fund improvements at Memphis International Airport. The grant will help pay for cargo apron construction, a new taxiway and continued work on an airport master plan update. The master plan will become the authority's blueprint for airport facility development over the next 20 years.

NASHVILLE

Oreck Corp. is moving its headquarters to Nashville. The manufacturer of vacuum cleaners, air purifiers and other home products, had already brought many of its administrative functions to Nashville from its headquarters in New Orleans following Hurricane Katrina. The company has had about 65 people employed at its 565 Marriott Dr. facility, which will now be the company's headquarters.

NASHVILLE

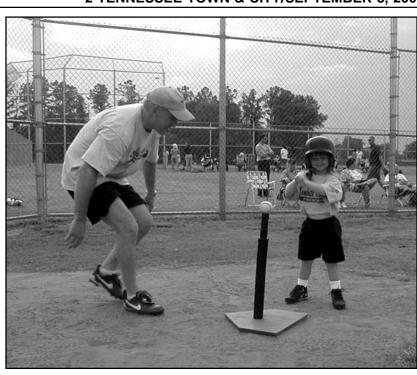
Florida-based Arch Aluminum and Glass Company Inc. have signed a lease for a 54,000-square-foot manufacturing center in Madison, a suburb outside Downtown Nashville. The company plans to start moving into the new facility in September and will be fully operational by the end of the year. The Nashville location, which will make windows and aluminum fixtures for commercial and some residential construction, will employ 45 to 65 people.

OAK RIDGE

Oak Ridge National Laboratory has signed an \$89 million energy savings performance contract with Johnson Controls Inc. to apply advanced energy conservation solutions, including a biomass gasification system, to the campus. This project is the first signed initiative of the U.S. Department of Energy's Transformational Energy Action Management initiative, "an action plan to dramatically transform the DOE's energy, environmental and transportation management.

SMYRNA

Georgia-based carton manufacturer, Graphic Packaging International, will shut down early next year, putting close to 40 people out of work. In past years, the plant operated under the Field Container name and has long supplied Pillsbury's cake and strudel manufacturing plant in Murfreesboro. The closure is part of a \$90 million cost-cutting program and company-wide review of plant operations, location and efficiency.



State awards \$11.9 million in Parks and Rec Grants

Gov. Phil Bredesen and Commissioner of the Tennessee Department of Environment and Conservation (TDEC) Jim Fyke announced that more than \$11.9 million in parks and recreation grants will be awarded to 87 recipients across Tennessee. The awards consist of approximately \$9.7 million in Local Parks and Recreation Fund (LPRF) grants and more than \$2.2 million in Recreational Trails Program (RTP) grants. TDEC began notifying recipients of these grants by phone yesterday and will formally notify all grant recipients by mail by the end of this week. The Department held a grant awarding ceremony Sept. 4 in Nashville to honor all recipients.

The LPRF Grant Program was established by the General Assembly in 1991 to provide local governments with funds to purchase land for parks, natural areas, greenways and recreational facilities. The funds may also be used for developing trails and projects in parks, natural areas, and greenways. All LPRF grants require a 50 percent match by the recipient, and funding for the LPRF program has been generated by the real estate transfer tax.

The RTP grant program is a federally funded program established to distribute funding for motorized, non-motorized and diverse recreation trail projects. The funds are available to state, federal, and local government agencies, as well as private organizations that partner with government agencies. RTP funds may be used for planning, maintenance, construction, acquisition, development and rehabilitation of trails or trailside facilities. All RTP grant recipients must provide a 20 percent match in funding.

Grant recipients were selected through a scoring process with careful consideration given to the projects that met the selection criteria and expressed the greatest local recreation need

Municipalities receiving grant money

Alcoa, Maryville	\$20,000	Livingston	\$25,000
Atoka	\$400,000	Lookout Mountain	\$150,000
Athens	\$70,000	Luttrell	\$36,000
Brighton	\$175,000	McKenzie	\$47,000
Brownsville	\$175,000	McMinnville	\$425,000
Burns	\$425,000	Medina	\$400,000
Carthage	\$30,000	Milan	\$100,000
Chattanooga	\$225,000	Minor Hill	\$44,000
Cleveland	\$40,000	Morristown	\$52,000
Clinton	<u>\$100,000</u>	Mt. Pleasant	\$40,000
Coalmont	<u>\$97,000</u>	Newbern	\$48,000
Cookeville	<u>\$300,000</u>	Orlinda	\$15,000
Covington	\$300,000	Oneida	\$165,000
Dandridge	<u>\$100,000</u>	Paris	<u>\$55,000</u>
Farragut	<u>\$196,000</u>	Parrottsville	\$39,000
Friendship	<u>\$53,000</u>	Pigeon Forge	<u>\$225,000</u>
Gallaway	\$27,000	Pleasant View	<u>\$425,000</u>
Gatlinburg	<u>\$20,000</u>	Powells-Crossroads	<u>\$75,000</u>
Germantown	<u>\$400,000</u>	Pulaski	<u>\$300,000</u>
Graysville	<u>\$13,000</u>	Ridgely	<u>\$118,000</u>
Greenfield	<u>\$57,000</u>	Rugby	\$32,320
Greeneville	<u>\$425,000</u>	Samburg	<u>\$16,000</u>
Hohenwald	<u>\$250,000</u>	Savannah	<u>\$95,000</u>
Jacksboro	<u>\$50,000</u>	Selmer	\$23,000
Jefferson City	<u>\$200,000</u>	Sweetwater	<u>\$125,000</u>
Kimball	<u>\$175,000</u>	Tazewell	<u>\$60,000</u>
Kingsport	<u>\$70,000</u>	Wartburg	<u>\$31,000</u>
Knoxville	<u>\$50,000</u>	Wartrace	<u>\$10,000</u>
Lewisburg	<u>\$48,000</u>	White House	<u>\$425,000</u>
Lewisburg	\$30,000	White Pine	<u>\$60,000</u>

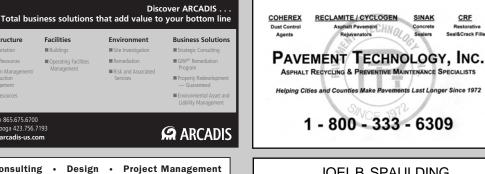






PHONE (615) 244-8591 FAX (615) 244-6739

WWW.RAGANSMITH.COM



3428 Bristol Highway



1 - 800 - 333 - 6309

RECLAMITE / CYCLOGEN



Fayetteville, TN 37334 Jim Malone

President

Office: (931) 433-6907 FAX: (931) 433-9714 Toll Free (888) 752-7126

Email: Jim_Malone@TheMaloneCompany.com



1431 Kensington Sauare Court Phone 615/ 896-7375 FAX 615/890-7016

Engineering • Surveying • Mapping • GIS

Visit our web site at www.wiserco.com

GARVER ENGINEERS

STUDY • PLAN • DESIGN • COORDINATE • MANAGE • SOLVE

615-377-1337 233 Wilson Pike Circle • P. O. Drawer 1847 Brentwood, TN 37024-1847 Huntsville, AL • Little Rock, AR • Tulsa, OK Favetteville, AR • Jackson, MS • Louisville, KY



Daniel S. Foglton Senior Business Development Director

14861 N. Scottsdale Road Suite 109 Scottsdale, Arizona 85254

Cell: 803.466.0628 Tel: 480.368.0900 ext. 246 email: dan.foglton@atsol.com Fax: 480.607.0901 Online: www.atsol.com

NATIONAL BRIEFS



BY TML STAFF REPORTS

A retreat by private-sector lenders from the market for education loans is threatening to keep thousands of students out of college in the coming academic year. About 10 percent of the nine million student borrowers in the U.S. seek such private loans, which supplement the limited amounts available from government-aid programs. Over the past decade, as government grants and loans have failed to keep pace with rising tuitions, private-loan borrowing has increased more than tenfold to \$17.1 billion annually. More than two dozen lenders have stopped or curtailed private lending to students since the start of the last school year.

In recent months, chains including Wal-Mart Stores, Kohl's, Safeway and Whole Foods Market have installed solar panels on roofs of their stores to generate electricity on a large scale. Ultimately, the chains promise a solar construction program that would put panels atop almost every big store in the country. The trend is accelerating as chains seize a chance to bolster their environmental credentials by cutting back on their use of electricity from coal.

Rising fuel and food prices have erased the impact of the \$92 billion in government stimulus checks distributed so far, according to Franklin-based research firm IHL Group. According to IHL Group, fuel and food prices have risen by \$132 billion over the past year, and consumers are putting the

stimulus money towards debt reduction and basic needs instead of big screen TVs. Despite a recent drop, fuel prices have been particularly painful for retailers, restaurants and auto dealers.

Construction spending by federal, state and local governments has reached record levels, lifting the economy and employing some bluecollar workers despite a collapse in home building. The building of new homes and apartments fell in July to its lowest level since 1991, the Commerce Department reported, however a boom in government projects has picked up some of the slack. Governments are on track to spend a record \$300 billion this year on schools, roads, bridges and other projects, a 7 percent increase on top of a 12.4 percent jump last year, the biggest increase since 1993, when the agency began tracking construction spending. In a dramatic reversal, government projects now generate more spending than construction of homes and apartments.

Nearly a quarter of Tennessee's children live at or below the poverty level according to a new report from the Census Bureau. The state ranks eighth in the nation for the percentage of children who are poor. According to the report, children 18 years or younger are more likely to be impoverished than the state's population as a whole. Household incomes in the state are about 8-thousand dollars a year less than the US average, putting Tennessee 43rd in that ranking.

Fresh produce part of new school nutrition program

PRODUCE from Page 1

school boards to submit a Local Agriculture Products Compliance Plan to the Education Commissioner 60 days prior to the beginning of each school year.

