

## Haslam says leaner government the "new normal"

BY CAROLE GRAVES  
TML Communications Director

In his first State of the State address, Gov. Bill Haslam delivered a \$30.2 billion budget proposal to the Tennessee General Assembly on March 14.

He called his budget "realistically conservative" with a projected revenue growth of \$473 million (3.65 percent). And while revenue collections have improved in recent months, he said the state still had some tough choices to make in order to fill a \$1.4 billion budget hole. The administration is proposing an average of 2.5 percent cuts to state programs. Last year's state budget totaled \$32 billion.

"I want to emphasize that our current financial constraints are not a temporary condition," Haslam said. "I think that what we are seeing in government today really is the new normal. Every government, ours included, will be forced to transform how it sets priorities and make choices."

The plan includes no new taxes, although it relies on \$449 million in a hospital assessment fee that would bring in \$871 million more in federal matching funds.

His plan eliminates nearly 1,200 government positions. About 90 percent of those positions are currently vacant or are paid for through

federal and state grants that are ending at the end of the budget year. About 600 jobs would be cut from the Department of Intellectual and Developmental Disabilities through the closing of seven state-operated community facilities. However, the remaining 45,000 state employees will receive a 1.6 percent salary increase, the first raise in four years.

His plan cuts state appropriations to higher education by about 2 percent — \$7 million less for the University of Tennessee, \$13 million less for the Board of Regents system. But he said there will be no drop in financial aid for low-income students.

Other proposed reductions include: \$7.8 million in corrections; \$3.3 million in pre-K-12 education; \$2.3 million in children's services; \$1.9 million in health; \$1.8 million in intellectual and developmental disabilities; \$1.5 million in mental health; \$1.1 million in the Department of Revenue and more than \$53 million in other agencies.

The governor's plan does call for \$182 million dollars in capital outlay projects for Economic and Community Development including: \$97 million for the Electrolux plant in Memphis, \$10 million for a new Memphis Research Consortium, \$7 million for a ports facility at Cates Landing in Lake County, and



Photo by Victoria South

Gov. Bill Haslam delivers his first State of the State address. See Pages 10 and 11 for more photos.

\$34.6 million for a new \$1.1 billion Wacker Chemie polysilicon plant near Cleveland.

"State government does a lot of good things," Haslam said. "We have

worked hard to try and continue funding many of those things. The reality is that there are a lot of things I would like to do, that each member See **BUDGET** on Page 5

## GPS pilot program targets gang activity

BY VICTORIA SOUTH  
TML Communications Coordinator

Gang crime knows no boundaries. That's why the Tennessee Probation & Parole Board and the Metro Nashville Police Department are drawing the line with a new pilot program designed to suspend gang activity through global positioning system monitoring (GPS). Ten offenders with suspected gang affiliations who are on probation or parole in Davidson County, have been fitted with the same ankle bracelet transmitters currently used to track dangerous sex offenders. Gang-related crime is a persistent and growing problem making headlines across the nation, including Tennessee.

"Our goal is no more victims," said Probation and Parole Chairman Charles Traughber. "We're sharing this technology with the Metro Police to determine whether it can have an impact on gang activity in the area."

Metro officers taking part in the pilot study have been trained to use monitoring software and will respond to any alerts involving the offenders. Alerts might include signals that indicate tampering with the devices, offender presence in a forbidden area or failure to be at a specific location at a scheduled time. Alerts are also triggered if units are not recharged on time, or if the unit

is not being carried properly. Each offender's schedule is plotted into the software, including routes to home and work. In some cases, those routes may pass through designated "forbidden" zones, generally areas known for high levels of gang activity. The technology is so sensitive, it can clock an offender driving past a forbidden area at 40 miles per hour or determine if the individual is on foot. "The equipment will plot out every second and how long they take in those areas," said Traughber. "If we notice they are taking too long, then we can intervene."

For serious violations, the offenders could be forced to return to jail or prison and serve the remainder of their sentences.

"It can follow you wherever you go," Traughber continues, "but it can't stop an offender who is determined to commit a crime from doing so. What it does do, is once you commit a crime, you can be traced to being in the destination where the crime was committed."

A federal report on gangs in the US indicates the population of gang-problem cities rose from 36.5 million in the 1970's to 131.5 million in 1995—an increase of 95 million, or approximately 260 percent. Street gangs, prison gangs, and outlaw motorcycle gangs are the primary retail distributors of drugs in the



Probation & Parole Board Chairman Charles Traughber, Metro Police Lieutenant Gordon Howey of the Metro Gang Unit, and Metro Police Chief Steve Anderson announce a pilot program designed to interdict gang activity through global positioning system (GPS) monitoring.

country, according to *Narcotics Digest*. Law enforcement authorities throughout the country report that gangs are responsible for most of the serious violent crime in the major cities of the United States.

"Our gang detectives sorted through a list of names provided by Probation and Parole and readily rec-

ognized names of people who we've had dealings with," said Lt. Gordon Howey, head of the Metro Nashville Police Department Gang Unit. "We assessed that these people have the propensity to re-offend and be involved in gang activity. We did background investigations on all of them See **GPS** on Page 8

## Should your municipality consider privatization?

BY DAVID ANGERER  
MTAS Management Consultant

Many cities have come to realize privatization as a means of saving money and improving the quality of the services they provide to the public. As municipal costs continue to escalate, with the attendant pressure on the budget, the trend toward privatization, or "outsourcing," is likely to continue. Examples from West Tennessee include:

- The governing board of a county-city library has recently contracted with a private-sector firm to provide the management for its library operations in an effort to cope with mounting budgetary constraints.
- Following a long-standing personnel problem and financial difficulties, a municipality recently advertised for proposals to operate its water and sewer utilities. Following an analysis of the bids it received, the city decided against outsourcing these operations.
- A suburban community, having no civic center of its own, has made contributions to the local YMCA, thus providing recreational opportu-

nities to local citizens via the private sector. The program is substantially cheaper than the cost of building, staffing, and maintaining city-owned facilities for the same purpose.

Privatization can be defined simply as an effort to introduce market economics into the provision of programs and services that have traditionally been supplied solely by the government. More than merely hiring a private sector contractor to perform an occasional service (periodic street repairs, for example), we refer to privatization as the long-term provision of ongoing, everyday municipal services (for instance, the delivery of water and sewer services).

By outsourcing part or all of any given public service, the local government hopes to harness the price-regulating forces of the free market, namely:

- **Competition.** Contracts that are offered by municipalities to private firms and individuals can be put up for bid with the job awarded to the lowest (and best qualified) bidder.



Privatized solid waste collection is more common than one would think. About half the cities in America do not own garbage trucks or employ sanitation workers. Instead, they have privatized solid waste collection by contracting with private sector companies for this service.

Such competition among service providers serves to lower costs.

• **Economies of scale.** Particularly for smaller cities, contracting out for the

provision of local services enables cities to take advantage of the contractor's leverage in a larger market. See **OUTSOURCE** on Page 7

## Census data released for redistricting

The U.S. Census Bureau has released more detailed 2010 Census population totals and demographic characteristics to the governor and leadership of the state legislature in Tennessee.

This data provides the first look at population counts for small areas and race, Hispanic origin, voting age and housing unit data released from the 2010 Census.

The official 2010 Census Redistricting Data Summary File can be used to redraw federal, state and local legislative districts under Public Law 94-171. The census data is used by state officials to realign congressional and state legislative districts in their states, taking into account population shifts since the 2000 Census.

Data for Tennessee show that the five most populous incorporated places and their 2010 Census counts are Memphis, 646,889; Nashville-Davidson, 626,681; Knoxville, 178,874; Chattanooga, 167,674; and Clarksville, 132,929. Memphis decreased by 0.5 percent since the 2000 Census. Nashville-Davidson grew by 10.0 percent, Knoxville grew by 2.9 percent, Chattanooga grew by 7.8 percent, and Clarksville grew by 28.5 percent.

The largest county is Shelby, with a population of 927,644. Its population grew by 3.4 percent since 2000. The other counties in the top five include Davidson, with a population of 626,681 (increase of 10.0 percent); Knox, 432,226 (increase of 13.1 percent); Hamilton, 336,463 (increase of 9.3 percent); and Rutherford, 262,604 (increase of 44.3 percent).

According to the Tennessee State Data Center, Tennessee's population is trending with the nation by shifting from rural areas toward urban areas. Twenty-five counties in Tennessee exceeded the state's 11.5 percent growth rate from 2000 to 2010, while 70 counties grew at a slower pace according to 2010 census data released.

Nine of the 10 fastest-growing counties, by percentage, are adjacent to the four largest counties in the state: Shelby, Davidson, Knox and Hamilton. The lone exception is Montgomery County, home to a growing military population.

Eight generally rural Tennessee counties actually lost population since the last Census. Six of those eight were in West Tennessee. See **CENSUS** on Page 6

## Work on new transportation bill to begin

BY NLC STAFF  
FEDERAL RELATIONS

Earlier this month, President Obama signed a short-term extension of federal transportation programs—the seventh since the last bill, SAFETEA-LU, expired in September 2009. Transportation programs will now be funded through September 30, the end of the fiscal year, and Congressional and Administration officials are hopeful that this will be the last such extension before a long-term program is enacted.

Recognizing the negative impact of continued short-term extensions on state and local planning, House, Senate, and Administration transportation leaders are promising to work expeditiously on a new bill. A stalemate over identifying sources of revenue for transportation programs has prevented agreement on a long-term bill, and House Transportation Committee Chairman John Mica (R-FL) insists that any new transportation program will have to live within its means.

Last month, the President released his authorization proposal as part of the FY 2012 budget request to Congress, calling for a six-year, \$551 billion transportation program focused on consolidating 55 existing programs into five new programs. See **ROADS** on Page 8

# NEWS ACROSS TENNESSEE



## BY TML STAFF REPORTS

### CLARKSVILLE

Construction of the 500-acre, \$1.2 billion Hemlock Semiconductor LLC plant has passed the halfway mark toward completion, with the launch of polycrystalline silicon production still set for the fall of 2012. Some 1,300 construction workers are on the plant site at one time on any given day, and that number will swell to more than 1,500 this summer. The workforce is growing so large that the parking lot on the plant site is being expanded to accommodate them.

### COLLIERVILLE

Collierville officials took the first step to bring financial hope to a section of downtown known as the Small Area Plan. The Collierville Board of Mayor and Aldermen approved a Tax Incremental Financing (TIF) plan to redevelop an area within one-square mile of the Town Square. The idea is to use improved infrastructure as an incentive for private development. The TIF program freezes property taxes in the designated area to their current value. Any future increase in value, and tax collected as a result of that change will be put in the TIF fund. The fund will be used to improve infrastructure in the area such as fixing streets, adding sidewalks and landscaping. The Collierville board would appoint five citizens to a Downtown Collierville Redevelopment Agency. The group would be charged with developing a plan for the area using the TIF funds. Those decisions would come before the Board of Mayor and Aldermen for approval.

### MEMPHIS

Memphis officials are making plans to keep federal courts running if an earthquake, terrorist attack or other disaster damages the Downtown courthouse. The disaster preparations reflect lessons learned from Hurricane Katrina, said Tom Gould, clerk of court at the U.S. District Court for the Western District of Tennessee. "The absence of a court system down there was really significant," Gould said. "They have no paperwork indicating whether they are charged with having too much to drink or attempted murder. There is no judge to hear their cases, no courthouse designated to hear them in and no lawyer to represent them. If lawyers can be found, there is no mechanism for paying them." Gould said he had witnessed similar problems during race riots in Cincinnati and Detroit.

### MEMPHIS

Sandvik Medical Solutions, a surgical instrument manufacturer, will shed 55 employees. Sandvik has had local operations since 2008, when it acquired Medtronic Spinal and Biologics' Bartlett-based specialty instrument manufacturing operation.

