

Legislative Session winds down

2011-12 budget items of interest to municipalities

Last week, Gov. Bill Haslam introduced his budget amendment, Technical Corrections Bill, and the Administration's "Incentives Bill."

At press time, debate and discussions were still ongoing and the General Assembly had not yet concluded its work for the 2011 session.

TML staff has identified several items within these documents that will affect municipalities. Listed below are brief descriptions of legislative items that will impact cities. More detailed information will be forthcoming.

Elimination of the Local Planning Office and Planning Services

Gov. Haslam announced the elimination of the state's Office of Local Planning as part of the Top to Bottom review and realignment of the Department of Economic Development. Last year, the state appropriated about \$2.8 million to deliver planning services to 212 cities and counties. Beginning July 1, 2011, these services will no longer be available to cities and counties. In addition to the planning services, Local Planning also served as the state coordinating agency for the U.S. Census Bureau and FEMA's National Flood Insurance Program. Local Planning also prepared and maintained various types of maps for cities and performed other GIS-related studies and tasks for cities and counties.

The governor's budget amendment includes the following concerning the Office of Local Planning:

- Abolishes 62 full-time positions; effective July 15, 2011;
- Maintains 7 full-time positions through June 30, 2012; to assist in the transition of services;

- Provides \$1 million in transition grants to local governments. These funds are one-time only funds; intended to offset a portion of the cost cities and counties will incur to procure planning services on their own.

Hall Income Tax

• Effective tax year 2012, increases the exemption for persons age 65 and older by \$10,000. This brings the exemption to \$26,200 for single-files and \$37,000 for joint returns. Fiscal Review estimates this will cost local governments approximately \$630,000 a year, beginning in fiscal year 2013.

Flood, Tornado Sales Tax Relief

• Extends the law enacted last year to cover replacement of major appliances, residential furniture, and restoration, repair, or replacement to primary residence as a result of a disaster in Tennessee occurring between March 23, 2011 and May 12, 2011.

- Local governments are held harmless for the loss of any local option sales tax.

Sales Tax Relief for Storm Shelter

• Provides a sales tax exemption for building supplies used in the construction or improvement of a storm or tornado shelter in the state; provided, that the sales price per item is less than \$3,200; supplies must be purchased between July 1, 2011 and Dec. 31, 2011; and a maximum of \$2,500 in relief per residence.

- Fiscal review estimates local governments will suffer a one-time loss of \$46,397 in sales tax.

See **BUDGET ITEMS** on Page 6

Haslam files FY 2011-12 budget admendment

Gov. Bill Haslam filed an amendment with the General Assembly that adjusts next year's budget proposal to reflect new estimates on increased state revenues. The supplemental appropriations amendment (SB2090/HB2139) includes funding that was not included in the budget the governor presented in March, which was based on earlier revenue projections.

Notable funding priorities in the governor's budget amendment include:

- \$71.3 million for disaster relief resulting from recent storms and flooding.
- \$4.7 million for the Department of Intellectual Disabilities Services to restore residential rates.
- \$1.9 million for mental health services for residents of Northeast Tennessee through the Mountain State Health Alliance.
- \$8.5 million to restore previously scheduled rate reductions of 8.5 percent to mental health providers in TennCare.
- \$5 million for payments to the

Memphis Regional Medical Center, Nashville General Hospital and Jellico Community Hospital.

- \$3.5 million additional for smoking cessation assistance in TennCare.
- \$6.9 million grant for three programs at Meharry Medical College.
- \$220,000 for first-year debt service on construction bonds for \$22.6 million, 108-bed State Veterans' Home in Clarksville.
- \$2.5 million for the Civil Rights Museum in Memphis.
- \$1 million recurring to limit the impact of the Hall Income Tax on eligible seniors 65 years and older, beginning in fiscal year 2012-2013.
- \$19.9 million additional for lottery scholarships to fund students' ability to utilize them during summer school.
- \$5 million to the University of Memphis for operations on the Lambuth campus in Jackson.

See **BUDGET** on Page 5

Meth tracking system a go in Tennessee

BY VICTORIA SOUTH
TML Communications Coordinator

State lawmakers are taking a wait and see stance, after passing a controversial measure to control the ingredient used to make methamphetamine. Amendments to the bill, SB1265/HB1051, on its way to becoming law following Gov. Bill Haslam's signature, sets up a tracking system on sales of pseudoephedrine, an ingredient in several over the counter cold and decongestant medications, and creates new penalties for meth cooks and the individuals who help them called 'smurfers'.

An investigative report by NBC's Mark Potter uncovers that some meth cooks may have up to 30 smurfers working for them. Their job is to visit local drug stores to buy cold medications containing pseudoephedrine, one box at a time.