The plan targets certain challenges school districts face when considering the purchase of locally grown produce.

"The challenges have been getting the right quantities during the right season, which is easier in Florida or California,"said Sarah White, Tennessee School Nutrition Program director. "Farmers must also have the same type of USDA certification for food safety and have the ability to transport large quantities.

We don't have the labor force in school cafeterias as in days past to prepare certain foods," White continues. "For example, we're not going to buy and shuck corn. We simply don't have the labor force."

Under the compliance plan, districts plan how to make local agricultural products available with

transportation costs in mind and modify bid documents to allow local producers to bid products when they are in season and available. While not required to buy locally, the reporting process encourages and facilitates the practice.

"They are already doing it in Hawkins County," said White.

"We have been meeting and organizing committees to work with the farmers and we really encourage the Fresh Fruit and Vegetable grant program where the produce is needed in smaller units."

The National Farm to School program currently puts local produce on lunch trays in 38 states, and has been utilized in Hawkins County, yet participation has been limited in Tennessee.

'The bill will provide more flexibility," said Rebecca Smith, Director Field Operations and Administration, Tennessee School Nutrition

"In the past, if local farmer's bid \$1 higher than California, the district had to accept California."

TML Risk Pool to offer special event coverage

POOL from Page 1 operations, product/completed operations, contractual liability, broad form property damage, personal injury liability and third party personal property. Cost of defense is in addition to the limit of liability for any coverage. The municipal entity is an Additional Insured for each covered event. Liquor liability

would be optional. **How It Works**

The TML Pool would request the following information from the Pool Member municipal entity and would register the municipal entity to use the TULIP program account through HUB International New England at no cost:

- Name of the Pool Member entity
- Contact Person
- Mailing Address Email Address
- Telephone Number
- Fax Number

Upon confirmation of registration the Pool Member entity will receive a six digit ID code as confirmation of registration.

When a Tenant User wants to use the municipal entity's premises, the facility management directs the Tenant User to a designated website and provides the entity's six digit ID code. The Tenant User enters the ID code and answers a few basic questions in a three-step process that provides an online quote.

If the Tenant User decides to

purchase coverage through the municipal entity's TULIP program, the user simply enters his/her credit card information and the coverage is bound. A Certificate of Insurance is automatically sent via email to the municipal entity, the Tenant User

and the broker.

If the event falls outside of the program's scope, the user can call a toll-free number for a quote. The Tenant User Liability Insurance Program is sponsored by the National League of Cities for the benefit of its member state municipal pools and their member municipal entities.

For more information please contact Randy Williams at 800-624-

To submit TULIP member information per above, email to memberservices@tmlrmp.org.

Education leaders examine High School alternatives in preparing youth for college

BY MARJORIE COHEN and ANDREW MOORE Nation's Cities Weekly

Nashville Mayor Karl Dean and U.S. Sen. Lamar Alexander joined other policymakers and national education leaders this summer at a briefing on Capitol Hill on the growth of high school alternatives as an innovative local approach to education reform. Cities and school districts throughout the nation are expanding these alternatives as a strategy for improving academic achievement and graduation rates for students who struggle in traditional high schools.

The briefing, titled "Setting the Stage for New High Schools: Expanding Alternatives to High School to Ensure that All Students Become College and Work Ready," was co-sponsored by NLC's Institute for Youth, Education, and Families (YEF Institute) and the Alliance for Excellent Education with support from the Bill & Melinda Gates Foundation.

In speaking to a gathering of education policy experts representing federal, state, school district and nonprofit agencies, Mayor Dean talked about his experience in Nashville and the reasons why he views high school improvement as vitally important to the future of the city.

'There is a connection between keeping kids in schools and having reduced crime and a safer city," said Mayor Dean. "If you have a safer city and good schools, you're going to see economic development. Those three things are just intrinsically connected.

"When I was doing adult criminal work, I would represent tons of people in a given day," he continued, referring to his past role as a public defender. "Every one of them except for just a few were high school dropouts, and I'm talking hundreds of people. I'm not saying that's the only issue, but there is clearly a correlation."

Describing the development of a strong work force for Nashville, the mayor said, "We are not going to be satisfied until all our schools have graduation rates in the 90 percent range."

The YEF Institute and its part-

Alternative High School Initiative (AHSI) recently selected Nashville, along with Newark and Indianapolis, as part of a leading edge cohort of cities launching portfolios of new,

ity, alternative high schools. Mayor Dean co-chairs the Nashville-AHSI Partnership with school district and nonprofit leaders, and has also developed new initiatives to reduce truancy and improve afterschool options for middle school students. Prior to introducing Mayor

Dean, Sen. Alexander, former secre-

tary of education, discussed the America Competes Act, a bipartisan proposal enacted by Congress in 2007 that he co-sponsored, which focuses on improving student performance in math and science. "We still have in our country a remarkable economic engine," said

Sen. Alexander. "We're still the grand champion in technology and education, but the competition is getting fierce. Other countries around the world want the same standard of living we have. We in the United States need to make sure over the next decade or two that we maintain our competitive advantage." "Mayoral involvement in edu-

cation can take many forms," noted Bob Wise, president of the Alliance for Excellent Education and former governor of West Virginia, who facilitated the briefing. "It's important to recall that mayors know about the cost of dropouts — to the individuals, to their families and especially to the communities where they live."

From City Perspective to Federal Policy

Mayor Dean's comments reinforced findings from a recent YEF Institute publication, titled "Setting the Stage for New High Schools: Municipal Leadership in Supporting



U.S. Sen. Lamar Alexander and Mayor Karl Dean join a high-qual- briefing on high school alternatives in education reform.

High School Alternatives." The report outlines the policy conditions necessary for alternatives for high school to achieve large-scale success and highlights examples from seven cities of ways to help create a supportive policy climate for the expansion of these options.

Elliot Washor, co-director of the Big Picture Company, which along with the YEF Institute co-convenes the AHSI network, made the connection between a practitioner's viewpoint and federal policy. As developer of a network of more than 70 Big Picture schools and supporter of more than 220 AHSI schools, Washor called for striking a balance between the current emphasis on test score accountability under the No Child Left Behind law (NCLB) with a new emphasis on accountability for increasing graduation rates. He pointed to the Graduation Promise Act, which has been folded into a House proposal for reauthorization of NCLB, as a good design for supporting low-performing schools as well as high-quality alternative

Alliance for Excellent Education Vice President Bethany Little emphasized the importance of reorienting federal education policy toward graduation rates, innovative school reform models and improved data systems that will help states, school districts and parents know how students are faring.

"Twelve percent of high schools are producing 50 percent of the dropouts," Little noted. "Federal investment needs to be directed to turning around high schools."

TDOT wins national transportation award

The Tennessee Department of Transportation's SmartFIX40 project is being recognized as one of the top transportation projects in the nation. The American Association of State and Highway Transportation Officials announced in August that it had selected the SmartFIX40 project for an America's Transportation Award for the Southeast Region. The annual transportation awards identify achievement in the development and construction of transportation projects.

Contract No. 1 of the SmartFIX40 project in downtown Knoxville was chosen in the "On Time" category for completing phases one and two ahead of schedule, utilizing creative transportation and management solutions, and inviting community input to enhance transportation efficiency, safety and the quality of life.

AASHTO Executive Director John Horsley said, "Transportation projects such as SmartFIX40 in Tennessee set great examples in how to properly manage, communicate and deliver needed infrastructure improvements."

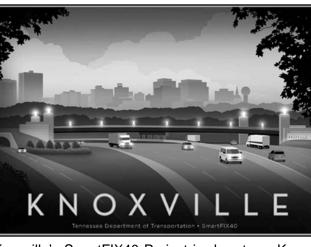
'SmartFIX40 is one of the most challenging projects in TDOT history and our goal is to maintain a safe and efficient traffic flow of traffic throughout the life of the project. We have worked extensively with local and state elected officials and local civic organizations to ensure that we are aware of their concerns during construction," said TDOT

Commissioner Gerald Nicely.

In a departure from traditional roadway construction projects, community representatives and local city and other elected officials participated in planning and design meetingsto make suggestions and obser-

meetings were conducted to educate the general public and other stakeholders about the project. As a result of this process, 14 significant design changes were incorporated into the plan to accommodate suggestions made by

the community. Broken into two separate contracts, SmartFIX40 is a multi-year road construction project with a total price tag of \$190 million. Smart-FIX40 began in 2005 and the final contract will be completed in 2009. The first phase of the project (\$85 million) included the reconstruction of two major city streets (James White Parkway and Hall of Fame Drive), 5.2 miles of roadway, six bridges, four ramps, 33 retaining



Knoxville's SmartFIX40 Project in downtown Knoxville was chosen in the "On Time" category for comvations. Addi- pleting phases one and two ahead of schedule, tionally, mul- utilizing creative transportation and management tiple public solutions, and inviting community input to enhance transportation efficiency, safety and the quality of life.

> walls, the improvement of 18 city streets, and the construction of bicycle lanes and a tunnel.

> The second contract of SmartFIX40 currently underway involves the closure of a 1.5-mile portion of I-40 in downtown Knoxville. This accelerated construction process involves closing a primary roadway (I-40) to allow around-theclock work that is uninterrupted by traffic. This will dramatically shorten the time required to complete the project, thereby enhancing safety and reducing long-term inconvenience to motorists.

> For more information on America's Transportation Awards, www.americastransportationaward.org.

J.R. Wauford & Company

Consulting Engineers, Inc.