### OAK RIDGE

An East Tennessee plant recently applied to import and treat 1,000 tons of German radioactive waste, a move some say makes good business sense but has environmental activists concerned for the state's health. EnergySolutions, a Utah-based multinational company, operates radioactive waste disposal facilities in Oak Ridge, including an

### REDBANK

The U.S. Department of the Interior has agreed that Red Bank can swap city recreation land to a youth softball league for 14 acres behind Red Bank High School now used as four softball fields. The new middle school and its athletic fields would occupy that acreage and the city could develop the existing middle school property in the heart of town. The softball league will get two fields at White Oak Park and "hopefully a third and maybe a fourth," said City Manager Chris Dorsey. Federal approval is only step one in a process that requires a public hearing and a commission vote.

### SHELBYVILLE

Drastic cuts to the city's departments have resulted in about a 10 percent drop in its employees, and there should be enough funding to take care of garbage pickup for the rest of the year, according to the city's treasurer. Shelbyville has been cutting costs by not refilling empty job slots through city departments, along with temporary and permanent cost cutting. The city council has decided not to suspend garbage service as they had proposed and is planning to look at raising property taxes instead when budget time comes around in June.

### SPRING HILL

A state board approved two loans totaling \$17.2 million for Spring Hill's upcoming wastewater treatment plant expansion, an amount that could cover the entire cost of the project. "It was actually more than what we were hoping for," City Administrator Victor Lay said. While city officials were expecting to receive \$10 million through the State Revolving Loan program for the expansion, they had been hoping to get additional funds from the state. Lay said state officials had told him earlier this year that there could be another \$5 million available to the city through the loan program. However, the state Local Development Authority approved a \$7.2 million loan for Spring Hill's sewer plant expansion. The city estimates the project could cost about \$18 million.

### SPRINGHILL

An \$8.3 million federal grant will help expand the training of laid off auto workers for new careers. The money from the U.S. Department of Labor will not only help train workers laid off from General Motor's Spring Hill plant, but also those who lost their jobs at automotive suppliers Johnson Controls, MAPA Spontex, Penske Logistics and Premier Manufacturing Services after production at the GM facility was idled in 2009. Since production of the Chevrolet Traverse ceased at the GM plant, the South Central Tennessee Workforce Alliance has trained unemployed auto workers at GM's Northfield facility in Spring Hill for new careers in fields including medical record coding, green jobs technology, heating and air conditioning, health information technology and nursing. The \$8.3 million will allow the agency to work with colleges and other training providers to offer classes in new fields.

### TRENTON

Van Can based in San Diego, Calif., announced that the company will locate a new manufacturing facility in Trenton. The investment will create 57 new jobs and is scheduled to begin operations this summer. Van Can specializes in the manufacture of two-piece steel cans and ends for seafood, poultry, pet food and other non-food applications.

## Millington promotes four firefighters



The Millington Fire Department recently promoted four firefighters to the position of Fire Lieutenant. They were recognized at a badge presentation ceremony at the March Mayor and Board meeting. Each candidate had to complete a comprehensive written exam, appear before an oral interview board consisting of three chief officers from outside the Millington Fire Department, and a psychological profile. Each lieutenant will be assigned a station and will manage the day-to-day operation of that station on their shift. Duties include overseeing training for their personnel, non-emergency station duties, and responsible for making the strategic decisions and carrying the tactical objectives on all emergency calls in which they are dispatched. Pictured from L to R: Chief Turpin, Lt. Carey Maiden, Lt. Jordon Kinney, Lt. Tommy Wilston, Lt. Craig Rose, and Chief Graves



## PEOPLE

### BY TML STAFF REPORTS

Deputy Director **Toney Armstrong**, 44, a 22-year veteran of the Memphis Police department, has been tapped to become its Director on April 15, following the retirement of Larry Godwin. Armstrong, who worked as an undercover operative and supervisor in the Organized Crime Unit, as an investigator and supervisor in the robbery and homicide bureaus, as a precinct commander and as a deputy chief in charge of several precincts, has been in charge of day-to-day operations for the department's 2,400 officers and its \$200 million budget.

U.S. Magistrate Judge **Bruce Guyton** of the U.S. District Court for the Eastern District of Tennessee has been reappointed to a second eight-year term.

**Willie L. Moore, Jr.** was recently elected to the Jackson District Two City Council.

**Mike Walker**, A retired colonel with the Tennessee Highway Patrol, has accepted the job as Public Works Director for the city of La Vergne. The public works director oversees

the city's infrastructure, including installation, maintenance and repair of streets, water and sewer lines. In addition, Walker will supervise the city's mapping needs, city engineering and maintenance of the city's fleet of vehicles. **Tracy Trott** has been selected as the new colonel of the Tennessee Highway Patrol, Department of Safety. Col. Trott, who has served as a member of the THP since 1978, is now the highest-ranking member of the THP and replaces Walker, who retired after 33 years.

**Lon F. "Sonny" West**, age 73, a Metro government institution for almost 56 years — has passed away. West started working for Davidson County on June 1, 1955, before moving on to Metro after the 1963 city-county merger. The Metro Council voted to name the auditorium at the Howard Office Building in West's honor.



Walker



Trott



Van Can Co., based in San Diego, Calif., announced it will locate a new manufacturing facility in Trenton. Pictured at the announcement are left to right: Tracey Exum, director of ECD business development, West Tennessee region; Tara Bradford, Greater Gibson County Chamber of Commerce director; Ed Norman, Trenton Industrial Board chair; Tom Rohr, Southwest Technical Services consultant; Robert Ramos, Van Can plant manager; Adam Zion, Van Can manufacturing engineer; Mark Murray, Van Can director of administration; Tony Burriss, Trenton mayor; Brian Patterson, Gibson County Utility District; Bret Fisher, Trenton Light & Water general manager.

### LAKESWOOD

By a mere 11 vote margin, residents in the tiny city of Lakewood have decided to dissolve their charter and merge with Nashville. This is the second vote to dissolve the charter. The measure passed by only one vote in August when residents approved it 400 to 399. Both sides agreed to hold a new election after those opposing the measure sued. The totals were 458 to 447, according to unofficial results that should be certified within two weeks. The local police force with five full-time officers will be dissolved.

incineration facility at Bear Creek. The commercial plant has treated low-level radioactive waste — such as x-ray equipment and medical waste — for American businesses and the government since it opened more than 20 years ago. A German company has proposed sending radioactive medical and industrial waste to Oak Ridge for incineration so it can be shipped back to Germany and stored as ash. EnergySolutions officials said their company is one of just a few that can treat waste in that way.



Union City closed a \$106,343 capital outlay note with the Tennessee Municipal Bond Fund to purchase a truck. Pictured are Mayor Terry Hailey, center, City Recorder Kathy Dillon, right, and TMBF Representative Tommy Green, left.

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# Community gardens a fresh idea in Tennessee

BY VICTORIA SOUTH

TML Communications Coordinator

Right across I-40, near Nashville's downtown business district, crops of crispy lettuce, vine ripe tomatoes, melons, beets, potatoes, cucumbers, greens, radishes and all manner of healthy goodies are taking shape under the sun courtesy of Farm in the City, a community garden project sponsored by the Metropolitan Department and Housing Agency (MDHA). This is MDHA's second year bringing fresh, healthy foods to community housing areas, offering residents of the J. Henry Hale Apartments, downtown dwellers, and other interested individuals the opportunity to plant and grow their own food at little cost.

Not only are the thirty-seven 4' x 4' and 4' x 16' plots of land an attractive use of green space, but the urban farmers are paying it forward, sharing their bounty with the rest of the community. Last year, the gardeners produced several hundred pounds of produce.

As more people across the nation make the connection between fresh produce and healthy lifestyles and the fight against obesity, and as the cost of organic food rises, gardening is becoming an important nutritional tool, especially for high-risk groups susceptible to diet-related diseases such as heart disease,

In the meanwhile, Ryan envisions a downtown fruit orchard in the future and a shady spot for gardeners to cool off and have a drink of water. "Most of our money is federal, which is uncertain at the time," he explains. "The downtown Rotary Club has a grant program and we applied for funds to do an expansion. We're hopeful that they may be able to help us."

Speaking before the American Garden Association, First Lady Michelle Obama, a strong proponent in the fight against childhood obesity with her national "Let's Move" initiative, praised community gardens as an innovative way to teach children about proper nutrition and revealed her amazement at the national interest in organic foods.

"When I decided to plant a White House kitchen garden, I thought it would be a great way to educate kids about food, where it comes from and how fresh fruits and vegetables can help all of us live healthier lives," she said. "But our little garden has turned into more than I could have ever expected. As I travel around the world, no matter where I go the first thing world leaders, prime ministers, kings and queens ask me is 'How is the White House Kitchen garden?'"

According to Obama, 6.5 million children across the country live more than a mile from



The "Farm in the City" Community Garden project, sponsored by MDHA, is located at 1211 Jo Johnston Ave. The garden is right across I-40, near the heart of downtown Nashville and can be viewed from the state capitol.

from the farm and not just from grocery stores or microwaves. This is an excellent way to do that, for kids to be able to grow their own food or to be able to participate with other county community organizations who are growing food."

More than 40 percent of Tennessee's children now suffer from obesity, according to a 2007 study conducted by the Tennessee Department of Education with the Robert Wood Johnson Foundation ranking the state fourth in the nation for the percentage of 10-17-year-olds who are obese.

Fleming notes that existing regulations often make it difficult for farmers to supply local produce to school cafeterias.

"The federal program 'Farm to School' had an idea for local farmers to be able to bring produce to school cafeterias, but ran into a lot of burdensome regulations that made it almost impossible," he explains. "Most county school systems want to deal with one or two providers. I'm a beef cattle farmer, so if I wanted to supply hamburger meat for a county, I would have to guarantee I could supply for the whole year. I don't have that many cows. In Metro Nashville, where there are at least 40,000 students, that's a lot of pickles or tomatoes."

Fleming says he's currently working with Metro through the federal program "Communities Putting Prevention to Work," to create a resource inventory of existing school gardens. "We're trying to determine which regulations garden produce falls under," he said. Fleming says a resource toolkit is also being crafted for teachers, students and parents to begin



and sustain school gardens.

For more information about the Garden Grant Program, visit [www.tn.farmbureau.org/communitygardens](http://www.tn.farmbureau.org/communitygardens).

For more information about the "Farm in the City" program, contact MDHA at 615-252-3667 ext. 115.

## The Garden Grant Program

The Garden Grant program is a partnership between the TN Agricultural Enhancement Program, the Tennessee Department of Agriculture's Market Development Division, where the grant is administered, and the TN Foundation for Agriculture in the Classroom. Education is a primary focus of this mini-grant program.

### Criteria for applications include:

- Gardens must be vegetable/food gardens/greenhouses, not nature trails or butterfly gardens;
  - Cooperative efforts are encouraged;
  - Community education is mandatory;
  - Project should include best management practices as recommended by the University of Tennessee Extension Office.
- Grants will be awarded as long as funding is available. Organizations other than school groups, Extension 4-H clubs and churches, must show proof of non-profit or not-for-profit status. The maximum grant of \$2,500 and the minimum, \$500, may be awarded per project. The organization must show matching funds for the amount requested. Funds can be used for supplies, materials and/or equipment. **Applications will be accepted through September 1, 2011.**

For questions regarding the Garden Grant Program, contact Chris Fleming at the Tennessee Farm Bureau at 931-388-7872 ext 2759 or e-mail [cfleming@tfnb.org](mailto:cfleming@tfnb.org)



Community gardens are a great way for people of all ages, race and socio-economic status to make friendships, enjoy a communal activity and share fresh, healthy food.

hypertension and diabetes.

"We are also introducing healthy choices to urban residents who may otherwise struggle to include fresh vegetables in their diets," said MDHA Executive Director Phil Ryan. "Many of our gardeners share their crops with others in the community, like elderly or disabled residents, who are unable to participate in the program."