With up to 2,100 labs discovered last year alone, meth is fast becoming a scourge in Tennessee. More labs are discovered here than in



Approximately 2,100 meth labs were discovered in Tennessee last year alone. Now, new state legislation will instigate a tracking system on sales of pseudoephedrine, the drug found in common over the counter cold medicines, used to make methamphetamine.

any other state, made easier by the one pot method consisting of only a pop bottle and a handful of cold meds. Discarded along Tennessee's back roads and highways, the labs

are lethal, potentially explosive, toxic waste. And clean up costs run high, \$2,000-\$3,000 to clean up one small lab, according to data from the DEA. See **TRACKING** on Page 5

Little progress on new transportation bill

BY LESLIE WOMACK
NLC Government Relations

The last several weeks have seen a flurry of discussion but no progress on a new surface transportation authorization bill. House and Senate transportation leaders have pushed back their self imposed deadline of a draft bill before their respective committees before Memorial Day and the newest date for release of draft legislation is June. The current (and seventh) extension of SAFETEA-LU expires on September 30. That doesn't leave a lot of legislative time left to pass a bill in the House and Senate, reconcile their differences and get the President's signature.

Although staff representing

Senate Environment and Public Works Committee Chair Barbara Boxer and Sens. Vitter, Baucus and Inhofe has been meeting regularly to put a bill together, the senators themselves have not been involved in the discussions. In the House, Chairman Mica has made many public statements about what a bill will look like, but there is no draft yet.

NLC does know that a new bill will be smaller – about 30% smaller than the current bill. According to Republican staff members from both the House and Senate, the bills will consolidate programs and not have the "fluff" that the most recent transportation authorizations have contained such as transportation enhancements, Safe Routes to Schools and other programs. House and Sen-

ate Republican staffers have said that program consolidation will give states more flexibility and get rid of programs "no longer in the federal interest."

Currently, the Highway Trust Fund is taking in \$34 billion in revenue to fund \$42 billion in authorized spending levels. Two recent infusions of funds from the general Treasury have met that shortfall and Republicans in the House and Senate pledge that will not happen again. It is likely that the House bill will be smaller than the Senate, due to the fact that the House Transportation Committee has 20 new members and 19 of them are freshman who were elected to cut budgets and have no commitment to the pro-

Nashville walks the extra mile with Dean

BY VICTORIA SOUTH

Nashville residents have found a true walking buddy in Mayor Karl Dean. Citizens have been spotted logging some serious mileage with the mayor toward their 100-mile goal in a community-wide effort to promote overall health and fitness. The "Walk 100 Miles with the Mayor" initiative consists of 28 walks, ranging from two to 10 miles over a three month period, where citizens, whether on their own, in groups or with the mayor, trek many of the city's top notch greenways and trails. Those who meet the 100-mile goal will be invited to a celebration in downtown Nashville Saturday, July 9.

The project is made possible through a partnership with NashVitality, an initiative of Metro Public Health Department's Communities Putting Prevention to Work (CPPW) campaign. NashVitality provides quality resources and activities to help keep Nashville communities healthy, active and green. CPPW addresses one of the leading preventable causes of premature



Mayor Karl Dean canvasses Nashville's greenways and trails with citizens in the Walk 100 Miles With the Mayor campaign.

death and disability—obesity.

CPPW Nashville strives to create greater access to nutritious foods and safe physical activity, through policy, systems and environmental change. The campaign is funded by the U.S. Department of Health and

Human Services as part of the American Recovery and Reinvestment Act of 2009. The city was one of only 44 communities to receive the award, \$7.5 million over the next two years. Besides creating 40 full time and 40 part-time jobs throughout the community, the campaign promotes the safe use of roads by bicyclists and motorists; helps integrate physical activity and healthy eating into Head Start classrooms; and create a community bike sharing program.

In an attempt to facilitate healthy eating patterns for citizens in all regions of the city, CPPW has kicked off a unique gardening initiative that also serves as a bridge between younger and older generations. The Community/Intergenerational Urban Gardens program allows older citizens to teach young people how to grow fresh fruits and vegetables. While the Healthy Corner Markets plan addresses the lack of corner stores that sell fresh, healthy food items in "food desert" neighborhoods.

For more information on healthy Nashville initiatives, visit www.nashvitality.org. For a complete schedule of 100 Mile Walk activities, visit the website www.walk100miles.com.

HUD Releases FY2011 CDBG estimates for cities

The U.S. Department of Housing and Urban Development (HUD) released estimates of how the \$3.3 billion in FY 2011 Community Development Block Grant (CDBG) funds will be allocated to cities and states.

The estimates reflect a nearly 16 percent cut in CDBG funding from FY 2010.

Although it is uncertain when final allocations will be available to city and state grantees, HUD and the Office of Management and Budget are working to expedite the process, which typically takes 75 to 90 days. For more details on FY 2011 CDBG funds, go HUD's website at http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning

TN-FY11 Allocation Estimates

NAME	CDBG11	HOME11	ESG11	HOPWA11
Bristol	\$216,091	\$1,218,785	\$0	\$0
Chattanooga	\$1,593,500	\$1,058,536	\$0	\$0
Clarksville	\$739,362	\$415,082	\$0	\$0
Cleveland	\$303,775	\$0	\$0	\$0
Franklin City	\$252,860	\$0	\$0	\$0
Jackson	\$528,596	\$376,707	\$0	\$0
Johnson City	\$445,414	\$0	\$0	\$0
Kingsport	\$366,248	\$0	\$0	\$0
Knox County	\$936,579	\$386,047	\$0	\$0
Knoxville	\$1,693,612	\$1,223,152	\$114,414	\$0
Memphis	\$7,320,219	\$4,342,455	\$493,595	\$1,540,635
Morristown	\$265,783	\$0	\$0	\$0
Murfreesboro	\$589,331	\$0	\$0	\$0
Nashville-Davidson	\$4,507,925	\$2,880,458	\$303,594	\$911,759
Oak Ridge	\$236,951	\$0	\$0	\$0
Shelby County	\$905,680	\$313,171	\$0	\$0
Tennessee State Program	\$24,449,322	\$15,486,311	\$2,132,512	\$916,803

Cities look to the past for a sustainable future

BY VICTORIA SOUTH
TML Communications Coordinator

While there are several definitions for sustainability, its principals remain the same: sustainability encompasses how we choose to conserve and utilize basic resources on every level, land, air, water, infrastructure, energy, even waste; choosing smart growth, non-toxic, energy saving, bio-degradable and environmentally friendly components over sprawl and non-renewable options. And in this capacity, to endure environmentally, economically and socially.

Dodd Galbreath, executive director of Lipscomb University's Institute for Sustainable Practice in Nashville, prefers to keep it simple. "The first thing about sustainability is that it should be subtle," he stressed before a "Lunch & Learn" gathering at Franklin's newly certified Leed Gold Police Station. The station's construction includes a geothermal heating and cooling system, a green roof that includes live plant material that helps keep the building cooler, and a 45,000 gallon cistern that reclaims rain water from the parking area to be used for irrigation and restroom lavatory facilities.

"The challenges that we face and that sustainability is trying to address, are also very subtle, but a bigger deal than we realize," he continues. To emphasize his point, Galbreath flashes a reproduction of Seurat's *Sunday Afternoon on the Island of La Grande Jatte*, on the screen. As he zooms in closer, it becomes apparent that the beautiful painting is actually a complex collection of soda cans. "This artist makes art out of pixels of waste to emphasize how much waste people make," said Galbreath. "A lot of this waste ends up in the Pacific, Atlantic and Indian oceans as big masses of floating plastic debris."

Franklin's Planning and Sustainability Department recently launched several new awareness campaigns honoring May's National Preservation and Sustainability month. As a Civil War Mecca for hundreds of tourists, embracing a more sustainable future in Franklin means connecting with the city's rich historic past.

In the "My Historic Franklin" campaign citizens were invited to submit photographs of buildings and landscapes that they believe are important to the community's identity and should be preserved. The pictures are a dynamic swirl of historic homes, bridges, battle grounds and cemeteries on display at Franklin's City Hall and on the city's facebook page. "It makes sense to celebrate the two (historic preservation and sustainability) together," said Erin Reinder, AICP, Franklin's long-range planning supervisor. "Sustainability is a holistic approach to addressing social, economic and environmental concerns for a community's future. By using cultural resources wisely, in areas already ripe with infrastructure, and by creating unique economic development opportunities, historic preservation is a key component in reaching the true meaning of sustainability."

School children at Franklin's Montessori School and Liberty Elementary received lessons about historic preservation and historic

architectural styles found throughout the community.

According to the National Trust for Historic Preservation, with 48 percent of the nation's greenhouse gas emissions tied to construction, demolition and operation of buildings, the conservation and improvement of existing built resources, including re-use of historic and older buildings and reinvestment in older and historic communities, is crucial to combating climate change.

"Older and historic communities tend to be centrally located, dense and walkable, close to mass transit and are energy efficient due to site sensitivity, quality of construction, and use of passive heating and cooling sources," the website says. "Basically, historic buildings can go green without compromising historic character."

About 30 property owners within Franklin's historic districts attended a Historic Preservation workshop where citizens received an overview of the importance of historic preservation to the community and the historic zoning commission's process.

Special guest, Richard Tune, of the Tennessee Historical Commission (THC), spoke about the facilitation between state and local level governments for the preservation of historic resources. In 1980, an amendment was added to the National Historic Preservation Act to foster local government participation in preservation efforts. THC aids that development by offering grants, technical assistance, advice, and workshops.

Knoxville

Since its founding, Knox Heritage has aimed to educate citizens about the benefits of historic preservation. It has acquired blighted houses that once were the worst examples of neglect and restored them to attractive homes, improved historic neighborhoods and has helped secure funding for development projects that contribute to the revitalization of downtown Knoxville.

Hosting several community events celebrating Preservation Month, the agency recently released its annual Fragile Fifteen list of the most endangered properties and places within Knox County.

Demonstrating that historic building materials remain functional long after renovation projects, Knox Heritage Administrative Assistant Beth Meadows utilized her talents as the group's architectural salvage coordinator to facilitate an Architectural Salvage event for the public at the Market Square Farmer's Market.