Water and Wastewater Systems

www.jrwauford.com

Home Office: 2835 Lebanon Road P.O. Box 140350 Nashville, TN 37214 (615) 883-3243

Branch Offices: Maryville, TN 37801 (865) 984-9638 Jackson, TN 38305 (731) 668-1953



STATE BRIEFS

BY TML STAFF REPORTS

Tennessee's financial incentives for Volkswagen to pick Chattanooga total \$577.4 million, apparently the largest offer to an automaker joining the South's lineup of assembly plants. A state report shows the German automaker's July selection of Chattanooga for the \$1 billion plant that will have 2,000 employees is expected to create another 9,477 related jobs.

Tennesseans filled 99.7 million prescriptions at retail pharmacies for \$5.5 billion in 2007, ranking it 11th in the nation for total prescriptions, according to a new study released by the Kaiser Family Foundation. Tennessee's consumption averages beat nearly every national average. Per capita, Tennesseans filled 16 prescriptions at retail drug stores. The national average is 12.

The 6th Congressional District's move into the Tennessee Valley Corridor bodes well for the region's effort to develop a hightech economy. The district includes Rutherford and 14 other counties. The Tennessee Valley Corridor is an economic and technology development organization set up to promote the region as a science and technology center, using assets such as NASA's Marshall Space Flight Center in Huntsville, the U.S. Air Force's Arnold Engineering Development Center near Tullahoma, and the Department of Energy's Oak Ridge Laboratory to collaborate and attract high-tech jobs. Including MTSU in the corridor, along with Tennessee Tech and the University of Tennessee builds a stronger partnership between those academic institutions, enabling them to share resources and work together on education, research and economic development.

The Corp of Engineers has granted the state a long-sought permit to build a new spillway at **Reelfoot Lake.** The new spillway will replace a leaking, seven-decade-old structure that required \$3 million worth of work 18 months ago to keep it intact. The spillway impounds the largest natural lake in Tennessee - a shallow 15,000-acre lake on the Tennessee-Kentucky border near the Mississippi River. The new spillway, like the current

Rain or shine. sleet or hail. every day is perfect for a GovDeals sale!



Online Government Surplus Auctions—24/7

Visit GovDeals.com today or call 1-866-377-1494

structure, will carry Tenn. Route 21 across the lower end of the lake. The project was held up for years because of a dispute with Kentucky land owners, concerned that a new spillway would raise the level of the lake and cover some of their farmland. The first step in the project will be acquiring land for the new spill-

Tennessee's unemployment rate rose to its highest level since 1987, 6.9 percent in July, according to figures released by the Tennessee Department of Labor & Work**force Development.** According to the report, Tennessee continues to see job losses in manufacturing, professional/business services and financial activities employment with year-to-year gains in educational and health services employment and in local government educational ser-

The Tennessee Department of Safety is joining forces with local non-profits and TracFone Wireless to provide free cell phones and 68 minutes of free air time to more than 800,000 families. The phones will have a free service called SafeLink wireless that will allow families unlimited access to 911 calls. Tennessee will become the first state to provide widespread, free emergency wireless service for the poor. If customers run through their 68 minutes, they can still call 911, which is a free call, and they can purchase additional minutes for other calls at a discounted rate.

Tennessee's general fund tax collections missed projections by \$511 million in the last budget **year.** The Legislature approved deep spending cuts to prepare for the downturn in state tax collections, but revenues still came in almost \$17 million short of those revised projections. The state had to resort to tapping reserve funds to close the state's books for the budget year that ended June 30. State sales tax collections were \$237 million below original projections for the year — a growth rate of 0.68 percent over the previous budget year. Corporate franchise and excise taxes missed annual projections by about \$171 million.

Fewer than one in five Tennessee high school graduates left school this year ready to go on to college, based on the test most take before continuing their studies. For the third year in a row, Tennessee students taking the American College Test averaged 20.7 of a perfect score of 36 — lower than the national 21.2 average. Results show the majority of the state's 50,000 test takers will not be ready for algebra or biology. And, despite English scores above the national average, only 18 percent of students will be ready in the four subjects covered by the test reading, math, English and science.

In 2007, the state joined Alabama and Mississippi — where 30 percent or more of adults are obese, according to new U.S. Centers for **Disease Control and Prevention** data. In the roughly 20 years since the CDC began tracking obesity across the United States, the problem has grown in every state. Nearly 64 percent of adult Tennesseans and

about 60 percent of Americans overall are either obese or overweight. If America's weight gain continues at the current rate, Johns Hopkins researchers predict, by 2030 about 86 percent of all Americans will be overweight or obese.

Fewer Tennessee voters came to the polls in this year's presidential primary than in other states, a new study by the Pew Center shows, but early voting was more popular in the Volunteer State than most others. Nearly 29 percent of ballots cast in Tennessee were cast in early voting, according to the Pew report, making the state second only to Texas, where nearly 44 percent of voters participated in early voting. Nationwide, about 30 percent of eligible voters participated in the primaries, records show, but only about 26 percent of Tennessee's voters cast ballots in the state's Feb. 5 primary. Tennessee's lower number may be partially because the primary was on the socalled Super Tuesday, when voters in 24 states voted, including such large-population states as California, New York and New Jersey.

Tennessee is on the verge of becoming the first state in the U.S. to get an electronic health records **information exchange**. The state has been working on regional pockets of the ambitious "eHealth Initiative" over the past three years, spending more than \$50 million in state and public funds. The complex network should start to come together in early September when 550 providers across the state go live with a private highway allowing them to share secured patient records and information through a network extending into all 95 counties. Hundreds of participants should follow by the end of the year, when the state plans to link more than 2,000 medical practices, clinics and rural providers to the network.

The state will receive \$20.6 million in Homeland Security Grant **funds.** More than \$15.4 million of the grant funds will be passed through to Tennessee's 11 Homeland Security District Councils to fund homeland security projects within the cities and counties that

Fewer Tennessee voters came to the polls in this year's presidential primary than in other states, a new study by the Pew Center on the States shows, but early voting was more popular in the Volunteer State than most others. Nearly 29 percent of ballots cast in Tennessee were cast in early voting, according to the Pew report, making the state second only to Texas, where nearly 44 percent of voters participated in early voting.

comprise the district. This year's funding level represents an increase of \$550,000 over 2007. The grants will primarily be used to support Tennessee's top homeland security priorities: improving interoperable communications, enhancing information sharing, and protecting critical infrastructure.

With diesel prices still topping \$4 a gallon, some drivers are turning to untaxed diesel in their cars and trucks, but using the fuel in on-road vehicles is illegal. The Tennessee Department of Revenue is cracking down, with agents checking gas tanks and issuing fines. The untaxed diesel is easy for agents to detect because it contains red dye. The diesel is intended for use in off-road machinery such as generators, pumps, construction and farm equipment. Users don't have to pay federal and state fuel taxes on it because they don't use the roads the tax money maintains. The untaxed fuel can cost about 12 to 15 cents less per gallon than regular diesel, but violators must pay either \$10 per gallon of untaxed fuel in their tank or a \$1,000 fine, whichever is higher.

Tennessee businesses dealing with the buying and selling of used, antique or scrap jewelry and precious metals must now register transactions with local law enforcement. According to Tennessee law, any person or business buying scrap jewelry or precious metals must keep a log book, documenting an accurate description of the item, the date of the transaction, the amount paid for the item and the name, race and residence of the seller. State code requires businesses or persons buying scrap jewelry to report to either the county sheriff or city police chief every day at noon the previous day's business transactions in order to help prevent the destruction of stolen jewelry and give law enforcement the opportunity to recover the items returning them to the rightful owner.

New laws detailing who can buy and sell scrap copper have pushed many would-be thieves and scrap yards out of state and onto the **Internet**, police said. Since the state passed new laws making it harder for someone to sell stolen scrap metal, especially the globally valuable copper, police detectives have had their eyes on Web sites like Craigslist where buyers are promising cash the same day for the metal. Detectives are monitoring the online copper market and have been conducting sting operations to limit the practice.



PEOPLE IN THE NEWS

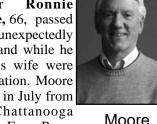
BY TML STAFF REPORTS

Mack Cooper, former legislative director for Gov. Phil Bredesen, has been hired as a policy adviser for Tennessee the Regulatory Authority.



Cooper

Red Bank Vice Mayor Ronnie Moore, 66, passed away unexpectedly in Poland while he and his wife were on vacation. Moore retired in July from the Chattanooga



Moore

TRANSPORTATION

We can help <u>an</u>y

the alt fuels info

they need! Hard working, and here

make the switch.

(865) 974-3625

jgoverly@utk.edu

to help you...

city in the state get

WASTEWATER

Times Free Press after 38 years. His commission seat will remain unfilled until a special election can be held November. State law requires the vacancy to be filled within 80 days of declaring a seat empty.

Mark Agee was sworn in again nearly 8 years after leaving seat. Agee is the first judge in Gibson County to return to the general sessions bench after spending time away from the seat.



Agee

Agee served as general sessions judge from 1993 to January 2000. He then spent eight months as Circuit Court judge for Gibson, Crockett, and Haywood counties. Since then he's been an attorney for the Agee Law Firm.

Ryan Gooch, energy policy director for the Department of Economic and Community Development, has been appointed to a three-year term on the State Energy

ENGINEERING SOLUTIONS FOR CHANGE AND GROWTH

Mattern & Craig

STORM DRAINAGE STRUCTURAL SITE DEVELOPMENT

www.matternandcraig.com

SURVEYING



Gooch

OFFICE LOCATIONS

KINGSPORT, TN 37660 PHONE: (423) 245-4970

403 E. MARKET STREET OHNSON CITY, TN 37601 PHONE: (423) 979-2220 FAX: (423) 979-2222

ROANOKE, VA ASHEVILLE, NC

EAST TENNESSEE

> ETCleanFuels.org

BWSC

ENGINEERS

ARCHITECTS

PLANNERS

LANDSCAPE

ARCHITECTS

SURVEYORS

Secretary of Energy Samuel Bodman. Gooch will work with STEAB, providing a conduit through which federal, state and local voices can be heard at DOE and other offices of the federal government. Public Works

Advisory Board (STEAB) by U.S.