Students at the nearby MLK Magnet School planted a fig tree there. And according to Ryan, gardeners are expanding their mutual interests with social networking. "One of our gardeners set up a Facebook account, and you see everything from asking people to water their crops while they're out of town, to advice about insects destroying pole beans. It's brought people from our community, neighborhood school and downtown dwellers, people of all races and incomes together in a healthy, positive, communal activity. It's a pleasure to behold."

MDHA also participates with Vanderbilt University's Nashville Mobile Market. The market visits several MDHA apartments in the area bringing access to fresh healthy foods along with preparation guidance from on-site nutrition coaches.

Zoning restrictions were relaxed in Metro Nashville in 2009 to permit more urban agriculture in residential and commercial areas. Currently, all the plots in the Farm in the City's 4.5 acre lot are taken and are made available to new gardeners as space becomes available. MDHA has applied for grants to help expand the garden and gardeners pay a small fee to participate.

the nearest supermarket. "Community gardens can help us tackle this problem," Obama said. "We've been able to show kids and adults that quality food isn't just for those who can afford to eat at fancy restaurants. It's part of our lives no matter where we come from."

In Tennessee, that educational component is reflected through The Garden Grant Program, a partnership between the Tennessee Agricultural Enhancement Program (TAEP), the Tennessee Foundation for Agriculture in the Classroom, and administered by the Department of Agriculture's Market Development Division. The Tennessee Foundation for Agriculture in the Classroom is a non-profit educational charity chartered for the advancement of education and agriculture literacy. It is supported and administered by the Tennessee Farm Bureau Federation and provides teachers with resources to help them educate their students about agriculture.

The Garden Grant Program is designed to assist communities with vegetable gardens that make the public aware that agriculture is an integral part of our everyday environment. Education is the primary focus targeting schools, churches, farmer's markets, neighborhood associations and other non-profit organizations that can benefit from a better awareness of the source of food.

"We ask that grant applicants in the Garden Grant Program reach out to entities in the community," said Chris Fleming at the Farm Bureau. "We want them to make the garden available to schools. Our goal and purpose is to make sure that kids know that food comes

## Good Risk Management is just Good Management



Municipal parks and playgrounds can contribute to a community's overall quality of life. But they can also pose some safety hazards. Each year, emergency rooms treat more than 200,000 children ages 14 and under for playground-related injuries.

Through a comprehensive training program offered by the TML Risk Management Pool, city leaders are taught hazard identification and risk management methods.

# TML

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## BY TML STAFF REPORTS

### Port funds approved

Federal transportation officials have approved a \$13 million grant for a port and industrial park in northwest Tennessee — saving a project that had been threatened by congressional budget-cutting. Gov. I. Haslam announced that he has included \$7 million in state matching funds in his budget to complete the Port at Cates Landing project along the Mississippi River in Lake County. Local officials moved to ensure that the Department of Transportation Maritime Administration would sign off on the grant after concerns were raised that budget cuts the House passed in February might eliminate the money. Construction of the Mississippi River port project is expected to start in a few weeks. The Port at Cates Landing in Lake County will immediately create 234 jobs when construction begins. The deep-water port is expected to create 1,700 jobs in all, with business revenue of \$354 million.

### State revamps driver's licenses

Tennessee plans to start issuing new driver's licenses later this month. Changes are designed to counter document fraud and will use new credentialing technology, according to Tennessee Department of Safety and Homeland Security Commissioner Bill Gibbons. New driver's licenses and ID card features include a new banner showcasing Tennessee landmarks and icons; new background design; enlarged organ donor symbol, when authorized; multiple date of birth placements on front and back of the card; vertical format to distinguish driving privilege from identification only cards; digital portrait and signature, both stored in a permanent database, to easily verify identification; and machine-readable barcodes for law enforcement purposes. This is the first redesign of state driver's licenses since 2003.

### TVA lowers April costs

The Tennessee Valley Authority's monthly fuel cost adjustment will drop by up to \$2 for average home customers in the April billing due partly to an accounting change. TVA said the newly named total monthly fuel cost reflects a 1.2 percent decline in the utility's total average wholesale price per kilowatt hour, compared with the March billing. The decline stems partly from TVA changing to calendar-month sales in its fuel accounts. Effective April 1, TVA is also changing its 19-year-old rate structure to promote energy efficiency and reduce peak power demand.

### Public transportation increases

Soaring gasoline prices are driving more Middle Tennesseans to turn to public transportation. Officials are reporting that ridership on bus routes in the nine mid-state counties that make up the Regional Transportation Authority is up 23 percent from last year. Ridership on the Music City Star commuter train, which saw a record number of passengers last year, is up 19 percent. The RTA says the train broke a single-day ridership record on Feb. 9 with 1,339 passengers. Nashville's Metropolitan Transit Authority is also reporting a 6.5 percent increase in the number of its riders.

### Spring is wildfire season

As spring blossoms in Tennessee, so does the potential for wildfires. The spring fire season, prompted by warming weather, began Feb. 15 and ends about May 15. And as spring begins, there are sections of Tennessee that are in the grip of drought. "A lot of times, it's people burning debris and there are arsons, too," said Danny Osborne, the state Forestry Division area forester in Elizabethton. "Some are caused by lightning strikes, but most of our fires are human caused, one way or another." The National Oceanographic and Atmospheric Administration Drought Monitor shows Ten-

nessee counties along the Georgia, Alabama and Mississippi borders have moderate drought conditions. Those extend through Memphis and partway up the Mississippi River Valley. The remainder of West Tennessee and the northwestern part of Middle Tennessee are listed as abnormally dry.

### Unemployment slightly up

Tennessee's unemployment rate rose in February to 9.6 percent, the Tennessee Department of Labor & Workforce Development announced. February's rate is up 0.2 percentage points over January. The national unemployment rate in February stood at 8.9 percent, 0.1 percentage point lower than January. "Tennessee had 15,400 who entered the labor force — more than 10,000 of whom were able to find jobs," said Commissioner Karla Davis. "The unemployment rate increase is largely attributable to the remaining 5,000 workers who were unable to find work." "The business survey shows we've added 35,000 jobs since last February across a diverse range of industries.

### Uprisings could affect TN exports

Uprisings in the Middle East could affect Tennessee exports, but the amount would be a small portion of total state exports annually. Tennessee business and industry exported just more than \$1 billion in goods to the Arab world in 2009, according to a study in *Global Commerce* magazine. The magazine is a quarterly product of the Business and Economic Research Center at Middle Tennessee State University. While a significant amount, the \$1 billion in exports to the Arab Gulf region totals just 4 percent of all state exports in 2010. State exports to the Arab Middle East also focus almost entirely on automobiles, the report states. Cars made up \$639 million, or 60 percent, of last year's state exports to that region, while auto parts contributed another \$30 million. The lowest number of cars exported to that region from Tennessee go to North Africa, where Libya is located, the report states.

### Driving trails highlight culture

Tennessee tourism officials are developing a guide that lays out 16 self-



As spring blossoms in Tennessee, so does the potential for wildfires. The spring fire season, prompted by warming weather, began Feb. 15 and ends about May 15. As spring begins, there are sections of Tennessee that are in the grip of drought.

guided driving trails that highlight the history and culture of Tennessee and land visitors back where they started at the end of the day. People might hike a scenic bluff or valley, nibble a Moon Pie and sip some Tennessee-made distilled spirits or wine, all in the course of a day's drive. State tourism officials want to take the best of Tennessee's regional historic and cultural attractions and connect them for driving tours that can get visitors in the state's metropolitan areas to stay a few extra days to see the "real" culture in the outlying areas. Five of the 16 trails have been completed and another in the Nashville area is set to launch.

### Census predicts Hispanic ballots

Data recently released by the U.S. Census Bureau, reveal that tens of thousands of Hispanics have taken up residence in southeastern Davidson County, amassing in large enough numbers that they may force political lines to be redrawn and cause more Hispanic candidates to begin appearing on local ballots. The growth of Middle Tennessee's Hispanic population has been widely observed over the last decade, but census figures show the overwhelming degree to which Hispanics have come to dominate some portions of Nashville. Their numbers could create new political opportunities.

### TDEC evaluates state's water

Human waste is a likely source of the plasticizers — and other substances — found in some recent samplings of water across the state, according to the Tennessee Department of Environment and Conservation's (TDEC) Division of Water Supply. Another source for pharmaceuticals detected in water samples: people flushing unwanted medications down the toilet. Those points mirror information available on the federal EPA's website. TDEC launched Tennessee's PPCP (pharmaceuticals and personal care products) Project last fall, with field offices across the state collecting "raw" samples of untreated water at community water supplies.

**Clarification:** In the March 14 issue of *Tennessee Town & City*, an item that pertained to handguns at work stated that the legislation allows individuals with handgun permits to carry their weapons where they work. The bill, SB0519, sponsored by Sen. Mike Bell, applies to only those places of business where an employer permits a person with a handgun carry permit to bring a handgun on the premises. The bill specifies that it is the intent of the General Assembly to merely make it so that it is not a TOSHA violation. We regret any confusion this might have caused.

# NATIONAL BRIEFS



## BY TML STAFF REPORTS

**With states mired in their fourth straight year of budget shortfalls, flagship universities are inching away from their traditional patrons in the statehouse, accepting lower levels of state funding in exchange for freedom from state regulations.** While the share of state funding in university budgets has been declining for decades, the drop has become more pronounced during the recession, forcing price increases and intensifying talk of university flexibility. "Charter Universities," may result in a new relationship between states and their public universities. For state leaders, that relationship may wind up being less of a budget drain — but politicians will have less leverage to tell universities what to do and how to do it. Less state funding and oversight is likely to come with higher tuition and more reliance on private-sector funding. At the same time, it will raise questions about the core mission of state universities whose

original purpose was to offer an affordable education.

**The trafficking of children and woman into prostitution, live-sex shows and pornography is on the rise in metropolitan areas of Tennessee and Georgia, officials say.** Human trafficking usually victimizes women and children who are forced into the sex trade. In the United States, young girls and boys often are manipulated into the trade after running away from home or being kidnapped by traffickers. Because trafficking laws have been lax and because law enforcement can mistake trafficking for simple prostitution, states have been slow to respond to the growing problem, said Dr. Ron Petite, a politics and government professor at Bryan College in Dayton, Tenn. Legislators in Tennessee and Georgia are now working this session to strengthen laws against traffickers and protect children who are rescued from modern enslavement. Experts say Atlanta has become a hub for children who are sexually trafficked.

# Municipal Administration Program April Schedule

## Leadership Styles

This class will explore the styles of leadership that managers and supervisors can utilize and the advantages and pitfalls of these styles. Note: This class can be applied as a leadership and management class towards the Public Administrator certificate.

This course can also be used to satisfy an elective requirement for anyone needing an elective to complete MMA level II or Level III.

**Instructors**  
MTAS Training Consultants

**Time**  
All classes begin at 8:00 a.m. and end at 12:00 pm

Dates and locations		
April 6	Knoxville	
April 8	Athens	
April 11	Johnson City	
April 27	Franklin	
April 29	Jackson	

### Training Facilities

- Athens, Conference Center, 2405 Decatur Pike**
- Franklin, Williamson County Ag. Expo Park, 4215 Long Lane**
- Jackson, West Tennessee Center for Agricultural Research, Extension, and Public Service, 605 Airways**
- Johnson City, Johnson City Municipal Building, 601 East Main Street**
- Knoxville, University of Tennessee Conference Center, 600 Henley Street**



The registration fee for MAP courses for Tennessee city officials is \$25 each. A fee of \$55 is charged for non-city officials. Registration is required. Seating is limited at all sites, so please register in advance. Submit payment with your registration.

MTAS will need to receive payment in order to confirm your attendance for the class. For more information, contact Kurt Frederick at 615-253-6385 or Elaine Morrissey at 865-974-0411.

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# Haslam puts state on rigorous diet, proposes 5.6 percent reduction

**BUDGET** from Page 5

of the legislature would like to do, but that we simply cannot afford.”