"The salvage program at Knox Heritage is a place for building materials to go as a last resort instead of going to a landfill," said Meadows. "We don't ever go into homes that are going to be torn down, but we're here for people who may have things lying around or they are renovating their historic homes. I am an artist and try to use materials that can't be reused as they originally were. I take things that are broken or damaged and make artwork out of them. This developed into an idea to curate a show where I helped other artists make things out of salvage."

The group also hosted a walk-

ing tour based on winning photos of historic sites in the older sections of town.

"Every year we have a call for entries where we ask photographers to take photos of historic buildings in certain areas of Knoxville," said Meadows. "This year, it was the Old City and the surrounding area. People could enter up to 10 photos and our judges selected the best images and what would make the best tour stops. The buildings are in need of or already have been preserved. Historic Knoxville High was one of them, which is on our Fragile Fifteen list." To view the Knox Heritage Fragile Fifteen list in its entirety, visit the Knox Heritage website www.knoxheritage.org/fragile15

Oak Ridge

Built as the site of The "Manhattan Project" by the United States government during World War II, the once secret city of Oak Ridge is one of only 32 communities across the nation selected by the Environmental Protection Agency (EPA) to receive technical assistance in developing tools for neighborhood revitalization. The EPA's Building Blocks program is part of the Partnership for Sustainable Communities, a joint effort among EPA, HUD, and DOT to coordinate federal actions on housing, transportation and environmental, and community objectives. Oak Ridge's neighborhoods, many containing original 1942 housing, are ripe for revitalization.

It's a tremendous honor for the city of Oak Ridge to be selected for participation in this program," said Mark Watson, Oak Ridge city manager. "EPA's approach is to integrate a number of community development program areas, which fits nicely with the comprehensive planning we're undertaking in transportation, housing and sustainability. This is an opportunity to help us recreate the more pedestrian-friendly and socially-oriented community centers that Oak Ridge has been known for—where residents can gather for shopping and dining and casually meet with their neighbors," Watson said.

In subsequent meetings with city leaders and the community, EPA explored sustainable strategies that could result in more environmentally and economically sustainable plans and redevelopment proposals for three designated areas throughout the city.

Jackson Square, an aging residential neighborhood, which also serves as a commercial center, was targeted for the blueprint exercises. "Jackson Square is an area where we could develop a core," said Watson. "I would guess that right now we have 2,000 employees in that vicinity and we'd like to have more synergies and more options for private investment in that area. We'd also like to bring in more of the shops that people want in the community."

One challenge for Jackson Square, like many older commercial areas throughout Tennessee, is that its present zoning structure doesn't allow living quarters above businesses. "The sustainable communities initiative by the EPA, brought in some model tools that we can utilize," said Watson. "We planned a tax increment financing district for the area and began identifying where to put eventual parking garages to become more of a walk through as



According to the National Trust for Historic Preservation, reinvestment in older and historic communities, is crucial to combating climate change. Pictured: A home in Franklin's historic district.



Visitors tour the green roof of the new Franklin Police Station. The roof, which includes live plant material, helps keep the 100 percent Gold Leed certified building cooler.



The city of Oak Ridge became one of only 32 communities across the nation selected by the Environmental Protection Agency (EPA) to receive technical assistance in developing tools for neighborhood revitalization. The EPA's Building Blocks program is part of the Partnership for Sustainable Communities.

opposed to a drive through area."

According to EPA's *Smart Growth Guidelines for Sustainable Living*, locating development on underused, vacant, abandoned, or contaminated land in existing towns and cities reduces development pressure on rural or prime agricultural lands. "There's a lot of available land in Oak Ridge that's underutilized," said Watson. "We may be taking in some streets to gain more land and moving underutilized facilities to other parts of the city."

Discussions about future mass transit options and green initiatives projected exciting possibilities for the community. Proposals included green roofs and super high efficiency units and commercial share units. "Our economic strengths are going to determine how green we can be," said Watson. "Rather than having to sell the concepts of green activity and sustainability, our participants were at a level of saying yes, we believe and support that. We have green belts right now that go up and down the hills around the town, a huge system of trails and green type of activity. I think that it's going to be really positive for us."

While the city is currently short on transit options, mass transit hubs will be on the front burner as the region is developed. "Our bicycle pedestrian plan goes right through this area," Watson said. "We talked about having incline units like those in Pittsburg or Quebec, Canada. People can leave their bikes at the bottom of the hill and ride the incline up to their houses. Because we have the greenbelts, we already have routes where that can occur. This would make a new dimension for housing."

EPA will assemble Oak Ridge's results with results around the country creating a work book that will allow others to gain insight into sustainable redevelopment practices. "We have a wonderful history that needs to be preserved, Watson notes. "But we have to look at what the value is for us to preserve certain things. That's where we will look at how to integrate our historic places into a National Monument or National Park program, which is being proposed in Congress next year. One of the challenges that we have in Tennessee is the diversity of our communities," he says. "If you can sustain that level of diversity and find that level of maintenance and acceptability within your community, you'll be successful."

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.



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US Census Bureau releases state demographic profiles

The U.S. Census Bureau released this month the Profile of General Population and Housing Characteristics: 2010.