Director Tom Grant has been appointed by Cleveland City Manager Janice Casteel as the public works director of capital projects. In a re-



Grant

leased statement, officials said the position was established "to better prepare the city for anticipated growth of the Volkswagen plant and other major capital improvement projects previously funded by the City Council." Assistant Director Tommy Myers will assume the director's position to deal with daily issues.





P.O. Box 2968 • Murfreesboro, TN 37133-2968

Telephone: (615) 895-8221 Fax: (615) 895-0632

CONSOLIDATED TECHNOLOGIES, INC

CHATTANOOGA Phone: 423/267-7613 Fax: 423/267-0603

ENGINEERS IN WATER AND EARTH SCIENCES www.ctienviron.com

NASHVILLE

Phone: 615/731-6003

Fax: 615/731-4149

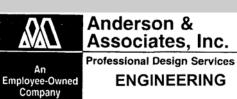
KNOXVILLE Phone: 865/539-8209 Fax: 865/694-0848



Building Stronger Communities for 40 Years Engineering · Architecture · Surveying

219 West Depot Street Greeneville, TN 37743 1909 Ailor Avenue Knoxville, TN 37921

fax: (423) 639-0900 fax: (865) 546-4714 visit www.VaughnMelton.com



SURVEYING & GIS 240 E. Main St., Suite 300 (423) 434-2971

Johnson City, TN 37604 jablonski @ andassoc.com

Nashville **ENGINEERING**

(800) 544-0147 fax (423) 434-9514

Knoxville Memphis Tri-Cities Oak Ridge

Tennessee Offices:



Target Your Advertising Call Debbie Kluth-Yarbrough 615-255-6416



Water • Wastewater • Transportation Stormwater • GIS Digital Mapping



Nashville (615) 366-1600 Knoxville (864) 588-4166 www.grwinc.com

Tennessee Municipal League 2007-2008 Officers and Directors

PRESIDENT Fom Beehan Mayor, Oak Ridge VICE PRESIDENTS Royce Davenport

Mayor, McMinnville Dale Kelley Mayor, Huntingdon

Kay Senter Vice Mayor, Morristown

DIRECTORS Alan Barker Mayor, Humboldt Linda Bennett

Betsy Crossley Commissioner, Brentwood (District 6) Shirley Fox Rogers

Council Chair, Chattanooga (District 3)

Council, LaFollette Karl Dean Mayor, Metro Nashville Johnny Dodd. Council , Jackson

Mayor, Farragut David Gordon, Mayor, Covington Bill Haslam Mayor, Knoxville

Eddy Ford,

W.W. Herenton Mayor, Memphis Ron Littlefield Mayor, Chattanooga

Keith McDonald (District 8)

Kevin Helms City Manager, Fayetteville (TCMA) Jane Myron,

Vice Mayor, Johnson City (District 1) Tommy Pedigo Mayor, Sparta (District 4)

Johnny Piper

Mayor, Clarksville David May Council, Cleveland

Charles Rahm Council, Jackson (District 7) Charles "Bones" Seivers President-CEO, Tennessee Municipal Bond Fund Cindy Cameron Ogle

City Manager, Gatlinburg (District 2) Ron Washington Council, Murfreesboro

Ken Wilber Mayor, Portland (District 5)

PAST PRESIDENTS Tommy Green (2007) Mayor, Alamo 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

TML AFFILIATED ORGANIZATIONS (Ex-Officio Directors)

ennessee Municipal Attorneys Assn. Barbara Lapides, Millington Cennessee Municipal Judges Conference Ewing Sellers, Murfreesboro Tennessee Chapter, American Public Works

Richard Whaley, Maryville Tennessee Government Finance Officers John Troyer, Knoxville

Tenn. Assn. of Housing & Redevel. Auth. Marilyn Medley, Morristown Tennessee Building Officials Assn.

Jim Brown, Bartlett Cennessee Fire Chiefs Assn. Richard Martin, Lenoir City Tennessee Assn. of Air Carrier Airports Larry Cox. Memphis

Tennessee Association of Chiefs of Police Kim Wallace, Dover Cennessee Water Quality Management Assn.

Jack Graham, Maryville Cennessee Recreation and Parks Assn. Dennis Suiter, Martin

Tennessee Chapter, American Planning Assn. Steven Neilson, Brentwood

Tennesseee Personnel Management Assn. Vicki Burton, Jackson enn. Assn. of Municipal Clerks & Recorders Connie Kittrell, Gallatin

Tennessee Assn. of Public Purchasing Susan White, Jackson IN Section, Institute of Transportation

Greg Judy, Nashville Tennessee Public Transportation Association Tom Dugan, Chattanooga Tennessee Fire Safety Inspectors

Tommy White, Sevierville Assn. of Independent and Municipal Schools Wayne Miller, LenoirCity

TML ASSOCIATE PARTICIPANTS

DIAMOND LEVEL MEMBERSHIP

Bank of America GOLD LEVEL MEMBERSHIP Bank of New York Trust Company, N.A. NG Financial Advisers, LLC SILVER LEVEL MEMBERSHIP

Redflex Traffic Systems Sensus Metering Systems BRONZE LEVEL MEMBERSHIP Adenus Technologies

Alexander Thompson Arnold, PLLC Charter Communications LaserCraft, Inc. Rare Element, Inc.

Thompson Engineering Vaughn & Melton Williams Equipment CORPORATE LEVEL MEMBERSHIP

Alliance Water Resources AMEC Earth & Environmental American Traffic Solutions Askew Hargraves Harcourt & Associates, LLC Barge, Waggoner, Sumner, & Cannon, Inc. Bulli Ray

Buxton Christopher Burke Engineering, LTD CMI Equipment Sales, Inc. Comcast Cable Communications Concrete Paving Association of Tennessee DBS & Associates Engineering Education Networks of America Employee Benefit Specialists, Inc. Florence & Hutcheson, Inc. Goodwyn, Mills & Cawood, Inc. Johnson Controls

Jordan, Jones & Goulding, Inc. J.R. Wauford & Co. Consulting Engineers, Inc. Local Govt. Corporation The Malone Company

Mattern & Craig, Consulting Engineers, Inc. McGill Associates, P.A. Metropolitan Nashville Airport Authority

Nashville Tractor & Equipment, Inc. Phoenix Tank Services Rush Truck Center, Nashville Smith Seckman Reid, Inc.

SSR Ellers Inc. Stowers Machinery Tennessee Cable Telecomunications Assn.

Tennessee Energy Acquisition Corporation Tennessee Fiber Optic Communities Thompson & Litton, Inc. Thompson Machinery TLM Associates, Inc.

URS Corporation Utility Service Co., Inc. Volkert & Associates Waste Management Wiser Company, LLC

NLC 2008 Congress of Cities encourages sharing and development of solutions

Enabling local leaders to share solutions that move communities forward is not just a passive outcome for the 2008 Congress of Cities and Exposition in Orlando, Fla. Conference planners are enhancing and adding to the event's programming in a way that encourages the active sharing and development of community-based solutions.

At the Congress of Cities, held November 11-15, attendees will have ample opportunities to share their experiences of creating stronger and more resilient communities.

Local officials who attend the conference will be able to experience the following new and enhanced programming.

- Expanded City Showcase & Learning Hub
- Roundtable Discussions
- Author Signings/Discussions
- Mini-Plenary Sessions Gallery of Practices

Participants at the Congress of Cities will also find in-depth programming that illuminates topics critical to local leaders. More than 28 workshops will be offered at the

Congress of Cities. Workshop will focus on:

- Building Economically and Fiscally Fit Cities
- Building Innovation in Washington D.C.

- Building Safe and Resilient Communities
- Emerging Issues and Trends • Governing Democratically and **Building Civic Capacity**
- Growing Green Cities
- · Helping Children, Youth and Families Thrive
- Strengthening Infrastructure For more information, visit www.NLCCongressofCities.org or e-mail conference@nlc.org.

Early Bird Registration

\$500 for Members before September 30 Register online at www.NLCCongressofCities.org

National League of Cities







CONGRESS OF CITIES E X P O S 1 T

solutions for moving communities forward

November 11-15, 2008 Orlando, Florida **Orlando World Center Marriott**

Municipal Administration Program September Schedule

Mutual Aid in Tenn: The Next Step! (3500)

In 2004, Tennessee passed the Mutual Aid and Emergency and Disaster Assistance Agreement Act which allows all government agencies to participate in statewide mutual aid during disasters. The University of Tennessee is working with the International Fire Chief's Association to achieve the next step, which involves an organized way to inventory, track and deploy resources when a disaster occurs.

This course will introduce the concept, demonstrate how it works, and offer important information that can be used by all local departments within city and county government including police, fire, EMS, public works, schools, utilities, finance and management to improve mutual aid in Tennessee.

Instructors

Ray Crouch, MTAS Fire Consultant, Kevin Lauer, CTAS Fire Consultant and Gary West, MTAS Fire Consultant

Who Should Attend



MUNICIPAL TECHNICAL Advisory Service

Municipal officials, department heads and supervisors in the fire, police, public works and emergency management departments. County Sheriffs, mayors and Emergency Management Directors are encouraged to attend.

Public administration courses begin at 8:30 a.m. and conclude at 12:30 p.m.