His budget also allocates \$300 million to:

- TennCare, the state’s Medicaid program;
- CoverKids, a Bredesen health insurance program for children who otherwise wouldn’t have health insurance;
- BEP, the Basis Education Program that distributes state money to local schools (\$63.4 million in growth);
- State health insurance premiums; and
- State employee pay raises.

In the area of law enforcement,

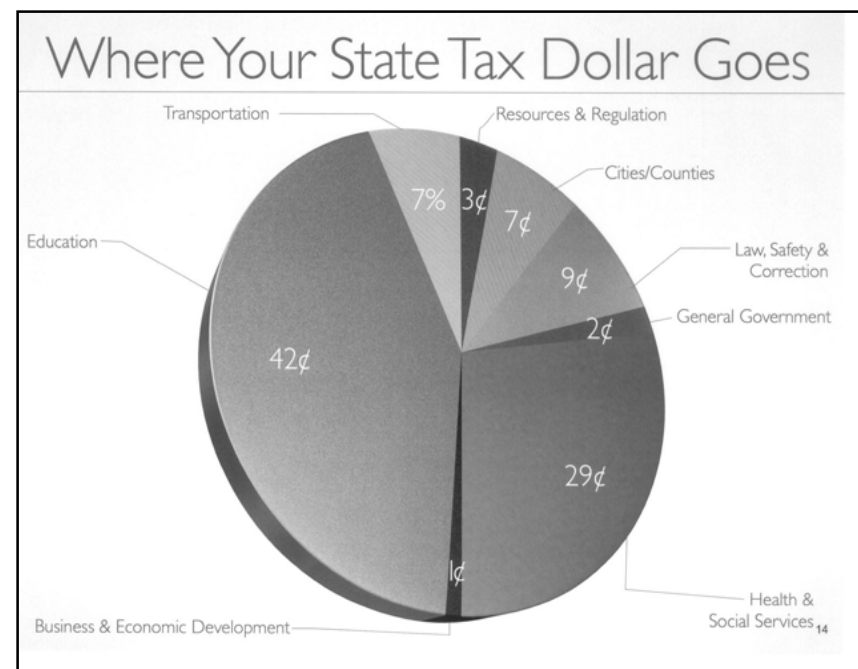
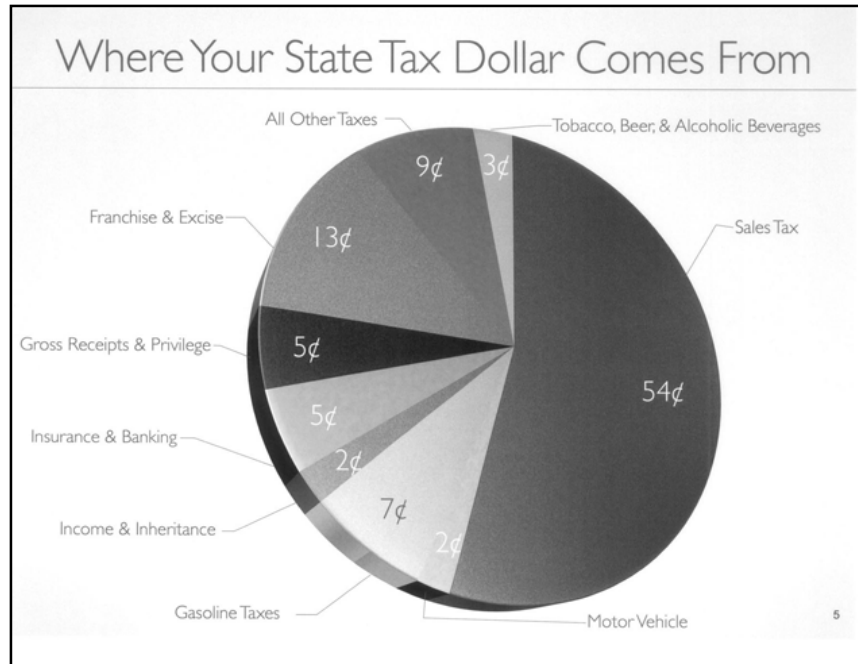
Haslam said his administration was supporting measures to address the growing meth problem in the state, and despite an earlier proposal to cut the amount of funds sent to local governments for housing state prisoners, Haslam’s budget continues to provide \$35 per day per prisoner.

His budget restores \$69 million to the state’s rainy day fund, rebuilding the state’s cash reserves to \$326 million by June 2012. In 2008, prior to the Recession, the Rainy Day Fund was a \$750 million.

“Higher reserve fund levels served us well during the economic downturn,” Haslam said. “In preparing for the future, it is our job to rebuild the Rainy Day Fund to prudent levels.”

Funding Source	Estimated FY10-11	Recommended FY11-12	Percent Change
State	\$12,918,031,700	\$13,376,499,400	3.5%
Federal	13,929,975,600	11,889,162,500	(14.7)%
Other	3,506,903,600	3,317,311,600	(5.4)%
Tuition and Fees	1,344,431,800	1,344,431,800	0%
Bonds	300,500,000	273,000,000	(9.2)%
<b>Total</b>	<b>\$31,999,842,700</b>	<b>\$30,200,405,300</b>	<b>(5.6)%</b>

Gov. Haslam’s budget proposes a 5.6 percent reduction in spending. Much of the decrease stems from the loss of federal stimulus funds.



Fund	Estimated FY10-11	Recommended FY11-12	Percent Change
General Fund	\$28,357,770,300	\$26,761,974,000	(5.6)%
Transportation	1,804,482,000	1,816,595,000	0.7%
Debt Service	393,523,000	405,214,000	3.0%
Capital Outlay	448,252,500	198,047,500	(55.8)%
Facilities Revolving	163,614,900	160,174,800	(2.1)%
Cities & Counties	832,200,000	858,400,000	3.1%
<b>Total</b>	<b>\$31,999,842,700</b>	<b>\$30,200,405,300</b>	<b>(5.6)%</b>

Cities and counties are projected to see a modest growth in state-shared revenues (3.1 percent).

## Total FY 11-12 General Fund Budget (including State, Federal, and other Sources)

TennCare	\$8,693,598,700
Education (Pre-K)	\$5,192,612,200
Higher Education	\$3,629,490,800
Human Services	\$2,910,373,500
Intellectual Disabilities	\$773,150,500
Correction	\$702,190,200
Children’s Services	\$651,511,100
Health	\$572,930,700
Commissions	\$343,960,600
Environment, Conservation	\$341,783,200
Mental Health	\$295,098,400
Other	\$2,655,274,100
<b>Total General Fund</b>	<b>\$26,761,974,000</b>

Functional Area	Estimated FY10-11	Recommended FY11-12	Percent Change
General Government	\$ 387,314,600	\$ 399,955,200	3.3%
Education	5,299,059,700	5,501,669,700	3.8%
Health & Social Services	3,148,512,700	3,741,811,500	18.8%
Law, Safety, & Correction	1,245,391,300	1,193,709,700	(4.1)%
Resources & Regulation	376,679,800	377,187,400	0.1%
Business & Economic Dev.	227,085,800	127,687,100	(43.8)%
<b>Total General Fund</b>	<b>\$10,684,043,900</b>	<b>\$11,342,020,600</b>	<b>6.2%</b>
Transportation	703,500,000	712,800,000	1.3%
Debt Service Requirements	393,523,000	405,214,000	3.0%
Capital Outlay Program	291,700,000	45,000,000	(84.6)%
Facilities Revolving Fund	13,064,800	13,064,800	-
Cities and Counties - State Shared Taxes	832,200,000	858,400,000	3.1%
<b>Grand Total</b>	<b>\$12,918,031,700</b>	<b>\$13,376,499,400</b>	<b>3.5%</b>

The capital outlay program will see the greatest decline in appropriations, modestly due to the loss of \$2 billion in federal stimulus funds.

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**March 28- April 25: TML Risk Management Pool Critical Issues Workshops.** The workshop will focus on TML Pool liability, property, and workers compensation policies and coverage. Administrative staff that work in your risk and insurance program, especially risk managers, are encouraged to attend. Workshops are planned for Jackson (March 28), Martin (March 29), Bartlett (March 30), Collegedale (April 1), Alcoa (April 4), Johnson City (April 6), and White House (April 25). For questions please contact Halie Gallik, client services representative, at (615) 371-0049 or (800) 624-9698.

**April 14-15: 2011 Tennessee Preservation Trust Conference** hosted by the city of Collierville. This year's featured keynote speaker is Patricia Gay, Preservation Resource Center of New Orleans. Jean Nelson, Land Trust for Tennessee, will speak at the Preservation Luncheon. The conference will also include a historic home tour, tour of Collierville, Preservation Celebration and Auction and three tracks of sessions. Register online at [www.tennesseepreservationtrust.org](http://www.tennesseepreservationtrust.org).

**May 12--28: "SMOKE: A Ballad of the Night Riders"** is a theatrical production detailing the history of the tobacco wars in Robertson County. The show will be performed at 7 pm outside on the grounds of historic Bell School in Adams. Performances May 12-14; 19-21 and 26-28. Ticket prices: Adults: \$20-Students: \$10. For more information, visit the website [www.smokenightriders.com](http://www.smokenightriders.com) or call 615-696-1300.

**June 12 - 14: TML Annual Conference.** Murfreesboro Embassy Suites Hotel and Conference Center. With a theme of *Rising to the Challenge*, many of the conference workshops and speakers will focus on helping community leaders plan for the difficult challenges ahead. To register for the TML Annual Conference, go to TML's website to download a registration form, [www.TML1.org](http://www.TML1.org). Or contact Sylvia Trice at 615-425-3903 or by e-mail at [strice@TML1.org](mailto:strice@TML1.org).

## USDA announces broadband technology grants available

The United State Department of Agriculture's Rural Utility Service (RUS) has recently announced that they will begin accepting applications for two of their traditional technology grant programs: Distance Learning and Telemedicine (DLT) Grant Program and Community Connect Grant Program.

### DLT Grant Program

DLT grants can be used for the purchase of eligible equipment and to provide technical assistance. To be eligible, applicants must serve a rural area, demonstrate economic need, and provide at least 15 percent in matching funds. Awards range up to \$500,000.

The DLT program provides funds to improve rural access to education and healthcare. For example, an award to the Bledsoe County Schools will bring distance learning to 14 schools in a four-county area of eastern central Tennessee. The grant will provide the consortium of schools in these mountainous communities with access to higher education coursework, continuing education programs, and vocational programs.

Completed applications must be received by April 25. For further details about eligibility rules and application procedures, see the Notice of Solicitation of Applications (NOSA) published on page 10321 of the Feb. 24, Federal Register. Materials including an application guide and full details about the program can also be obtained at [www.rurdev.usda.gov/utp\\_commconnect.html](http://www.rurdev.usda.gov/utp_commconnect.html).

## TN urban areas see growth

### CENSUS from Page 1

Hispanics are the fastest growing minority group in the state with 4.6 percent of the total population. The group's population increased from 123,838 in 2000 to 290,059 in 2010. Davidson County has the largest Hispanic population at 61,127, while Bedford County has the highest percentage of Hispanics at 11.3 percent. In 2000, Bedford County led the state with 7.5 percent of its population claiming Hispanic origin.

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# TML associates receive ACEC Awards

TML associates were among the city projects across Tennessee receiving Engineering Excellence Awards in the annual competition sponsored by the American Council of Engineering Companies of Tennessee (ACEC). The awards were presented in Nashville before an audience of 250 Tennessee engineers, business and civic leaders, and state, city and county officials. The competition's top honor, The Grand Iris Award, was presented to engineering firm CDM, Oak Ridge, for its project *Biologically Enhanced High Rate Clarification*, a project completed for the Knoxville Utilities Board (KUB).

As part of its ongoing Consent Decree, the KUB must provide secondary treatment for all wet-weather flows at the Kuwahee and



Gresham Smith and Partners, Knoxville - Grand Award for the 2nd Creek Wastewater Storage Facility completed for the Knoxville Utilities Board.