The demographic profiles provide 2010 Census data on age and sex distributions, race, Hispanic or Latino origin, household relationship and type, the group quarters population, and housing occupancy and tenure (whether the housing occupant owns or rents). Throughout May, these profiles are being released on a rolling basis for all 50 states, the District of Columbia and Puerto Rico.

The profile includes more than 150 data items in all, plus percentage distributions. Highlights from Tennessee's data includes:

- The median age was 38.
- The average household size was 2.48 people per household.
- Among the state's occupied housing units, 68.2 percent were owned, compared with 31.8 percent that were rented.

In addition to the state-level data, demographic profiles are available for other areas down to the place/functioning minor civil division-level. Profiles for the nation,

regions and divisions will be available at the end of May with the final states' releases.

The characteristics data found in the demographic profiles will be available for additional levels of geography, such as census tracts or blocks, as part of the next 2010 Census data product, Summary File 1, to be released on a state-by-state flow by August.

The demographic profiles can be found on the Census Bureau's American FactFinder website at <http://factfinder2.census.gov>. A summary file version of the profile data is also available for users who want to download the data set for all of the geographies within the state and run their own analysis and rankings. The summary file contains two parts: a file with the geographic headers (in fixed-length ASCII format) and the data file (in comma-separated ASCII format). The summary file is available for download at www2.census.gov/census_2010/03-Demographic_Profile/. For local context, contact your State Data Center: www.census.gov/sdc/network.html.

Transportation bill update

TRANSPORTATION from Page 1
gram.

Federal transit funding comes from the Highway Trust Fund and general revenues to support new starts transit projects. Recent budget cuts have slashed the general revenues for the new starts program but Rep. Mica continues to indicate that a diminished federal program will continue the current split of highway/transit funding. One of the major stumbling blocks to coming up with a new, smaller bill that combines programs is the impact on state-by-state allocations. These programs have been carefully crafted to lessen the impact of "donor-donor" allocations and making changes in the individual programs contained in the legislation will have a major impact on that allocation.

Earlier this month, an authorized administration draft was published on several blogs, but the administration later indicated this was not their

Haslam amends FY 2011 budget

BUDGET from Page 1

- \$21.1 million for state building maintenance, plus \$1 million for a statewide capital improvements master plan for Higher Education and state facilities.
- \$16.5 million for a potential major economic development expansion project.

The budget amendment assumes a reimbursement of approximately \$82 million in Medicaid funding errors, which the federal government says is owed to the state. Several healthcare-related investments are contingent on receiving those funds, as well as higher education investments:

- \$15.7 million for nursing home funding.
- \$7.9 million for TennCare enrollee services (lab and x-ray, dental, transportation).
- \$3.4 million additional for Home Health Provider Services.
- \$15.9 million in additional funding for capital outlay expenditures in Higher Education.

Legislature approves Meth tracking plan

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The matter is further complicated by a recent shut down of federal funding toward clean up and removal costs and meth educational programs.

The challenge of ridding the state of meth remains critically divisive. Earlier this year, law enforcement officials and prosecutors urged passage of legislation that would sell pseudoephedrine by prescription only. But pharmacists and pseudoephedrine producers opposed that idea and instead pushed for a tracking system.

"You're punishing law abiding citizens that have a legitimate need," Etowah drug store pharmacist Jeff Anderson, who is against prescription only sales, tells Potter. "We need to punish the criminals and leave the other guys alone."

"Take away pseudoephedrine, you take away meth," McMinn County Sheriff, Joe Guy, responds. "There's only one product that's got to be in the mix to make meth and that's pseudoephedrine."

The compromise bill will implement a tracking system, the National Precursor Log Exchange (NPLEX) for pseudoephedrine sales, and contains several other provisions that increases penalties and tightens rules on sales. It also calls for the state Comptroller to conduct a 'thorough study' of the law's impact on meth activity, of which the Comptroller will report back to the Legislature by Jan. 1, 2013. If the new law is not working, supporters say the Legislature may move to outlaw pseudoephedrine sales except by prescription.

"Tracking systems do not prevent labs," said Tommy Farmer, director of the Tennessee Methamphetamine Task Force in a March interview with TT&C. A staunch proponent of the prescription only sales method of buying medicines containing pseudoephedrine, Farmer notes "We think it's time to revisit returning pseudoephedrine to a controlled substance like it was prior to 1976."

The task force serves as a clearinghouse for tips leading to busts across the country and has a Methamphetamine Intelligence System already in place that tracks pseudoephedrine purchases across the state. In the past, the database has been available to other states for free. "We've shared our program with 11 states at no cost," Farmer said. "The taxpayers already paid to develop it. They shouldn't have to pay for it again."

After many months of negotiations with all interested parties, I think we came out with a good piece of legislation," said Rep. David Hawk, a co-sponsor of the compromise bill. "It was seven years ago we

introduced legislation that put the precursor drug to meth behind the pharmacy where an individual would have to show ID to buy these drugs. It worked for awhile, but drug abusers and illegal drug makers figured out how to get around that system and we have to take it one step further."