Dates and locations Collegedale

Sept. Franklin Sept. Sept. Jackson Sept. 17 Johnson City Sept. Knoxville

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 Tennessee Center for Agricultural Research, Extension, and Public Service, 605 Airways Boulevard Johnson City Johnson City Public

Library, 100 West Millard St. **Knoxville** University of Tennessee Conference Center, 600 Henley

To register for this municipal administration program class, please visit the MTAS web site at www.mtas.tennessee.edu or contact Elaine Morrisey at Elaine.morrisey @ tennessee.edu. or 865.974.0411.

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



FESTIVALS

Sept. 19-21: 8th Anual Bristol **Rythym and Boots Festival**

Downtown Bristol TN/VA - State Street. Three outdoor stages, 12 indoor venues, award winning artists, crafts, food, 5K road race, 2-mile walk, children's events. For more information, visit www.bristolrhythm.com or call 423-573-4898.

Sept. 27: Heritage Days

Covington Historic Downtown Square 9 a.m. - 4:30 p.m. Live music, Kid's Corner, parade, food, arts & crafts, doll show, folk art, square dancers, antiques, tours and much more. For more information, contact Janie at 901-476-9727; mjcranford@covingtones.com.

Oct. 3-4: Cotton Festival

McLemoresville. Celebrates the local agri-industry with fun family events. Food, games, live music, lawnmower races, beauty review, yard sales, cake walk. For more information, contact City Hall at 731-986-9440.

Oct. 3-4: 27th Annual Scotts Hill **Appreciation Days**

Scotts Hill City Park. Live entertainment, children's area, parade, food, flea market. For more information, contact City Hall at 731-549-3175.

Oct. 3-5: 36th Jonesborough National Storytelling Festival

Downtown Jonesborough. Event tents will be located within easy walking distance from each other. Festival programming runs from 10 a.m. to 10 p.m. Fri. and Sat. and from 10 a.m. to 4:30 p.m. Sun. Daily events schedule available at the festival or online a few days prior to the festival. For information, contact the International Storytelling Center at 800-952-8392 or visit the website www.storytellingcenter.net.



Sept. 11 & 12: The Nature of Design: Educating for the Future Conference with the American Society of Landscape Architects, Tennessee Chapter and Tennessee Urban Forestry Council. Downtown Knoxville Hilton. Keynote speaker: James Urban, urban arborist and landscape architect. For more information, visit the website www.natureofdesign.org.

Oct. 9-10: Tennessee Farmland Legacy Conference at Montgomery Bell State Park in Burns. Farmers, landowners and community leaders will have the opportunity to learn about protecting and growing today's farms for tomorrow's families and communities. Early registration is available through Sept.22. For agenda and registration, visit website at http:// picktnproducts.state.tn.us/legacy/ or call 865-974-0280 or mail or fax completed registration form to UT Conference Services, P.O. Box 2648, Knoxville, TN 37901, Fax: 865-974-0264. For more information, contact Jane Howell at the Tennessee Department of Agriculture at 615-837-5104 or jane.howell@tn.gov.

TENNESSEE MUNICIPAL LEAGUE STAFF Margaret Mahery, Executive Director Chad Jenkins, Deputy Director Mark Barrett, Legislative Research Analyst

Carole Graves, Communications Director & Editor, Tennessee Town & City Edna Holland, Government Relations, TML/RMP John Holloway, Government Relations Debbie Kluth, Dir. Marketing & Member Services Mona Lawrence, Administrative Assistant Denise Paige, Government Relations Victoria South, Communications Coordinator

Sylvia Trice, Director of Conference Planning

TENNESSEE TOWN & CITY (ISSN. No. 0040-3415) Publication No. 539420

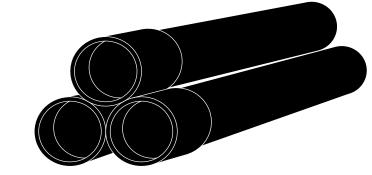
- Official publication of the Tennessee Municipal League. **Publisher**: Margaret Mahery (mmahery @ TML1.org); **Editor**: Carole Graves (cgraves@tml1.org; **Phone:** 615-255-6416. Advertising: Publisher reserves the right to reject any advertising deemed unacceptable. Fax classified ads to TT&C: Attention Mona Lawrence at 615-255-4752, or e-mail mlawrence@TML1.org. Fax advertising copy to TT&C: Attention Debbie Kluth at 615-255-4752, or e-mail to dkluth@ TML1.org. Opinions expressed non League officials or staff do not necessarily reflect policies of TML. Tennessee Town & City is published, semi-monthly, 20 times per year at 226 Capitol Blvd., Suite 710, Nashville, TN 37219-1894. Periodicals postage paid at Nashville, TN. Subscription rates: \$6 per year to members, \$15 to nonmembers, \$1 a copy. Postmaster: Send changes of address to Tennessee Town & City, 226 Capitol Blvd., Suite 710, Nashville, TN 37219-1894.

Does your city need money for capital projects?

If your pipes are calling, call the Tennessee Municipal Bond Fund for all your financing needs.

We offer:

- low rates,
- lowest costs and
- best service.



We're making great cities even better. One loan at a time. (615) 255-1561



Summary of Public Acts that affect municipalities for 2008

BY JOSH JONES MTAS Legal Consultants

BUSINESS REGULATIONS Public Chapter No. 731 (HB2420) Regulation of ticket scalping: Amends T.C.A. Title 39, Chapter 17, Part 11. Makes it an offense to knowingly sell, give, transfer, use or distribute, or possess with intent to sell, give or distribute, any software that is primarily designed or produced for the purpose of interfering with the operations of any ticket seller that sells, over the Internet, tickets of admissions to a sporting event, theater, musical performance, or place of public entertainment or amusement, by circumventing any security measures on the ticket seller's website or circumventing any controls or measures instituted by the ticket seller on its web site to ensure an equitable ticket buying process. Creates a Class B misdemeanor punishable by a fine of not more than \$5,000 or any profits made or tickets acquired in the course of the violation, whichever is greater. Each acquisition, sale or offer in violation constitutes a separate offense. Effective July 1, 2008.

Public Chapter No. 803 (HB2564) Tattooing and body piercing of **minors:** Amends T.C.A. § 39-15-403 and Title 62, Chapter 38. With written consent of the parent or legal guardian a minor sixteen (16) years or older may be tattooed to cover up an existing tattoo. Proof of guardianship or custody required. Parent or guardian must be present. Revises the penalty for tattooing a minor, making the violation a Class A misdemeanor regardless of whether performed for commercial purposes. Requires that the parent, legal guardian, or legal custodian of a minor to be pierced also provide proof of guardianship or custody of the minor. Effective July 1, 2008.

Public Chapter No. 1040 (HB1592) Local regulation of fertilizer: Amends T.C.A. Title 43, Chapter 11, Part 1, by prohibiting any political subdivision of the state from the registration, packaging, labeling, sale, storage, distribution, use or application of fertilizer. These provisions do not apply within Shelby, Davidson, Knox and Hamilton counties. Effective May 28, 2008.

CHARTERS

Public Chapter No. 808 (SB2734) **Internet posting of charters:** An act concerning the charter of incorporation of any municipality or county. Requires each municipality and county to, no later than January 1, 2009, post its charter of incorporation on a website maintained by the municipality or county. If no such website is maintained, the charter must be posted on the Tennessee Secretary of State's website. Effective April 14, 2008.

CITY COURTS Public Chapter No. 655 (HB3198) Post-judgment interest: Amends T.C.A. § 47-14-121 to provide that municipal court decrees earn postjudgment interest at the same rate,

10%, as other courts. Effective March 27, 2008.

CIVIL PROCEDURE Public Chapter No. 725 (SB3660) **Extension of statutes of limitation** during disasters: Amends T.C.A. Title 28, Chapter 1, relative to extending statutes of limitations and repose during times of declared disaster. Provides that when a duly authorized member of the appellate judiciary enters an order declaring a disaster pursuant to the Tennessee Supreme Court Rules or the Tennessee Rules of Civil or Appellate Pro-

cedure, all applicable statutes of limitation or repose shall be extended in the counties subject to the order by the same number of days by which other applicable filing deadlines are extended. In the event that an action could be properly filed in more than one county, the deadline shall be extended only in the county or counties where a disaster is declared by order.

Effective April 10, 2008.

CONTRACTS Public Chapter No. 1088 (HB3810) Contracts for stabilizing the price of fuel: Amends T.C.A. Titles 4, 7, 9 and 67. Allows a municipality, upon approval of the governing body, to enter into negotiated contracts, including joint contracts with other municipalities, or with financial institutions, for the purpose of stabilizing the net expense of a municipality incurred in the purchase of gasoline, diesel or both, actually purchased by the municipality. Effective June 3, 2008.

CRIMES AND CRIMINAL **PROCEDURE**

Public Chapter No. 643 (HB2497) Release of indictments: Amends T.C.A. § 40-13-112(a) to clarify that this section does not preclude law enforcement from releasing indictments or the fact or indictment for the purpose of apprehending the subject of the indictment. Effective July 1, 2008.

Public Chapter No. 744 (HB3798) **Domestic abuse victims:** Amends T.C.A. Title 39, Chapter 13, Part 1, relative to the offense of domestic assault. Makes consistent the definition of "domestic abuse victim" for purposes of orders of protection and domestic assault. A domestic abuse victim is any person who falls within the following categories:

(1) Adults or minors who are current or former spouses;

(2) Adults or minors who live together or who have lived together;

(3) Adults or minors who are dating or who have dated or who have or had a sexual relation-

(4) Adults or minors related by blood or adoption;

(5) Adults or minors who are related or were formerly related by marriage; or

(6) Adult or minor children of a person in a relationship that is described above.

Effective April 10, 2008.