Forth Creek Wastewater Treatment Plants without the practice of blending. In order to meet this challenge, CDM and Kruger Inc. developed a process called biologically enhanced high rate clarification. This process combines a biological contact zone with a high-rate clarification process. Because there are no full-scale applications of this process, an extensive pilot testing study was developed to demonstrate treatment performance over a wide range of operating parameters and to identify final design criteria.

EnSafe, Inc. Memphis and Knoxville also won Grand Awards, the first for environmental: *The Pilot Test: Extreme Degradation Conditions* in Tampa Fl. and for Surveying/Mapping Technology: *GIS Map-*

*ping: Stormwater Outfalls on State Highways* completed for the Tennessee Department of Transportation.

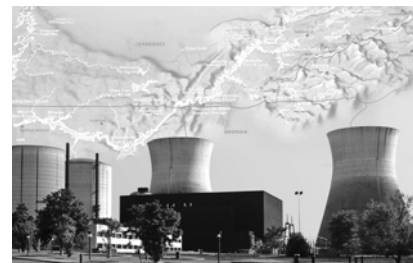
At Tennessee-based Helena Chemical Company's former pesticide Superfund Site in Tampa, EnSafe's engineers pilot-tested novel in-situ remedial approaches to



Gresham Smith and Partners, Nashville -Grand Award for the Transportation *Bessemer Street/US 129 Bypass Interchange* completed for the city of Alcoa.

address benzene hexachloride and xylene groundwater contamination in a hostile geochemical environment.

The Tennessee Department of Transportation's Municipal Sepa-



Barge Waggoner Sumner & Cannon, Inc., Nashville -Grand Award for *Tennessee River Modeling* completed for the TVA.

rate Storm Sewer System permit requires that stormwater outfalls along at least 1,070 miles of state-maintained roadways be mapped each permit year. EnSafe applied the latest in geographic information system, database, and field data collection technologies to the existing program.

Gresham Smith and Partners Nashville and Knoxville won Grand Awards as well, for Transportation *Bessemer Street/US 129 Bypass Interchange* completed for the city of



AMEC Earth & Environmental, Nashville- Grand Award for Special Projects for *CSXT Emergency Response for Flood Repairs*

Alcoa, and for Water and Storm water, *2nd Creek Wastewater Storage Facility*, completed for the Knoxville Utilities Board.

The interchange at Bessemer Street and the US 129 Bypass was experiencing increasing traffic volumes and congestion. Feasible options were evaluated to improve mobility and support tremen-

dous industrial and commercial growth in the area. A Diverging Diamond Interchange (DDI) was selected due to its operational and safety benefits, ability to meet capacity demands, affordability due to significantly lower cost of construction, and ability for it to be operational within a year. Upon completion, the interchange became the first of its kind in Tennessee and the fifth to be operational in the U.S.

GS&P was contracted as the lead designer for the new 5.5 million gallon Second Creek Wastewater Storage Facility. The facility provides off-line storage and sewer system flow equalization to reduce peak influent flows to the Wastewater Treatment Plant. The project returned an environmentally contami-



Ensafe, Inc., Knoxville - Grand Award for Surveying/Mapping Technology for *GIS Mapping: Stormwater Outfalls on State Highways* completed for TDOT.

nated Brownfield site to beneficial use.

Other Grand Award winners include: AMEC Earth & Environmental, Inc., Nashville for Special Projects with the project *CSXT Emergency Response for Flood Repairs* and Barge Waggoner Sumner & Cannon, Inc., Nashville for *Tennessee River Modeling* completed for the Tennessee Valley Authority.

AMEC Earth & Environmental helped inspect and repair over 200 miles of track from Nashville to



Grand Iris Award winner CDM, Oak Ridge for Biologically Enhanced High Rate Clarification which combined a biological contact zone with a high-rate clarification process.



Ensafe, Inc., Memphis - Grand Award for environmental for *Pilot Test: Extreme Degradation Conditions* in Tampa.

Memphis, Tennessee, after the devastating floods that occurred after record rainfall on May 1 & 2, 2010. Over 37,000 feet of railroad track required repair of some kind, including the repair of two bridges that had spans washed out. The majority of the repairs were completed and the rail traffic was restored within 21 calendar days after the initial inspection. AMEC worked with the project team to provide a comprehensive solution after this crippling catastrophe.

To produce the nation's first new nuclear construction and operation license in 30 years, TVA contracted Barge Waggoner Sumner & Cannon, Inc.,(BWSC) to confirm the accuracy of procedures and computer codes developed in the 1960s for determination of the probable Maximum Flood (PMF) elevation at the Bellefonte Nuclear Plant. BWSC remodeled the complex Tennessee River System Watershed (TN, VA, NC, GA, AL) and provided 67 calculation documents for 300 main-stem river miles and a 25,000-square-mile drainage basin for this \$5 million, fast track study. The modeling supports TVA's green power initiatives by providing critical data for licensing new reactors and supports the safety and regulatory confidence of TVA's operating nuclear facilities.

## Cumberland Region Tomorrow and Nashville MPO announce 2011 Regional Summit May 25

Cumberland Region Tomorrow (CRT) and the Nashville Metropolitan Planning Organization (MPO) will host the annual Power of 10 Regional Summit on May 25 at the War Memorial Auditorium in Nashville. The theme of this year's summit "Our Region Grows Together" will focus on continued efforts and strategies to promote and implement quality growth visioning, planning, and development in the ten county Middle Tennessee region.

Summit attendees will be provided a progress report and have the chance to provide real time input regarding regional thinking and actions concerning: Transportation/Transit, Quality Growth and Sustainable Development, Infrastructure, Open Space Conservation, Air and Water Quantity and Quality, and Economic Competitiveness. Presentations will include a strategies and action session for the Middle Tennessee HUD Regional Planning Grant, national speakers to share knowledge and compare regional efforts on core issues, and federal government leaders to educate regional leaders and organizations on current sustainable communities initiative policy and funding opportunities to support and motivate our region's actions.

The Power of 10 Regional Summit brings together over 500 regional leaders and organizations in business, government, and non-profit sectors interested in working collaboratively to address the challenges and opportunities created by regional growth.

CRT Director, Bridget Jones, describes the importance of regional thinking and planning. "As the latest U.S. Census numbers in-



**Wednesday, May 25th • 1:00 - 5:15 pm**  
**War Memorial Auditorium • Nashville**

Cumberland Region Tomorrow, along with the Nashville Area MPO, and multiple partners invites you to attend the annual Power of Ten Summit.

Learn what the ten county Middle Tennessee region and other regions across the nation are doing to address quality growth issues related to: transportation, land use, infrastructure investment, open space conservation, air and water quantity and quality, and economic competitiveness and how you can get involved.

Admission is \$30 for private sector employees and free to public employees. To learn more and to register visit [10power.org](http://10power.org)



Cumberland Region Tomorrow is a private sector regional 501(c) 3 not-for-profit organization working with the public sector to support and encourage growth planning, with an emphasis on land use, transportation, and preservation of the rural landscape and character of the region's communities.

dicade people want to live in Middle Tennessee. Our region is poised to work together to insure we grow and develop in a way that insures wise use of our resources, preserves our natural landscapes and unique communities, and keeps the region positioned for economic competi-

tiveness in the 21st Century."

The Summit will take place from 1 pm till 5:15 pm with a reception to follow. Tickets are \$30 for private sector participants and free to public employees.

For more information on the summit and to register go online to [10power.org](http://10power.org).

# A primer on the ins and outs of outsourcing

## OUTSOURCE, from Page 1

ketplace. Supplies and materials can often be purchased less expensively by contractors who are better able to obtain volume discounts, and the cost of labor can be "shared" with the contractor's other customers.

- **Specialization.** The nature of municipal programs often requires city employees to perform a wide variety of functions that are not directly related to their primary function (for example, water treatment plant employees who must also cut the grass at the facility). It is wasteful for such employees to be used in this manner. Certain duties can sometimes be performed less expensively by a private contractor whose business is narrowly specialized.

Privatization is not the answer to every municipality's budget problems. Some public programs more easily lend themselves to contracting out than others. But cities would do well to periodically review the programs and services they provide, including internal programs in which the city itself is the sole beneficiary, and to consider the potential for cost savings that might result from privatization.

## Some of your city's operations are (probably) already privatized

Outsourcing government services is not a new development. Most cities already contract with private sector firms for a wide variety of such services. They include:

- **Privatized street repairs.** On an occasional, short-term basis, many cities have traditionally contracted with private-sector contractors to rebuild or re-pave streets. Traditionally, cities seek bids for such work and award a contract to the lowest bidder.

- **Privatized solid waste collection.** According to one source, about half the cities in America do not own garbage trucks or employ sanitation workers. Instead, they have privatized solid waste collection by contracting with private sector companies for this service. And even fewer cities own landfills, opting instead to dispose of their community's solid wastes in a facility serving a broad region (whether privately or publicly owned).

- **Vehicle repair and towing.** While some cities own and operate garages where a city-employed mechanic can perform minor maintenance on city vehicles, many municipalities have found it cost effective to contract with a privately owned business for oil changes and other maintenance, as well as major repairs to city vehicles. Towing services are usually contracted out to a private sector firm, as well.

- **Building and grounds maintenance.** It is common for offices in many city halls to be cleaned by employees of private firms with which the city has contracted. Similarly, the grass in city-owned parks and cemeteries is as often as not mowed by contracted employees.

- **Utility billing services.** Many Tennessee municipalities have contracts with private firms to calculate, print, and mail monthly water and sewer bills, thus eliminating the need to hire additional office staff and to purchase specialized computers and printers.

- **Professional services.** Particularly in small communities, it is unusual for the city government to employ a full-time city attorney, auditor, engineer, etc. Instead, these duties are privatized with contracts reviewed periodically and put up for bid, competitive quotes, or proposals. Tennessee law does not mandate a competitive bidding process for certain professional services, but cities have learned the value of shopping around when hiring outside expertise.

There are many more examples of privatization in city government: data processing, drug testing, tree trimming, special events security, printing and advertising services, animal control, and job training, to name but a few. It is important to note that in none of these instances does privatization require the city to forfeit ownership of the programs it delivers to itself and its citizens. The difference, however, is that a city need not employ large numbers of people, own high-priced, specialized equipment, and occupy large facilities to provide basic services to the community.

## Factors Leading to Privatization

The most significant factor in the trend toward privatization is financial. The rising costs of public programs coupled with increasing citizen resistance to tax and rate hikes have led municipal officials to ask an obvious question: Is there

anybody out there who can do the job for less money? Under the circumstances, the advocates of privatization have had little difficulty getting the attention of governing bodies looking for some relief.

Economics, however, is not the only reason cities are considering outsourcing of programs. Other factors include:

- **Performance improvement.** When repeated efforts to improve the quality of a local service have failed, the governing body may conclude that the problem is systemic. In such cases, privatization of some or all of the program may be seen as a means of operating programs more effectively.

- **Specialization and complexity.** Particularly in response to technology, cities may sometimes decide to contract with private sector firms for the delivery of highly specialized or complex services. Most cities, for example, own computers and operate a variety of software programs from bookkeeping to utility billing. But relatively few cities employ the technicians and programmers needed to keep these computers and programs operating. Instead, cities usually enter into contracts with private sector firms for these services as they are needed.

- **Adverse labor relations.** Some cities have considered outsourcing public programs as a response to such personnel-related issues as high turnover, collective bargaining difficulties, or repetitive disciplinary problems. Contracting allows public managers to focus more on service delivery and less on employee issues.
- **Avoiding or reducing unfunded liabilities.** Cities may pursue privatization in response to escalating costs associated with employee pensions and health insurance benefits, which can demand resources for years into the future.

## What types of government programs tend to be privatized successfully?

Practically any governmental program can be performed by the private sector, but those having the following qualities tend to be the most successful:

- **Easily defined scope of work.** Successful contracting requires that the desired work can be easily described in the city's solicitation for bids and in the resulting contract. A vague or ambiguous description of the desired work increases the chances for disappointing results.