At the same time, Hawk concedes that kinks in the state's tracking system might delay information sharing between pharmacists and law enforcement officials. "I have the same concerns that law enforcement has, which is the information may not be coming to them as quickly as it can," he said. "It's my understanding that the tracking system is going to be one where pharmacists supply real time data

to law enforcement and other pharmacies. When I say "real time" sharing, that's between pharmacy to pharmacy. There's a 24-hour lag between the information being shared between the pharmacies and law enforcement, so we're still not quite to real time of data sharing with our law enforcement. I am ready to go forth with any legislation to push the bar even further if we need to in the years to come."

The cut off of five million in federal program funding for clean up and removal of the hazardous material waste associated with methamphetamine labs has created an explosion of concern among state and local law enforcement officials. Provisions written into the bill addresses funding for clean up and removal.

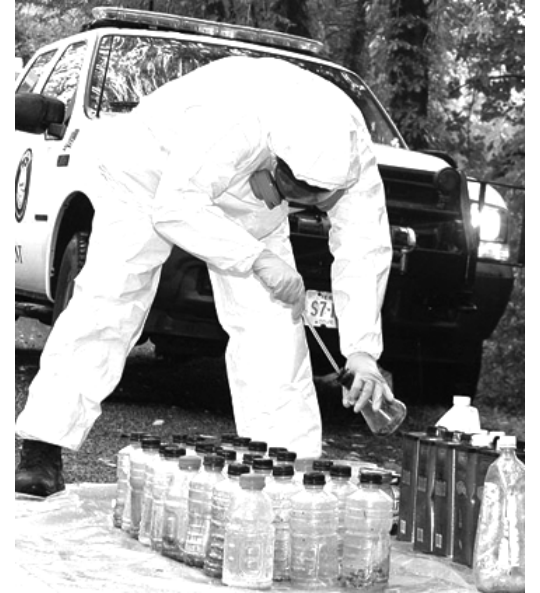
"One of the biggest concerns for our cities and counties is the cut off of meth clean up funding," said Hawk. "We have fines in place for people who are illegally trying to purchase these drugs, \$1,000 for the first offense, \$2,000 for the second. The money is going into dedicated funds for cities and counties to help clean up meth labs."

"Hopefully we've got the criminal's attention with this as well," Hawk continues. "With the felony penalties that have been put in place, we're going to put these people in jail and they're going to be in jail for a long time."

Key provisions for the bill:

— Effective Jan. 1, 2012, all pharmacies must use the National Precursor Log Exchange, known as NPLEX, which keeps track of all sales of pseudoephedrine-based drugs sold over the counter. Pharmacies must send the NPLEX data to a law enforcement database every 24 hours.

— The TBI will maintain a registry



The meth compromise bill includes a provision that fines "smurfers" for buying pseudoephedrine containing drugs to make meth. The fines will go toward helping cities and counties pay for meth lab clean up and removal.

of meth offenders and send updates of that database to NPLEX at least every seven days. Pharmacists are to check the NPLEX database to be certain they are not selling to someone on the registry and to ascertain the purchaser has not exceeded the limit for purchases.

— Effective this July 1, a pharmacist cannot sell the same person products containing more than 3.6 grams of pseudoephedrine per day — or nine grams in a 30-day period — unless the purchaser has a valid physician's prescription. Violation of the limits would be a Class A misdemeanor for either the pharmacist or purchaser. Also, a pharmacist or pharmacy intern must 'counsel' each purchaser of a product containing pseudoephedrine and decline the sale if 'deemed not to be for a legitimate medical purpose.'

— Effective July 1, initiating the process of making meth in the presence of a child will be considered committing the crime of 'aggravated child endangerment.' If the child is eight years of age or less, the crime would be a Class A felony; if older, a Class B felony.

— Effective July 1, 'smurfing' — or buying pseudoephedrine for use in making meth — becomes a special Class A misdemeanor with a minimum mandatory fine of \$1,000 on first offense, \$2,000 on second and subsequent offenses. All money collected from these fines would go toward cleaning up meth labs.

— Effective July 1, possession of 15 grams of pseudoephedrine will be considered 'prima facie' evidence of intent to manufacture meth. The current standard is 20 grams.

— If NPLEX becomes unavailable, or the state is charged for the service in the future, pharmacies will instead be required to file reports to the TMIS law enforcement database.

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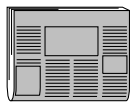
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ECONOMIC DEVELOPMENT CORPORATION EXECUTIVE DIRECTOR
TULLAHOMA. New full-time position reports to the Board of Directors of the Tullahoma Area Economic Development Corporation (TAEDC) under an Agreement between the TAEDC and the city of Tullahoma. This position is directly responsible for the recruitment, retention and growth of all of the diverse economic sectors within the city. The executive director is a full-time position which performs a variety of administrative, technical and professional functions in the administration, management and implementation of the plans and programs of the TAEDC. Annual salary is between \$51,556 – \$71,677. Send a resume with a letter of interest to Ms. Casta Brice, Human Resources Director, City of Tullahoma, P. O. Box 807, Tullahoma, TN 37388 or email: by close of business June 24, 2011. EOE. For more information, or to obtain a job description, contact Ms. Brice at 931-455-2648 or by email at cbrice@tullahomatin.gov