Public Chapter No. 1018 (SB582) Mandatory jail time for DUI of**fenders:** Amends T.C.A. Title 55, Chapter 10, Part 4, by requiring all DUI offenders, regardless of age to serve at least 48 hours in jail. Charges the probation offices or the county official administering the state litter removal grant with the responsibility of supervising the litter removal punishments. Effective July 1, 2008.

Public Chapter No. 1166 (SB219) Convicted felons carrying fire**arms:** Amends T.C.A. Title 39, Chapter 17, Part 13, by prohibiting persons convicted of a felony involving the use or attempted use of force, violence or a deadly weapon or a felony drug offense from possessing shotguns, rifles or handguns. Effective July 1, 2008.

Public Chapter No. 1167 (SB1054) Leaving the scene of an accident: Amends T.C.A. Title 55, Chapter 10, Part 1, by requiring that when a person is charged with leaving the scene of an accident that results in death or injury, and also charged with vehicular assault, vehicular homicide, or aggravated vehicular homicide, as a result of the same course of conduct, any sentence imposed for leaving the scene of the accident must be served consecutive to any sentence imposed for the applicable assault or homicide offense. Effective July 1, 2008.

Public Chapter No. 1169 (SB1291) Dismissal of financial responsibility offenses: Amends T.C.A. Title 55, Chapter 12, Part 1. Requires acourt to dismiss a first-time offense of violating the financial responsibility law if the offender later, but before the court date, submits proof of compliance at the time of the violation. Allows for discretionary dismissal for subsequent violations. No cost or litigation taxes can be assessed for dismissal. Effective July 1, 2008.

Public Chapter No. 1171 (SB2620): Amends T.C.A. § 37-1-413 by extending the offense of making false and malicious reports of child sexual abuse to include false and malicious reports "that a child has sustained any wound, injury, disability, or physical or mental condition caused by brutality, abuse or neglect". Effective July 1, 2008.

Public Chapter No. 1173 (SB2719) Intentionally displaying an imitation firearm: Amends T.C.A. Title 39, Chapter 17, by creating the offense of intentionally displaying an imitation firearm in a threatening manner in a public place in such a way that a reasonable person would fear bodily injury or death to themselves or others.

Effective July 1, 2008.

Public Chapter No. 1176 (SB2866) Unlawful possession of a firearm: Amends T.C.A. § 39-17-1307 by expanding the felony of unlawful possession of a weapon to include a person possessing a handgun who has been convicted of any felony. Effective July 1, 2008.



CLASSIFIED ADS

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; email: mlawrence@ TML1.org; or fax: 615-255 4752.

ASSISTANT TO CITY MANAGER

MURFREESBORO. The city seeks applicants for the newly created position of Assistant to City Manager. Salary: \$68,700-\$77,287 + excellent benefits. Requires a bachelor's degree in public or business administration and 3-years of experience in local government management; master of public administration preferred. As part of management team, will provide support to City Manager and Deputy City Manager in all aspects of the day-today operations of a rapidly growing community, assist in policy development and preparation of budget and CIP, handle citizen complaints, staff boards and commissions and have responsibilities in purchasing, training and economic development. Complete job description and benefits available at: www.murfreesborotn. gov. Resume, cover letter, salary history, professional references and com-

pleted full-time job application from

city website to Roger G. Haley, City

Manager, 111 West Vine Street,

37130 by 10/24/08. EOE

CITY MANAGER

EAST RIDGE. The City of East Ridge is accepting qualified applicants for the position of City Manager. Qualifications: At least five years city management experience, plus leadership and team building skills. College degree required. Salary range \$85,000 -\$95,000, plus benefits and automobile. Send resume to: Curtis D. Adams, Hamilton County Commissioner/City Manager, City of East Ridge, 1517 Tombras Avenue, East Ridge, 1N 3/412, phone: 423-622 3352. EOE. TN Drug Free Work-

COMMUNITY DEVELOPMENT DIRECTOR

COLLIERVILLE. The town seeks applications for the position of Community Development Director. The director plans, organizes, directs, services of department in engineering, planning, and building codes services. Requires strong, results-oriented management qualifications, leadership and team building skills and engineering, planning, communication and interpersonal relationship competencies. Needs track record demonstrating consensus-building, knowledge of community development, city functions, project design and management, transportation systems and their funding sources, customer service, employee relations, and intergovernmental relations. Requires Bachelor's degree and 10 years experience in planning and community development work. Master's degree in planning, business administration or related field preferred. Salary \$67,348 -\$106,660 DOQ, plus benefits. Send resumes by September 15, 2008 to John Maxwell, Senior Vice President. Springsted Incorporated: 109-A Wimbledon Square, Suite A, Chesapeake VA 23320, fax 757-422-6617 or email jmaxwell@springsted.com.

DIRECTOR OF PLANNING

FRANKLIN. The city has an opening for the position of Director of Planning. Responsibilities include directing operations and activities, supervising assigned departmental staff, maintaining adequate staffing, establishing and implementing goals, and overseeing operations in all divisions of the department; making recommendations on planning matters to BOMA, BOZA, the Franklin Municipal Planning Commission, the Franklin Planning & Economic Development Committee and the Franklin Finance & Budget Committee; advising the Planning Commission pertaining to growth issues related to the City's Long Range Plan; advising the Planning Commission and BOMA on rezoning requests; making oral and written presentations to governmental bodies, private orga-

nizations and the public; guiding interactions with developers and the public; directing staff pertaining to subdivision plan and site plan review; overseeing amendments to the zoning ordinance and subdivision regulations; performing related intergovernmental cooperative work with county, state and federal agencies; preparing department budget; serving as secretary for the Planning Commission; representing the Mayor on the Williamson County Economic Advisory Council and on the Metropolitan Planning Organization; representing the Planning Department, the city and the position of Planning Director on a number of committees and organizations. Minimum Qualifications: Master's degree in planning or land use required, with 6 - 9 years of planning, land use, design, research and supervisory experience. Competitive salary based on education and experience with generous benefits. Apply by 9/26/2008. Obtain application online at www.franklingov.com or from HR Dept, City of Franklin, PO Box 305, 109 3rd Ave S, Franklin, TN 37065, telephone 615-791-3216, fax 615-791-3297, or email tracyh@franklin-gov.com. EOE/ Drug-free Workplace. The City of Franklin does not discriminate based on race, color or national origin in federal or state sponsored programs, pursuant to Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d).

FIRE CHIEF

SELMER. The town will accept applications for the position of Fire Chief through Sept. 26, 2008. This position directs all activities of the city's fire department and serves as the city's safety officer. Minimum qualifications are four years of higher education with a major in Fire Science or related field, plus five or more years of supervisory experience. Experience as a supervisory Fire Officer may be considered to substitute for education considered on a case by case basis. Must possess and maintain a valid Tennessee driver's license that has not been revoked for any reason within the past three years. Applicant must have extensive knowledge of fire department management including both career and part-time firefighters and additional experience in fire prevention and suppression techniques, fire safety standards, NFPA standards, ISO standards, TOSHA standards, fire apparatus, and hazardous material operations. Must possess excellent written and verbal communication skills and have ability to prepare and manage departmental budget, develop annexation plans, fire rating plans, and conduct safety inspections. The Chief works under the general supervision of the Mayor. Salary range \$32,000-\$38,000 plus full benefits package. References are required and background checks will be conducted. Resumes will only be accepted with city application. Applications are available from City Hall located at 144 North Second Street, Selmer, TN 38375, or on the website @ www.selmer-tn.com/jobs.htm. EOE.

Good Risk Management is just Good Management



Cities and municipal agencies have joined together to create in the TML Pool what has grown to be the largest municipal insurer in Tennessee.

The extent of the coverage provided for municipal exposures is staggering, including coverage of more than \$5 Billion in Municipal Buildings and Personal Property.

The Pool is proud to be the largest municipal insurer in Tennessee.



Your Partner in Risk Management since 1979.

5100 Maryland Way • Brentwood, TN • 800-624-9698

TVA rate increase to affect city electrics

phis Light, Gas and Water. He told the TVA board it should delay any increase in the base rate.

Collins was quoted in the Chattanooga Times-Free Press:

"I am deeply concerned about the cumulative impact of these rates increases. If TVA approves a base rate increase in addition to the fuel cost adjustment, electricity rates will have increased for the average Memphis customer by \$43 a month in the past three years. That's simply too much."

MLGW serves 420,000 customers in Memphis and Shelby County. The increase in the base rate was only 3 percent. But that alone would cost residential customers of the Memphis utility another \$18 a month for 1,300 kilowatt hours, Collins said.

TVA had been attempting since September 2007 to come up with a base rate increase in single digits.

TVA President Tom Kilgore had given plenty of warning of the increase in the fuel cost adjustment, which he blamed on the price of the fuels that turn the generators. TVA customers – and publicists – like to brag on the hydroelectric capacity of the giant utility and the wattage produced. But even TVA says that its coal-fired plants "have been the back bone" of the system since the 1950s. Coal plants can crank out more than 15 thousand megawatts of capacity.

Another 6,000 megawatts can be "turned on" by starting the system's 83 combustion turbines, which run at times of peak demand heavy air conditioning days, in this

In 2007, the giant authority already forecast the effects of a longterm drought lasting into 2008. Of \$1 billion in capital expense approved for new plants, \$317 million was set to begin work on a new nuclear plant at Watts Bar.

A larger capital investment, \$423 million, was set for gas-fired

MLGW's Collins urged TVA to "delay the proposed base rate increase until alternatives can be properly evaluated and deliberated with the distributor community.'

"Our customers labor under the strain of rising energy costs," he

MLGW posts an interesting chart comparing the costs of electricity in comparable cities. That's available at www.mlgw.com/images/RateComparison.pdf

In the industrial rate chart on this page (based on the old rates), TVA cities fall into the range of 11" to 19th most competitive cities for industrial power. If Knoxville rates shot up 20 percent, the city would

come in a little over the current rate for Jacksonville, FL.