- **Availability of an ample supply of contractors.** The argument for privatization is rooted in the competition of the marketplace. Services lacking a sufficient number of bidders will not usually be more cost effective than those performed in the traditional manner by government employees. Conversely, a government service that operates in direct competition with private-sector business should be a candidate for privatization.

- **Easily measured and easily monitored work outputs.** Successful contracting requires that a municipality can effectively measure the quantity of the work performed by the contractor. Such measurements are essential if the municipality wants to assure that privatization is achieving the desired cost savings.

- **Ability to share program control.** The program selected for privatization should be one for which tight, hands-on control by the city is not necessary. As a rule, any work performed by a city department that is not central to that department's basic mission might be successfully privatized.

- **High tolerance for occasional errors.** The program is not so crucial to the well-being or safety of the community that a single error might have catastrophic consequences. In such cases, tight, hands-on control is needed and outsourcing may not be desirable.

- **Political acceptability.** The savings to be realized from privatization may be offset by lawsuits, labor slowdowns or strikes, and other protests. For this reason, it is best to avoid privatizing services that the public demands be provided by direct municipal involvement – and for which it is willing to pay higher costs.

## The Pitfalls of Privatization

Privatization is not a cure for every municipal ailment. Along with its benefits, privatization is accompanied by its own unique problems, some of them quite serious. Any effort to implement the privatization of a municipal program should include steps to assure that such problems do not offset the anticipated benefits.

- **The incentive to cut corners.** Private sector contractors are in business to earn a profit – a reasonable and legal goal in most instances. However, the drive to realize profits will sometimes lead contractors to decrease service quality to the maximum extent allowed by their contract with the municipality. Cities that have privatized their operations must implement performance measures to assure that service quality is better than that provided by traditional methods.

- **Failure to consider attendant costs of privatization.** The cost of a privatized operation always exceeds the amount specified in the city's contract with the private-sector provider. Any realistic analysis of a privatization proposal must take into account such additional costs as bid preparation and advertising, contract administration, performance monitoring, etc. Otherwise, it is entirely possible that the total cost of a privatized service may exceed the cost of in-house operation even though the contractor's fee is less.

- **Corruption and privatization.** There are sufficient examples of government contractors who, in the effort to secure public contracts, have corrupted the political process. Elected and appointed officials must be aware that contractors may offer bribes and other kickbacks in an attempt to influence the selection decision. Alternately, contractors may attempt to have their competitors disqualified from the bidding process. It is also possible that, once hired by the city, the private contractor will acquire political power in direct proportion to the number of people it employs. Sometimes, a private contractor may attempt to use these employees as a "voting bloc" to influence the decisions of public bodies.

- **Surprises.** The effort to submit the lowest bid may lead some contractors to "low ball" their bids. Once the contract has been awarded to them, they may seek amendments that result in higher than expected costs to the city.

- **Employee resistance.** The announcement of a decision to contract out any program provided directly by city employees will be unsettling to those employees. Any city considering outsourcing its services must anticipate strong, organized resistance to the proposal. Unless satisfactorily addressed by the city administration, a privatization effort can result in lawsuits, collective bargaining actions, and other labor issues that are detrimental to the municipality.

- **Loss of interdepartmental cooperation.** The incentive of a private contractor to assist the city with unrelated emergencies is usually missing. Limited by the scope of their contract with the city, privatized employees cannot be ordered by the city administration to assist other agencies to meet the occasional emergency.

- **Interference in the development of the contract.** Municipalities should resist the offers of contractors to provide "free assistance" when writing bid specifications or outsourcing contracts. Invariably, such contracts reflect the contractor's best interests, not the city's. The city attorney should be charged with writing all contracts for privatizing municipal programs.

- **Failure to manage the contract.** Once an agreement is signed with a private sector contractor, the municipality cannot merely assume that the program or service is being run properly. Successful outsourcing requires that cities demand accountability from the contractor in the form of detailed, regular reports and statistics, narrative explanations of special problems and opportunities, and frequent contacts and meetings. For its part, the contractor should be eager to help the city understand the successes and failures of the privatized operation.

- **Dependence and contract renewal.** Once hired, the city government is largely dependent on the private sector contractor for delivery of the service. This creates special problems for the city should the contractor go out of business before the end of the contract. Similarly, at contract renewal time, the city may find that the pool of available contractors has shrunk since the date of the original contract. In such instances, where competition has been reduced and privatization is no longer such a good buy, the city may have no reasonable (i.e., cost effective) alternatives. Simply stated, it is difficult for a city to return to traditional service delivery once it has outsourced any particular program.



A county-city library may opt to contract with a private-sector firm to provide the management for its library operations in an effort to cope with mounting budgetary constraints.



On an occasional, short-term basis, many cities have traditionally contracted with private-sector contractors to rebuild or re-pave streets. Traditionally, cities seek bids for such work and award a contract to the lowest bidder.

The decision to privatize, therefore, should be seen as permanent.

## Scope of the Contracted Services

Contracting out is not an all-or-nothing proposition. Cities can evaluate their municipal services and decide to outsource some or all of the program.

## Outsourcing the entire operation – or just some of it.

Over the past 30 years, considerable attention has been paid to governmental operations that were turned over entirely to the private sector. In such instances, the contractor provides all labor, equipment, materials and management needed to provide the service. The local government simply administers the contract and monitors the performance of the contractor. The most obvious municipal service in this category is solid waste collection where all equipment, materials, and labor needed to collect solid waste is provided by a private sector firm on the basis of a contract with the city. Other municipal programs that might be considered for complete outsourcing include:

- animal control;
- operation of animal shelters;
- street sweeping;
- tree trimming;
- cemetery maintenance;
- emergency medical services;
- vehicle towing;
- recreational programs;
- job training programs;
- operation of libraries, museums, community centers;
- water/wastewater facilities;
- electricity and natural gas utilities;
- traffic sign/signal maintenance; and
- street light maintenance.

Note that in none of these instances does privatization mean that the municipality must give up ownership of the facilities or the program. But in each, a private sector firm may be able to deliver the requisite service to the public more efficiently than traditional methods of service delivery.

Short of turning an entire program over to the private sector, however, cities can consider contracting out specific parts of their municipal operations.

## Internal support services

Within any municipal department, the most likely targets for outsourcing are the duties and services that are not central to the department's mission. In this cat-

egory are services in which the municipality, rather than the public, is the beneficiary. Contracting out for these services frees up administrators and employees to focus more on their mission, and, perhaps, save a little money. Examples of internal support services that could be contracted out include:

- janitorial services;
- computer maintenance and programming services;
- data processing;
- building maintenance;
- bookkeeping;
- meter reading;
- tree trimming;
- landscaping and mowing;
- administration of employee benefit programs;
- employee recruitment and testing;
- mapping services;
- engineering;
- legal services;
- payroll services;
- secretarial services; and
- public relations.

## Operational services

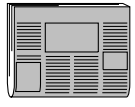
In some cities, contracts are signed with private sector firms to staff and operate the municipal water and wastewater plants, municipally owned golf courses, and similar programs. In such instances, the municipality may continue to provide administrative services in the traditional way, while a private contractor provides technical expertise and labor.

## Seasonal programs

Seasonal programs are prime candidates for privatization as cities can avoid owning specialized equipment and hiring specialized skills for tasks that are performed for relatively short periods during the year. Snow and ice removal programs, lawn mowing services (including nuisance abatement), and outdoor park and recreation programs might be provided more affordably by private contractors.

## Help with the contracting decision

Tennessee municipalities wishing to explore the possibilities and pitfalls associated with privatization should contact their MTAS municipal management consultant for a review and analysis of their programs. In most instances, the management consultant can advise cities of other municipalities where privatization of a particular program occurred and can share the lessons learned from such a decision. Additionally, the consultant can assist Tennessee cities to determine if the criteria exist for successful implementation of privatization.



## 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; e-mail: mlawrence@TML1.org; or fax: 615-255 4752.

### ADMINISTRATIVE SUPPORT ASSISTANT III

The University of Tennessee Municipal Technical Advisory Service (MTAS) is seeking qualified candidates for the position of Administrative Support Assistant III in our Nashville office. This position serves as general office manager and administrative assistant to consultants based in the Knoxville, Nashville and Johnson City offices. Orders office supplies and maintains inventory of equipment and its condition. Coordinates facility and service needs. Key detailed information into learning management system, GML (Lotus Notes database). Excellent customer service skills are required as well as the ability to plan and process projects and handle inquiries. Position requires expertise in Micro-soft Office (Word, Excel, Power-point, Outlook). This position requires at least two years of college education or additional office experience evidencing writing and analytical skills. A high level of cognitive or intuitive skills are necessary to fully understand, design and implement successful solutions to municipal problems. Position is open until filled. Please send application and resume to: UT OHRM; 600 Henley Street, Suite 221; Knoxville, TN 37996. The University of Tennessee is an EEO/AA/Title IX/Section 504/ADA/ADEA institution in the provision of its education and employment programs and services. All qualified applicants will receive equal consideration for employment without regard to race, color, national origin, religion, sex, pregnancy, marital status, sexual orientation, gender identity, age, physical or mental disability, or covered veteran status.

### CHIEF BUILDING OFFICIAL

**JOHNSON CITY.** The city is looking for an innovative and committed professional with proven technical and leadership skills, to serve as Chief Building Official (CBO). As CBO, you'll plan, direct, and lead the city's Code Enforcement division activities and programs, within the Public Works department, while actively and visibly supporting the city's vision. The CBO will work with 12 staff members to provide efficient administration of all provisions of the municipal building codes, property maintenance codes and zoning ordinances. The CBO will administer the activities of the Board of Building Codes and Board of Dwelling Standards and Review. Candidates must have: strong interpersonal and communication skills (both verbal and written); demonstrated leadership ability; and at a minimum, a bachelor's degree; and/or 10 years previous experience in any combination of code enforcement; design, construction or inspection of building structures; or structural engineering or architecture. Salary range: \$49,227 to \$64,620 depending on experience. Position open until filled. For an application or city information visit [www.johnsoncitytn.org](http://www.johnsoncitytn.org). Apply to: Department of Human Resources, City of Johnson City, 601 East Main St., P.O. Box 2150, Johnson City, TN 37605. EEO/AA.

### DIRECTOR PARKS & RECREATION

**MILLERSVILLE.** The city has an immediate opening for Director of Parks and Recreation. The director will assume the responsibilities for maintaining the new Community Center, Park and Playground facility. This position is funded, in part, by the Tennessee Recreation Incentive Program. Education requirements must include a B.A. in Parks and Recreation, or related field. A minimum of three years experience in parks and recreation employment is preferred. Experience with marketing, event programming, and event planning is highly preferred to facilitate the rental of the building's unique performance venues. This is a salaried position. Benefits include: paid vacation, holidays, state retirement, and insurance. Please submit a completed application (available from City Hall), along with resume to: City of Millersville, 1246 Louisville Hwy, Millersville, TN 37072. Applications will be accepted through the end of March 2011. EOE.