FIRE & EMERGENCY SERVICES CONSULTANT

The University of Tennessee Municipal Technical Advisory Service has an outstanding opportunity for a fire and emergency services professional to serve as a consultant to the cities and towns of Tennessee. This position serves a statewide territory, and extensive travel is required. Relocation to a specific area is not presently required, and is expected to be based from an MTAS office in Knoxville, Nashville, or Jackson. Provides day-to-day technical assistance to elected officials and staffs of the cities and towns, and develops and supervises original research for fire and emergency services in the state. The applicant will have five years or more experience with fire or emergency services departments, preferably in a position comparable to chief or assistant chief, and should have expertise in emergency medical response and emergency management. Outstanding communication skills are required. Requires a bachelor's degree in fire protection, public administration, criminal justice or a related field, and a related master's degree is preferred. Graduation from the Execu-

Budget items affecting cities

BUDGET ITEMS from Page 1

Incentives for Warehouse or Distribution Facilities

- Expands the current law to include warehouse or distribution facility that is purchased and either renovated or expanded over a three-year period and must be in excess of \$10 million.
- The provision is estimated to reduce state-shared taxes by \$200,000 next fiscal year. Future revenue loss will depend upon the number of businesses that qualify for the incentive.

Other Legislative Issues of interest to Municipalities

Eligibility Verification for Entitlements Act

- Requires government agencies to check the status of people who apply for public assistance who are 18 years of age and older, using the systematic alien verification for entitlements (SAVE) program. As introduced, requires state and local governments to verify the lawful status of an individual in Tennessee who is applying for public benefits. Any person found to be present in the US illegally would be prohibited from receiving public benefits.

Invalid Obligations (Debt)

- Authorizes the comptroller to establish a tiered system for actions that do not conform with statutory requirements for issuing debt. Also provides the municipality be notified upon discovery of a nonconforming action and afforded the opportunity to contest and/or remedy.

Traffic Enforcement Cameras

- Prohibits issuing a citation for right on red violations with evidence solely based from a traffic surveillance camera unless right on red turns are prohibited and the intersection is clearly marked "No Right on Red." Other features include limiting the fine to \$50. Should the violator elect to contest the citation in court or the fine is not paid within the prescribed time period court costs or late fees could then be assessed. The legislation also requires a traffic engineering study be completed prior to installation of a traffic surveillance camera and that all violations be reviewed by a POST-certified or state-commissioned officer prior to issuing a citation. Traffic enforcement cameras which monitor speed shall not be allowed within two miles of a reduction in speed limits.

tive Fire Officer (EFO) program at the National Fire Academy is preferred, and research conducted as part of the EFO may be reviewed. Salary is based on a combination of professional experience and qualifications. Cover letter, resume and references should be submitted by e-mail to Tess Davis, MTAS, tess.davis@tennessee.edu. Position is open until filled. The University of Tennessee is an EEO/AA/Title VI/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.

PUBLIC WORKS DIRECTOR

SOUTH FULTON. The city is accepting resumes for Public Works Director. This position is responsible for the management, planning, supervision, and overall operations of the streets, sanitation, gas, water, and wastewater treatment facilities, as well as distribution and collection systems and the maintenance of city equipment and rolling stock. Detailed job description may be obtained at South Fulton City Hall. Resumes should be submitted detailing applicants experience and certifications by May 25, 2011 to City of South Fulton, attn: City Manager, 700 Milton Counce Dr., South Fulton, TN 38257.

TN CITY MANAGEMENT ASSOCIATION EXECUTIVE DIRECTOR

New part-time position reports to a seven-member Board. Extensive experience as a city manager, assistant, or public policy consultant or similar position. Ability to plan educational conferences, effectively communicate with membership and others; maintain control of a small budget; and to work with a diverse clientele in a number of related agencies. Expected annual hourly commitment is approximately 350 hours. Annual salary is \$12K range plus expenses. Work from home. Send resume or letter of interest with qualifications to David Angerer, (University of Tennessee MTAS, 605 Airways Blvd., Suite 109, Jackson, TN 38301 or e-mail: david.angerer@tennessee.edu no later than May 28, 2011. For more information call David Angerer at 731-423-3710 or Pat Hardy at 423-854-9882.

HUMAN RESOURCES DIRECTOR

WHITE HOUSE. The city is seeking applicants for a full time Human Resources Director. Bachelor's degree in human resources management or related field required. Three to five years experience of professional human resources work, preferably in municipal government; or any combination of education, training, and experience providing the necessary knowledge, skills, and abilities to perform the essential job functions. Pay DOE/Full Benefits. Interested applicants should send cover letter, resume, and references via email to cshelton@cityofwhitehouse.com, fax to 615-616-1058, or mail to 105 College Street, White House, TN 37188. Position is open until filled. EOE.

New exhibit brings the pages of Ranger Rick magazine to life



Visitors to The Tennessee Aquarium's Ranger Rick's Backyard Safari will traverse three zones of up-close animal encounters. Guests will be thrilled to meet a Eurasian eagle owl and other wildlife friends.