But other areas are looking at raising their rates based on the same fuel-cost drivers that TVA faces.

Steve Sax, general manager of Murfreesboro Electric Department, said it isn't the first time he's seen such increases in rates. He lived through similar increases when he worked in the industry in the state of Delaware and says that customers will adjust.

"People are good consumers. They will take these prices and economize, just as they have with the high price of gasoline. We will see our customers make conscious decisions to conserve electricity to cope

The state isn't alone in its crisis,

"We're seeing these large spikes in pricing all over the country. .. Where I worked in Delaware, they are running about 30 percent above our rates," Sax said. "We're at about 10 cents a kilowatt-hour. They are at 15 to 17 cents."

Other utility spokesmen interviewed for this story quoted from a new chart they said was promulgated by TVA which shows cities in the Valley are still competitive with other U.S. locations for purposes of luring industry. But the chart wasn't in the public view at press time.

At least two such executives asking to remain anonymous pointed out that electrical rates in the Tennessee Valley have been much lower than other areas for many years. Cost of a kilowatt hour in the TVA area is about half of the cost in Florida, said one.

An electric bill that totals \$106 in the Valley would be \$172 in Texas, one said. Even in Louisiana, another "energy" state, it would be

Distributors in the TVA area say they will assist customers with home energy audits and conservation events. Utilities will be promoting such tips during "public power week, which ironically falls on Oct.

Among those tips will be using compact fluorescent bulbs for lighting rather than the more power-hungry incandescent bulbs.

But in fact it is air conditioning and heating that use the most energy,

"People will make energy usage an important decision buying major appliances," he forecast. When buying a washing machine or a dryer, a more energy-efficient appliance could easily be worth a premium of \$100, Sax said.

For heating or air conditioning, the difference might be \$400 to \$500 and still be worthwhile," he said.

Not all appliances are similarly

energy efficient because U.S. regulations don't require it, Sax said.

Part of the national adjustment to the higher rates may be more congressional oversight into how efficient such appliances must be, he suggested. But the stickers already required to be attached to such devices already disclose how efficient – or inefficient – they are, he said.

"The sticker does give a sense of how much energy we use," he said. Consumers have already demonstrated that they are willing to buy a car that gets 20 miles to the gallon rather than 15, he said.

In the short term, Sax said, utilities of all sizes have little choice but to raise their rates to the same level as TVA's rate – a painful pass-through. "Our margins are fairly thin," he said, "from about 15 percent to 18 or 19 percent. This doesn't leave distributors with a lot of ability to go into our resources and say, 'We're only passing along 15 of the 20 percent increase' by going into re-

"It wouldn't last but a few months and then those reserves would be gone," he said.

Because TVA built most of the increase into the fuel cost adjustment – a figure that is recalculated every three months – "I'm optimistic that three quarters out from now, we'll see those costs receding." That would automatically lower the rate charged by the distributors.

Regardless, he said, it seems inescapable that there will be a dip in economic growth in Tennessee "for the next six months or so."

Consumer use is only part of the story, Sax said. "There is a short term impact on local economies because of rising energy prices. We have communicated with the top 30 businesses in our service area." Those businesses are eager to reduce their use – and their bills, he said.

"There is a lot of ground to be made up in the industrial world," he

Although financial pressures on both large and small utilities are similar, he said, he feels the pressure of being a small utility.

"We are transitioning to being a larger utility. But we are so close to community, people know us. We are deluged with questions from people in the community – 'How does this affect me?""

"We have to be very proactive." Larger utilities, such as the state's four biggest (Memphis, Nashville, Knoxville and Chattanooga) have similar worries with their larger customers, he suggested.

"They may be a little more removed from the pressures, but they're still getting a lot of questions, particularly from larger customers," he said.

Residential Electric Bills Rank City State Company 1000 kWh St. Louis MO AmerenUE \$58.85 Huntsville Utilities Huntsville AL \$73.30 Memphis TN **MLGW** \$77.37 Jackson TN **Jackson Energy Authority** \$78.51 Knoxville TN **Knoxville Utilities Board** \$79.23 13 Chattanooga TN Electric Power Board \$81.97 17 Nashville TN Nashville Electric Service \$87.67 Boston MA NSTAR Electric & Gas \$186.21

Commercial Electric Bills Rank City St. Louis \$5,142 11 Huntsville \$9,297 17 Bellevue, WA \$9,926 18 Jackson, TN \$9,963 19 Memphis \$10,106 20 Knoxville \$10,292 21 Chattanooga \$10,525 22 Nashville \$10,788 23 Phoenix \$10,881

\$25,399

Industrial Electric Bills			
Rank	City	10 mil kWh	
1	St. Louis	\$342,617	
11	Huntsville	\$524,700	
12	Bellevue, WA	\$560,006	
13	Jackson, TN	\$618,500	
14	Cincinnati	\$625,098	
15	Nashville	\$634,600	
16	Knoxville	\$639,300	
17	Memphis	\$642,000	
19	Chattanooga	\$683,460	
29	Jacksonville	\$765,532	

The above information is based on Jan. 1, 2008 rates.

In the industrial rates" chart (based on the old rates), TVA cities fall into the range of 11th to 19th most competitive cities for industrial power. If Knoxville rates shot up 20 percent, the city would come in a little over the current rate for Jacksonville, FL.

Records forms offered online

RECORDS from Page 1 ler of the Treasury's web site at: www.comptroller.state.tn.us/ openrecords/forms.htm.

Los Angeles

33

For questions about the forms or to find out more about the Comptroller's Office of Open Records Counsel, call 615-401-7891 or email open.records@state. tn.us or visit the website at http:// www.comptroller.state.tn.us/ openrecords/index.htm.

In addition, MTAS plans to incorporate the use of these forms into their existing open records training programs and materials.

Municipalities are also reminded that the law prohibits a custodian from requiring written request in order to view public

Therefore, in order to avoid confusion and to ensure proper documentation of all types of request, municipalities are encouraged to adopt policies requiring employees to fill out the form on behalf of the requestor.

Regional Jail Authority provides support, options

JAIL from Page 1

ing a new facility, the county could incur significant costs. Smaller jurisdictions might look at the benefits of sending prisoners to the county next door instead and provide the funding. Or a county may have one good jail and three outdate facilities. They might join and the Authority take over the good jail, or it could be costing too much mileage to transport prisoners to a regional facility. The Regional Jail Authority would meet and be structured according to the specific need."

After an announced public hearing, the governing bodies of the local governments would adopt, and the executive officer would approve, an ordinance creating the authority. However, local governments may become members after the authority's creation by concurrent resolution.

The Authority's Board would require 10 officials including:

• The chief executive officer of each participating government;

· Sheriff of each participating com-

• One member selected by the legislative body of each participating county;

• The comptroller of Tennessee or

 The district attorney serving each affected judicial district or des-

 One judge selected by the judges serving each affected judicial dis-

• The mayor of each participating municipality;

 One member of the governing body of each participating municipality; and

 A board appointed executive officer who will be responsible for all personnel matters related to the authority and a superintendent to administer any jails owned by the authority.

New procedure required for Traffic Court reporting

TRAFFIC from Page 1

ally write the information on the printed form in the meantime.

If you are currently using some other form to report dispositions, such as a copy of the original citation, you may continue to use this method to submit dismissals related to completion of traffic school.

The department of safety has asked that you make a note indicating that the case was dismissed upon completion of traffic school. Simply write "Traffic School" and the date the school was completed in a place on the form the data entry clerks are likely to notice, such as near the field for "Hearing Disposition Date.

If you currently submit court action reports electronically:

The disposition code for traffic school dismissals is "973." You should contact your software vendor to make this modification.

As these dispositions are sent to the state, the various courts will be able to obtain a driver's history for an offender before the scheduled

Any previous dismissal based on completing a traffic school, after July 1, 2008, will show up on the driver's history report. Remember, the law allows the judge to sentence someone to traffic school in lieu of or in addition to any other punishment. Dismissing the case upon completion of a traffic school is at the discretion of the judge.

Reporting Traffic Dispositions

This is a good time to revisit the law requiring the submission of traffic dispositions to the state.

T.C.A. § 55-10-306 (b)(1) states within 30 days after the conviction or forfeiture of bail of a person upon a charge of violating any provision of chapter 8, parts 1-5 of this chapter and § <u>55-12-139</u> or other law regulating the operation of vehicles on highways, every such magistrate or judge of the court or clerk of the court of record in which such conviction was had or bail was forfeited shall prepare and immediately forward to the department an abstract of the record of the court covering the case in which the person was so convicted or forfeited bail, which abstract must be certified by the person so required to prepare the same to be true and correct.

The report need not be made of any conviction involving the illegal parking or standing of a vehicle.

The requirement for submitting the dispositions to the state includes convictions and forfeitures.

Reporting Dismissed Cases

In addition to reporting convictions and forfeitures, courts are required to submit dispositions of cases that are dismissed upon completion of driving school (the new law detailed above); and dismissals of cases involving the financial responsibility law (insurance law) when the violator did not have insurance at the time of the citation but obtained insurance before the court date.

Helping government serve the people for more than a century.

Delivering the strength and insight of America's bank.

A strong government requires both financial and intellectual capital to help communities thrive and grow. Our government banking specialists are dedicated to understanding and serving your organization like no one else can. With over a century of commitment to the public sector, Bank of America is a trusted banking leader to government entities nationwide. Call 615.749.3618 or visit bankofamerica.com/government to learn more.