### FINANCE DIRECTOR

**BARTLETT.** The city is seeking applicants for the position of Finance Director. This position is the city's authority on all aspects of financial management and requires a comprehensive understanding of city government finance. The finance director manages the budgeting, accounting, accounts payable, debt service management and information technology functions of government and participates in the cash management, pension, investments, and certain aspects of the payroll process and purchasing. This position requires a bachelor's degree in accounting, finance, public administration, or closely related field, and seven years of progressive experience with a minimum of five years in a senior management role, preferably in the area of governmental accounting and budgeting. Candidate must have professional certification such as Certified Municipal Finance Officer (CMFO), Certified Governmental Financial Manager (CGFM), Certified Public Finance Officer (CPFO) or Certified Public Accountant (CPA) in Tennessee, in active status with a minimum of five years of primarily governmental experience, with at least three of those years in Tennessee, in order to comply with the provisions of the Municipal Finance Officer Certification and Education Act of 2007. Salary: \$96,159 - \$104,003 DOQ; comprehensive benefit package including the city retirement plan. Applications will be accepted until position is filled. Submit a letter of interest, current resume with salary history and at least three professional references to: Personnel Director, City of Bartlett, 6400 Stage Rd., Bartlett, TN 38134. Email: [pvoss@cityofbartlett.org](mailto:pvoss@cityofbartlett.org). EOE

### CITY MANAGER

**EAST RIDGE** – The city is accepting qualified applicants for the position of City Manager. Bachelor Degree in public administration required. A minimum of three to five years municipal government experience required. Proven management and leadership, team building, communications skills and economic development experience required. City offers competitive salary and excellent benefits package. City website is [www.eastridgetn.org](http://www.eastridgetn.org). Send resume to: Trish Perry, Human Resources, at [pperry@eastridgetn.org](mailto:pperry@eastridgetn.org) or City of East Ridge, 1517 Tombras Avenue, East Ridge, TN 37412. EOE and TN Drug Free Workplace.

## GPS pilot program targets gang activity

GPS from Page 1

to be sure we were looking at the right people, then provided those names to Probation and Parole. These are people who have committed serious crimes and are back out in the community under conditional release. So far, the project seems to be a success."

The 10 offenders are members of various gangs including the Bloods, Crips, Gangster Disciples and Vice Lords and are guilty of crimes ranging from assault to weapons violations and dealing cocaine.

"One thing that's important, is that once you put GPS on an offender, if they're in a gang, the other members may not want to associate with them because they know they're being monitored everywhere they go," said Traugher. "In addition, they are being programmed out of certain areas. Those areas are where gangs do gang activity and do planning."

"This new initiative with Chairman Traugher and his staff sends yet another very clear message that our police department has no tolerance for criminal gangs and gang violence, said Metro Police Chief Steve Anderson. "From daily intelligence gathering by our Gang Unit, to our weekly Operation Safer Streets program, to our partnership with the U.S. Justice Department in the recent racketeering indictment against violent gang members, we mean business. And our business is the safety of Nashville's neighborhoods."

## Local Development Authority approves \$40 million in loans for water and sewer projects

Several communities across Tennessee will receive low-interest rate loans to finance water and sewer improvement projects as a result of action taken by the Tennessee Local Development Authority (TLDA) today.

The TLDA approved more than \$40 million in loans through the State Revolving Fund Loan Program that administers both Tennessee's Clean Water State Revolving Fund and the Drinking Water State Revolving Fund. Because some of the projects qualified as "green" projects by the Environmental Protection Agency (EPA), 20 percent of the loan amounts for those projects will be forgiven. The interest rate for each loan is based on the community's ability to pay as determined by the Ability-to-Pay Index developed by



The first sign of gang activity is usually graffiti, which serves as the underground newspaper for gangs, identifying the gang, their territory, or challenging rival gangs.

The Board of Probation and Parole have used GPS monitoring statewide since 2007 to supervise sex offenders and other high-risk offenders. "The General Assembly, in 2005, gave us legislation for pilot projects, to GPS sex offenders and make sure those with rape of a child were on GPS. It also provided for other offenders too," Traugher said.

As part of the pilot study, probation and parole officers are stationed in several Metro Police precincts, where both agencies say the joint effort has strengthened their working relationship considerably.

"We are more than pleased with

the cooperation of the Metro Police Department," said Traugher. "The department has bent over backwards in accommodating us and our relationship."

"Information sharing is a positive," said Howey. "We've been able to be an additional resource for Probation and Parole in that we can accompany them on some of their home visits in checking up on these folks to see if they are meeting their curfews, etc."

Traugher said the board will continue to evaluate the program to see if it can be expanded into more areas. "But that might require additional appropriations," he adds.

the Center for Business and Economic Research at the University of Tennessee.

The loans approved for funding for clean water improvement projects for municipalities are:

- City of Humboldt, \$1,320,000, collection system rehabilitation/replacement in the area around Hawks Loop/Henley Field Park and along Highway 70/79, 1.50 percent interest rate;
- City of Lewisburg, \$10,000,000, wastewater treatment plant expansion and upgrade, 2.43 percent interest rate;
- City of Lewisburg, \$2,000,000, wastewater treatment plant expansion and upgrade, 2.43 percent interest rate;
- City of Spring Hill, \$10,000,000, wastewater treatment plant ex-

pansion and upgrade, 2.62 percent interest rate;

- City of Spring Hill, \$7,200,000, wastewater treatment plant expansion and upgrade, 2.62 percent interest rate;
- City of White House, \$969,000, collection system rehabilitation and replacement at South Palmer's Chapel, Sage Road grinder pump replacements, North Palmer's Chapel vacuum pumping station motor control center, 1.88 percent interest rate.

The loans approved for drinking water improvement projects are:

- City of Alcoa, \$5,000,000, water storage reservoir replacements with solar-powered mixing, energy efficiency and water loss elimination components, 3.40 percent interest rate;
- Town of Erwin, \$500,000, railroad well water treatment plant upgrade, 2.42 percent interest rate.

Members of the TLDA are: Gov. Bill Haslam, chairman; Secretary of State Tre Hargett, vice-chairman; Comptroller Justin P. Wilson, secretary; Treasurer David H. Lillard, Jr.; Finance and Administration Commissioner Mark Emkes; Senate appointee Houston Naron and House appointee Ken Wilber.

## Transportation bill extended

ROADS from Page 1

and merging transit programs. The proposal continues strong support for federal transit programs and includes three discretionary programs aimed at cities.

In recent weeks, Rep. Mica and other House Transportation Committee members have been touring the country holding field hearings to gather public input for a new multi-year bill, including a joint hearing with Senate Environment and Public Works Committee Chair Barbara Boxer (D-CA) last month in Los Angeles. Sen. Boxer has been working with Democratic and Republican leadership on her committee and intends to mark up a Senate transportation bill in May, though she has not provided any specifics on what she would like to see in a new bill.

NLC continues to support several key components of any new transportation legislation, including an increase in the federal gas tax to fund transportation programs; a new long-term comprehensive program that provides for local decision-making; parity between highway and transportation programs; and performance measures to ensure that limited funding goes to critical projects that enhance mobility and contribute to metropolitan economic growth and vitality. NLC will continue to provide updates on activity surrounding authorization of a long-term transportation plan.

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# Joint session attends Governor's 2011 State of the State address



Gov. Haslam delivers his first State of the State address.



Senate Speaker Pro-Tem Jamie Woodson, and Lt. Gov. Ron Ramsey



Sen. Mark Norris, Rep. Steve McDaniel and Sen. Randy McNally



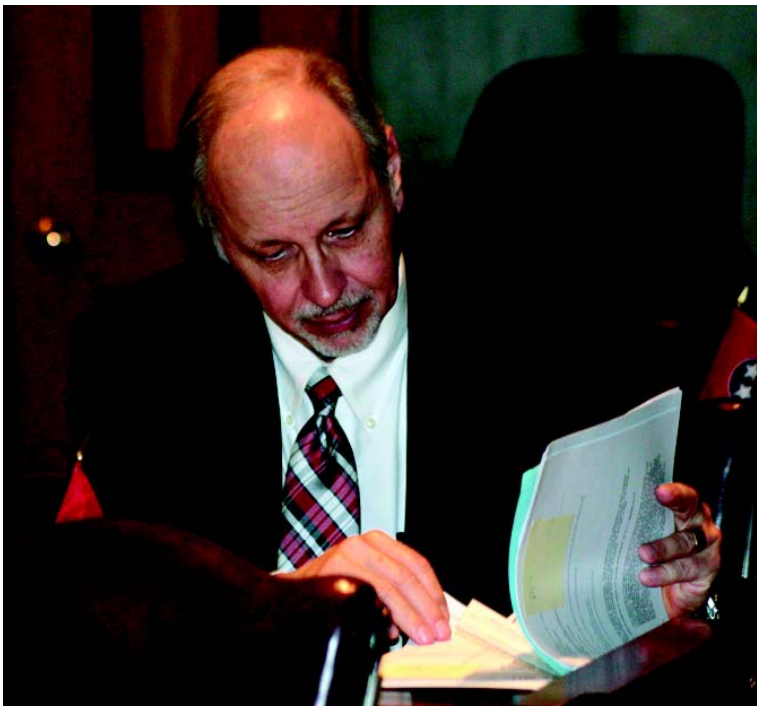
Rep. Jimmy Eldridge and Sen. Ken Yager



House Speaker Pro Tem Judd Matheny and Rep. Mark Pody



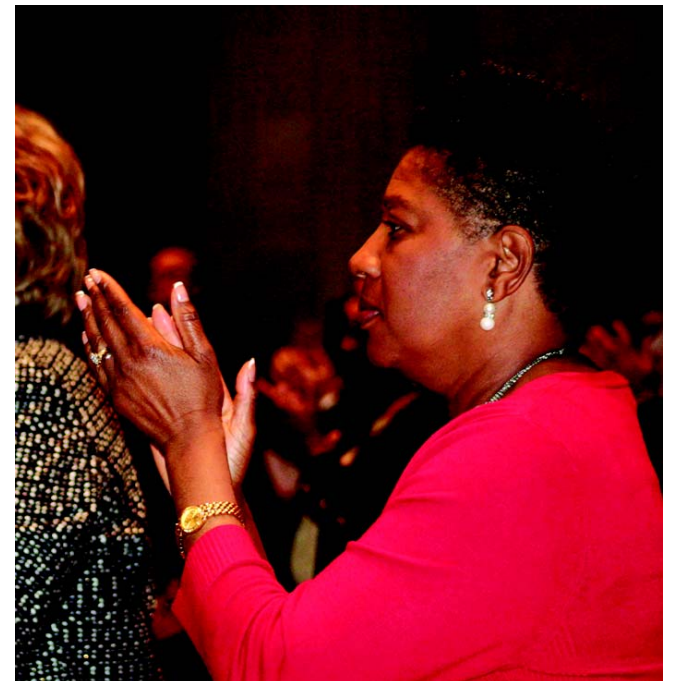
Sen. Steve Southerland and Rep. David Hawk



Rep. Bob Ramsey



Rep. Mike McDonald



Rep. Brenda Gilmore

# Haslam calls his budget “realistically conservative”



Rep. Steve McManus



Sen. Lowe Finney and Rep. Joe Armstrong



Sen. Bo Watson



Rep. Jimmy Naifeh and Rep. Lois DeBerry



Sen. Joe Haynes



Adj. General Terry “Max” Haston, Rep. Charles Curtiss and Sen. Charlotte Burks



Rep. Janis Sontany and Sen. Thelma Harper



Rep. Richard Montgomery and Dale Kelley, legislative liaison with Haslam’s administration

# Richard Roberts brings topflight corporation law skills to Revenue

BY GAELSTAHL

Richard Roberts' route to prominence in Tennessee business, legal, and political arenas began humbly enough in Greeneville where he was born in 1954. The oldest of four, he was raised on a farm in the Greene County farming community of Glenwood where he worked a lot of tobacco, gardens, and beef cattle. Both parents were teachers, but he enjoyed high school more than studied.

After graduating from high school in 1972, he went to the University of Tennessee and earned a bachelor's degree in 1977 in liberal arts with emphases in science and math. He tried a few career avenues in Tennessee and took off for Colorado. At Vail, then well on its way to becoming an up-scale boomtown ski resort, he worked on construction and development projects including condominiums and commercial spaces. He learned the practical aspects of working a business project such as how to get subcontractors to come to work and how to get customers to sign a lease.

In time, friends who ran the construction and development companies encouraged him to take his interest in business beyond basic project development and get the kind of grounding that higher education could offer. Roberts noodled that idea around, decided to apply to a couple law schools and finance/business administration programs in Colorado and Tennessee, and took advantage of a double-degree MBA/JD program at UT. By taking courses such as finance and accounting after law school, he was able to graduate in 1985 with a doctorate in law and a master's in business.

While clerking in the securities transaction practice of a Denver law firm during law school, he decided to make corporate securities and tax practice his major focus. A big break came when Sen. Howard Baker, who was leaving the U.S. Senate and returning to his old law firm of Baker Worthington, decided to expand the firm. One of the securities lawyers he brought in was Robert McCullough of Nashville with whom Roberts interviewed. He was hired as a securities lawyer. Roberts says the opportunity of working for Sen. Baker made Baker the primary mentor of his life and career, that Baker mentored many a lawyer who learned from him how to do things the right way.

Roberts worked first in the firm's Nashville office, then was assigned to its Washington office. During 10 years with the firm, Roberts did securities work, primarily, taking companies public and helping entrepreneurs get started in business including helping with mergers and acquisitions, helping people acquire companies, put them together, break them apart and other such corporate transactions.

In 1994, he became general counsel for the first of two public companies based in Tennessee. At the time of his becoming commissioner of Revenue, he was serving as a director of Miller Industries, Inc., the world's largest manufacturer of towing and recovery vehicles. Previously he was general counsel and senior vice president with Forward Air Corporation and with Landair Corporation – both Greeneville, Tennessee-based transportation companies. He served on the East Tennessee Foundation Board of Directors and on the Board of Directors for the Niswonger Foundation from 2000-2006.

A month after Knoxville Mayor Bill Haslam was elected governor, he called Roberts to invite him to drive over from Greeneville for a chat. Haslam knew Roberts through mutual friends but not personally, so it didn't occur to Roberts that Haslam had spotted him as a likely candidate for commissioner of the Tennessee Department of Revenue.

After 26 years of being general counsel for Tennessee-based corporations with operations in dozens of states, he finds being Revenue Commissioner a challenge. It involves more than 1,100 employees collecting \$12 billion in state and local revenue annually. While always a quick learner, he compares the first few weeks to being like trying to get a drink from a fire hose. While not an original description, it's apt, he says. His confidence is shored up by well-grounded employees known for organized productivity. Despite being new to the job, Roberts didn't hesitate when invited to be interviewed about some complex issues

he faces.

Roberts, 56, is married to Imogene King, a longtime partner at the Frantz McConnell & Seymour law firm in Knoxville. She now serves as off-counsel for that firm.

**TT&C: At what point in your careers in Vail, Denver, Knoxville, Nashville, Washington, and Greeneville did you marry?**

**RR:** I got married seven years ago. Imogene and I had dated in high school and then went our separate ways. We didn't really keep up until we reestablished contact at our 30<sup>th</sup> high school reunion. She was practicing law in Knoxville and by then I was back in Greeneville working with air freight and trucking companies I'd been involved with for years.

**TT&C: Take us through some of the highlights of your work history.**

**RR:** I was practicing with the Baker firm in Washington in mid-1993 when Landair made the decision to go public. I was their company lawyer on that deal and took them public in fall 1993. I continued as outside counsel until mid-1994 when, after some negotiations, I accepted their offer to come in-house as general counsel of Land Air. A few years later we separated the Forward Air business from the traditional trucking business, and I became general counsel of both of those public companies. I was associated with Forward Air Corporation until about 2003 and with Landair a little longer and spent a lot of the last few years doing counsel work for Landair.

Since 1990, I have been working with Miller Industries, a towing and recovery vehicle manufacturer. We make the tow trucks and the carriers that will come and bring your disabled vehicle in or, if you don't pay for your vehicle, we'll tow it in to give it back to the bank. I was the lawyer that took them public. I have been on their board of directors since they went public in 1994.

**TT&C: What moved you to run for Congress in 2006?**

**RR:** When Jimmy Quillen retired in 1996 after representing the 1<sup>st</sup> District for 34 years, about 10 candidates ran and Congressman Jenkins was elected and served 10 years before retiring in 2006. I just thought, why not? It was something important to the 1<sup>st</sup> District, so along with 12 other residents, I ran for the open seat. If you've never run for public office, it's a wonderful opportunity to go out and answer questions from complete strangers on subjects you may know nothing about or maybe actually do know something about. I came in third out of the 13 and was reasonably pleased. That post is usually held for many years, but in 2008, the person who came in fourth in our race (Johnson City Mayor Phil Roe) beat the winner of the 2006 election. I totally recommend running for office – a great and humbling experience.

**TT&C: What are some of your past political and community involvements?**

**RR:** Besides the activities we've already talked about, in 2007, when Sen. Fred Thompson was preparing to run for president, I went to Washington to serve as chief financial officer of the Thompson Presidential Campaign and then stayed to wind it down after he decided to withdraw from the race.

I also managed a complex construction project in 2005 to build a stadium at Tusculum College. We now have the Houston Astros Rookie League team based there, sharing the facility with Tusculum College. That was a high profile project; a whole lot of Greeneville/Greene County are very supportive of the baseball team. I was also involved in a major high school innovation project about 2000-2001. Just a good mix of business and community involvement, I guess.

**TT&C: Do you have close connections with Gov. Haslam?**

**RR:** I've known the Haslam family, his father and brother Jimmy through the East Tennessee Foundation and the Baker firm in Knoxville. I was on the board of the East Tennessee Foundation and had just been elected treasurer in December before taking this job and resigning that position. I was not a close personal friend of the governor. I was involved in his campaign. I never asked him why he asked me to serve. I did not have an expectation of



Richard Roberts

*"Every dime we don't collect represents another challenge for the governor and for the legislature."*

anything. He called in December after the election and asked me to come talk. He knew that I had financial and management experience and had practiced corporate law. So, I'm assuming he believed I could do the job.

**TT&C: The Tennessee Municipal League has worked with former Revenue commissioners on issues that are ongoing. When the state took over collections of business taxes for the state and local governments, cities viewed it as win-win. There have been some glitches along the way. Can you update us where things stand and what cities might expect from the department this year on the business tax?**

**RR:** Fair question. We've had some challenges in the department and it's important to me that we always remember that taxpayers are our customers as are county and municipal clerks. This department feels it's important to constantly work to build those relationships and deliver the services we're charged to deliver, collecting the taxes and other revenues in Tennessee.

*"I genuinely appreciate the good work that these dedicated municipal and county clerks do to make the vital process of revenue collection work efficiently. We value them and try to be aware that some places don't have all the resources that we have."*

– Richard Roberts

Looking at the calendar, I've been here less than 60 days, so there is a caveat on all these questions – I'm still learning. Regarding the business tax issue, we receive approximately 470,000 accounts from more than 300 different sources. Ninety-five counties and more than 240 municipalities submit data. What we've found, as you would expect when receiving data from more than 300 sources, there are differences in the manner data is collected. It's taken a fair amount of time to work through those accounts, eliminate duplicate and closed accounts and get the data into our system so we can have a consistent database. We're still working on that.

In a typical year the Department of Revenue collects about \$12 billion in taxes. Approximately \$2 billion of this total is remitted back to counties, municipalities, and other governmental entities. What we hope will come out of having a consistent database is the ability to provide better and more accurate information to the state as well as to the individual municipalities about the funds that we are getting. That work is ongoing. The good news is that we're seeing an increase in the collections from a period-to-period comparison. The department's collection efficiencies are a real advantage to the counties and municipali-

ties by saving them money and from having to duplicate that effort.

In all that, I found the county clerks and municipal clerks are the ones on the front line. It's easy sometimes to sit here on the 12<sup>th</sup> floor of the Andrew Jackson building in Nashville and say how things ought to be. It's another to be out there on the front line administering this or that tax 200 miles away. I genuinely appreciate the good work that these dedicated municipal and county clerks do to make the vital process of revenue collection work efficiently. We value them and try to be aware that some places don't have all the resources that we have.

**TT&C: Another issue is streamline sales tax collections.**

**RR:** I'd like to tell you I was an expert on streamline sales taxes. I am not. The issues are a combination of federal and state efforts that relate to internet sales and the ability of indi-

vidual states to go after revenues that they are currently not getting. Combining the federal issues that are tied around the coverage laws and the ability of the state to impose taxes on out-of-state entities, are issues that need to be solved for all states.

At present, many pieces of legislation are wrapped into state taxing issues. I believe that makes it harder to solve the Commerce clause issues, which are federal issues. There is the hope on the part of some that we can bifurcate the state and the federal issues and put together a federal solution that allows states to collect revenues that they are not presently collecting.

**TT&C: With increasing online shopping where sales taxes are rarely assessed and with decreasing shopping in local stores that do assess sales taxes, how can state and local governments make up the loss in sales tax collections?**

**RR:** Let me say clearly for the record that just because you are not assessed sales tax on your online purchases, it doesn't mean you're exempt. You still owe the tax. It's called the Tennessee use tax. I encourage anyone reading this to go to our website and look for a portal to our site where you are encouraged, in fact, required to go in and pay the use tax on your online purchases.

As I said, it would solve a lot of that problem if we could get a federal solution to the prohibition on requiring out-of-state companies to assess and collect the sales tax. But just because somebody doesn't collect

the tax doesn't mean it's not due.

We have arrangements with some states regarding some shipments into this state and with some businesses that, at our request, provide the records of shipments into the state. If some states that are testing in court whether states can require records of customers receiving goods shipped into their states are successful, then we'd have a database to use to remind buyers of their obligation.

**TT&C: In Tennessee, several provisions to the streamline sales tax agreement have taken effect while others are scheduled to be implemented in July 2011. Where do things stand on the state level?**

**RR:** There is a bill that proposes to move the effective date of the legislation back by two years. In Revenue, we think it is appropriate to delay because a lot of our department isn't ready and a lot of the municipalities have not worked out their agreements on any changes to the present allocations. Getting 50 different entities to agree on something may slow things down compared to the simpler route of getting a federal solution to allow all entities to collect sales taxes whether streamline online purchases or in local business places.

**TT&C: Describe the challenges the state faces to balance revenues and expenditures in next year's budget?**

**RR:** The Hall Income Tax, for example, is a tax on dividends and bond interest. Collections were significantly down the last two years. A lot of investors in Tennessee are invested in banks. Banks have been hit hard. Many have eliminated dividends. That lowers Hall Income Tax collections. Dividend paying companies have reduced or eliminated dividends. Franchise and excise tax collections are also down. Businesses are simply not making the money they were making. That's how the economy challenges our tax receipts.

Luckily, we're now seeing an up-tick in sales tax revenue. What you experience at the local level is being experienced at both the federal and state levels; your revenues may fall off, but your expenses and demands for services typically do not. Every dime we don't collect represents another challenge for the governor and for the legislature.

The dedicated, quality people in this department make a lot of things happen. More than 98 percent of our tax collections are voluntary, not gotten through assessments or actions against taxpayers but through voluntary compliance with existing laws. We find that the more assistance we provide taxpayers to help them understand that filing returns is literally an act of compliance, the better the compliance is.

**TT&C: What private-sector strengths do you bring to this position?**

**RR:** I bring experience. The practice of law is a great way to learn the law. Being a general counsel of a large company with 72 locations in 38 states and having to manage disparate operations in everything from handling claims against a company to collections and dealing with financial institutions and analysts gives you a good idea how to approach problems that might be factually new to you. They all involve people and many kinds of conflicts.

There's a natural conflict between the person paying the tax and the desire to hold on to a bigger part of one's earnings. You've got to be able to see both sides and have some empathy and understanding of the difficulties of companies going through difficult times. My experience in having done that in business helps me understand – whether it's a piece of litigation or an assessment, or an employee matter. Being a company counsel involves you in a little bit of everything.

**TT&C: Did your past experience involve working with municipal or county governments?**

**RR:** Actually, yes. The air freight and trucking industries are highly regulated at the local level as well as at the state level and national level. We had compliance obligations in each of the 38 states where we were located and with the Federal Aviation Administration for airlines and the Department of Transportation for trucking facility licensing, compliance, and taxes.