10th anniversary finds Whitwell Paper Clip Project 30 million strong

BY VICTORIA SOUTH

TMLCommunications Coordinator

Ten years and 30 million paper clips ago, the students and teachers of Whitwell Middle School embarked upon a journey, a nation-wide lesson on brotherhood and diversity that would reach well beyond the boundaries of their small rural town, changing lives for generations to come. It is simply called The Paper Clip Project.

Can anyone fully imagine six million of anything? In 1998, the eighth grade students at Whitwell Middle School desperately wanted to. In the early stages of an afterschool Holocaust Education course, they were struggling to grasp the enormous number of lives extinguished during Adolph Hitler's regime. They tried doing the math. If six million adults and children were to lay head to toe, the line would stretch from Washington to San Francisco and back... nope, they needed something tangible.

Intrigued by the silent act of solidarity displayed by the Norwegians during World War II; wearing paper clips on their lapels in silent protest against Nazi profiling, (all Jewish citizens were forced to wear yellow Stars of David on their clothing), the students asked Principal Linda Hooper if they could collect six million paper clips to represent the number murdered during the Holocaust. Now, they could envision the project, but never imagined the outcome.

A former mining town, at the foothills of the Tennessee Mountains, Whitwell was an unexpected site for a diversity explosion. The birthplace of the infamous Ku Klux Klan, Pulaski is a mere 100 miles away, while 40 miles up the road, the Rhea County Courthouse stands as silent witness to the "Scopes Monkey Trial."

With about 1,600 residents, more than 97 percent of them white and Christian, five African Americans and one Hispanic out of a student body of 425, and absolutely no Jewish citizenry, Whitwell "did not offer much opportunity to practice racial or religious tolerance of any kind," Hooper observed.

However, the students, administration, and volunteers were determined to move forward watching films, reading books, viewing photographs and surfing the internet in Language Arts teacher Sandra Roberts' class while appealing to friends, neighbors, family members, anyone to send paper clips for their mission. Suddenly, interest soared beyond their wildest dreams.

It was the student-managed website that captured the attention of White House correspondents, Peter and Dagmar Schroeder, German journalists born during World War II. The Schroeders published several articles, and a book, "The Paper Clip Project," that was distributed throughout Germany and Austria.

Then, an article written by Dita Smith drew national attention, appearing in the *Washington Post* and featured on *NBC Nightly News*. The Schroeders managed to procure an authentic German rail car that had been used by the Third Reich to transport prisoners to the camps. It arrived in Whitwell as part of a future exhibit at the school to house the enormous cache of paper clips pouring in by the thousands.

Overnight, the tiny town became the darling of the news media. People from all walks of life: churches, individuals, civic groups, schools, all sent paper clips and testimonials. Letters and paper clips were received internationally and by Hollywood celebrities such as Bill Cosby, Henry Winkler, Steven Spielberg, Tom Hanks and Tom Bosley.

President George W. Bush, former President Bill Clinton, and former Vice President Al Gore sent paper clips along with major sports teams, corporations and industries. A film company, The Johnson Group, arrived producing an award winning documentary as Holocaust survivors and the Schroeders visited Whitwell Middle School and a local church. There was hardly a dry eye in town that day.

Once doubtful they would ever reach their goal, the class has collected 30 million paper clips in 10 years. Every single paper clip, a representation of human life, has been painstakingly counted by students, teachers and volunteers who read

and catalogue the rainbow of accompanying letters, poems and personal accounts: ...I'm sending this to commemorate my mother and four siblings murdered by the Nazis in 1941, one man writes.For grand-They collect the



mother, I'm so Visitors tour one of the last existing "cattle cars" of the Nazi era at grateful she Whitwell Middle School. The rail car that transported Jewish survived, beprisoners to concentration camps during World War II, now houses gins another. eleven million paper clips representing each victim of the Holocaust.



Middle Tennessee survivors and members of the General Assembly light candles April 14, 2008, at the State Capitol to remember the deaths of six million Jews and millions of other victims of Nazi genocide. The Tennessee Holocaust Commission has sponsored Days of Remembrance since 1984.

accompaning artwork and colorful stamps. Foreign countries are no longer places of mystery for students at Whitwell.

"We have received clips from seven continents and 50 states," Hooper says. "People have sent 100 notebooks of letters. And we have exchange programs with South Africa and Germany. A group, some kids who have never been out of the valley, attended a two-day workshop at the Brushy Fork Institute.

The Institute offers opportunities for students to connect with other people and organizations that are working to improve life in Appalachian communities.

Eleven million, paper clips, 3 ft. deep by 9 ft wide, now rest behind a glass container in the rail car memorial dedicated Nov. 9, 2001. According to Hooper, the paper clips represent the 6 million Jewish people annihilated in the Holocaust, 11/2 million under the age of 14.

The other 5 million represent individuals exterminated because they were considered misfits, a group that included gypsies, homosexuals, the handicapped, and the elderly. Another memorial on the grounds holds 11 million paper clips representing children killed in the Holocaust.

"We currently have 22 million paper clips on the property," Hooper said. Paper clips not used in the memorial are routinely sent to other schools for their Holocaust projects.

"We sent six million to a school in New Jersey that wanted to start a memorial," said Hooper.

But not all schools start with such a duanting figure. Whitwell students send some schools a "shtetl box," containing a small town's history along with the number of paper clips representing those killed in that community.

Recently, Whitwell faced a dilemma when the school relocated. All 17 1/2 tons of paper clips had to be transplanted to the new location. That's when the local Eagle Scouts went to work.

"There's no way to describe how wonderful the children are here in Whitwell," Hooper reflects. "They have done all the work after school, football practice, throughout the summer."

Although tours are temporarily postponed while the school gets settled in their new location, visitors and school field trips have been a regular sight at the memorial led by student tour guides. A tape recorder is available at the rail car when individuals stop by for self-guided tours.

For everyone touched by the Paper Clip Project, a paper clip will never again be just a paper clip, but a symbol of brotherhood, tolerance and empathy.

"We tell the students if you don't respect others, you don't respect yourself," Hooper said. "It doesn't matter what religion someone is, God created us all."



The plaque at the Whitwell Children's Memorial reads: "Never doubt that a group of thoughtful, committed students can change the world, one class at a time."

The Tennessee Holocaust Commission

The Tennessee Holocaust Commission was created in 1984 by an act of the State Legislature. As its first formal act, The Commission created a memorial to the victims of the Holocaust. It stands on the grounds of the State Capitol.

Ever since, the Commission has sponsored annual Days of Remembrance in locations statewide including an observance on the Capitol grounds.

New legislation in May 1996 recreated the Commission as the Tennessee Commission on Holocaust Education. The name change recognized the primary role of the Commission as education—at all levels and for all citizens.

In conjunction with this change, a parallel body was created, Tennessee Holocaust Commission, Inc., (THC), a not-for-profit corporation dedicated to furthering the cause of Holocaust education and remembrance.

The Commission provides a variety of educational services and opportunities. It sponsors conferences for students, secondary school teachers, university faculties and the general public in addition to other special Holocaust programming. Please mark you calendars to attend the 2008 Irvin and Elizabeth Limor Educational Outreach Program, Monday, October 20, from 8:30-4:00 p.m at Vanderbilt University's Schulman Center.

The program is open at no cost to all middle and high school teachers preferably with some experience in teaching the Holocaust. Registration is required and space is limited. Be the first to reserve a spot for you and your students by contacting Stacey Knight at 615-343-1171.

For more information, visit the website at www.tennessee holocaustcommission.org. Address: Tennessee Holocaust Commission, 2417 West End Ave. Nashville, TN 37240. Voice mail: 615.343.2563. Fax: 615-343.8355. Jodi Elowitz, Executive Director.



Sculptures and butterfly mosiacs grace the gardens surrounding the Whitwell Children's Holocaust Memorial.



Students in the Whitwell Middle School Holocaust Education class sort and count paper clips for the Paper Clip Project. In 10 years, they've collected 30 million paper clips and hundreds of letters from all over the world.



Stepping stones of butterfly mosiacs. Eighteen butterflies representing the Hebrew word for life and the



brew word for life and the Christian symbol for resurrection are placed on the grounds.

The tie that binds...

The Whitwell Middle School Children's Holocaust Memorial

For us, finding an original German rail car that was used to transport prisoners to concentration camps, to physically touch it and see how this symbol of horrific injustice was received in a small town in the South of the United States, transformed into a symbol of hope and tolerance touched us particularly... The Schroeders, Education Weekly.

After discovered and purchased by the Schroeders at a museum in Robel, Germany, the 1917 rail car was inspected by rail technicians and declared "rollable."

The German armed forces had the car sprayed and disinfected for foreign insects, then a decorative locomotive was placed in front of the car which towed it 300 miles under the official designation "Special Train Holocaust Memorial."

caust Memorial."

By special arrangement with the German Armed Forces, the memorial car was placed on a chartered Norwegian Freighter and transported to the United States port of Baltimore.

Upon arrival, the car had to be cleared through customs and the required inspections of the U.S. Dept of Agriculture. The car was then transported by



the CSX Rail Company to Chattanooga via flatbed rail car.

Fletcher Trucking of Whitwell provided transportation for the final leg of the trip to the Memorial site where a crane placed the car on tracks donated by CSX Railroad Company.

The Memorial was dedicated Nov. 9, 2001. Approximately 1,000 peopl e were in attendance.

Today students serve as docents of the Memorial, conducting tours, leading people in learning activities, and responding to inquiries about the project.

The book "Six Million Paper Clips: The Making of a Children's Holocaust Memorial," documenting the Paper Clip Project, is available in bookstores nationwide. The school will hold a dedication ceremony for their new building November 7.

For more information about the Children's Holocaust Memorial and Whitwell Paper Clip Project, visit the website at www.whitwellmiddleschool.org.