The Tennessee Aquarium is bringing together kids, nature and fun in a whole new way this summer with the opening of *Ranger Rick's Backyard Safari*. This unique experience, in partnership with National Wildlife Federation, will for the first time bring the pages of *Ranger Rick* magazine to life in a museum setting. The new exhibit will use live animal experiences to help families tune into, and appreciate, nature from their backyard to the backyards of creatures from around the world.

Visitors to Ranger Rick's Backyard Safari will traverse three zones of up-close animal encounters. Guests will be thrilled to meet a Eurasian eagle owl and they'll laugh at the amusing mimicry of Happy Jack, the talking Amazon parrot. Both the young and young at heart will smile as they're introduced to additional birds, furry creatures and other animals with scales and shells.

Celebrating 75 years of inspiring Americans to protect wildlife, National Wildlife Federation encourages families to Be Out There™ and raise happier, healthier children with a life-long love of

nature. Through their award-winning children's magazine, *Ranger Rick*, generations of readers have followed this wise raccoon and his friends to learn about wildlife around the world and in their own backyards.

"You don't just automatically have a love of nature," said Aquarium senior aviculturist Amy Graves. "For many of us that love started when we began reading *Ranger Rick*. These magazines encourage natural exploration, curiosity and a desire to watch animals. I think this new gallery is going to be a great place to feed that desire for more knowledge."

NWF and the new exhibit teach that by providing the necessary ingredients for healthy, sustainable wildlife habitat, you may qualify to earn the distinction of being part of the National Wildlife Federation's (NWF) Certified Wildlife Habitat™ program, one more way NWF encourages you to Be Out There. Learn how to get started at: www.nwf.org/certify. Visit www.beoutthere.org for more inspiration and tools to make the outdoors a part of daily life.

TML Board of Directors to meet June 11

Notice is hereby given that the Board of Directors of the Tennessee Municipal League will meet in regular public session on Saturday, June 11, 2011, at 3:00 p.m. in the Broadlands AB room of the Embassy Suites Conference Center in Murfreesboro for the purpose of considering and transacting all business that may properly come before said board. If reasonably possible, an agenda will be available on Thursday, June 9, 2011, at the offices of the Tennessee Municipal League, 226 Capitol Blvd., Suite 710, Nashville. Additional information concerning the above may be obtained from Mona Lawrence at 615-255-6416.

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June 2-4 -Lawrenceburg

Heritage Festival
Lawrenceburg Public Square. Join us for concerts, carnival, petting zoo, pony rides and more. Be sure to bring your lawn chairs. Free admission. For more information, call 931-762-4911.

June 9 - 11: Elizabethton

Covered Bridge Celebration
Elk Ave. Music, crafts, kids island, free fishing, free ice cream social, Hillbilly Contest, 5K Run/Walk, Car show, Third Tyme Out. For more information, visit 423-547-3850

June 10-18: Chattanooga

Riverbend Festival
Riverbend takes place on the 21st Century Waterfront along the Tennessee River. Five stages with more than 100 bands featuring world class entertainment ranging from classic rock, jam bands, country, urban and bluegrass. Enjoy the Children's Village, Mobile exhibits, Bluecross Riverbend Run and Walk, Marketplace, Fireworks Finale and more. Artists include Alan Jackson, Kellie Pickler, Casting Crowns, the Beach Boys and many more. For more information, call 423-756-2211.

June 12 - 19: Murfreesboro

International Folkfest
International dancers and musicians will visit Rutherford County and surrounding areas to perform regional dance and music. Features three public performances in Murfreesboro, the Ecumenical Service June 15, at 7 p.m., in Central Christian Church; a concert June 17, at 7 p.m. at the Patterson Park Theatre and farewell performances on June 18, from 9 a.m to 1 p.m. on the east side of the Courthouse. Bring your lawn chairs. All groups will perform June 13, at 7 p.m. at the Centennial Park Bandshell in Nashville and at 7 p.m. June 16, in the Manchester Art Center. For more information, call 615-896-3559 or 615-216-0353 or visit www.Mboro-International-Folkfest.org

June 15- 23:Somerville

15th Annual Music-in-the-Park
Thursday evenings, free outdoor concerts. Door prizes, free lemonade and cookies and hot dogs just a \$1. Bring your lawn chairs. Held 6:30 - 8:30 pm at I.P. Yancy Park, 13170 North Main Street. In case of extreme heat, rain, venue will be moved to Fair Theatre, 114 East Market Street. No pets. For more information, call the Somerville Office of Planning & Development at 901-465-7301.

June 17-18: Oak Ridge

The Secret City Festival
East Tennessee's Premiere Summer event. Features concerts with The Village People and Ricky Skaggs; live music and entertainment; expanded toddler's, children's, and teen's areas; the zipline; the south's largest WWII Reenactment; Oak Ridge history exhibits; Manhattan Project site tours; regional exhibitors and vendors; arts & crafts; *TN Creates* juried arts show; antiques & collectibles; festival food and more. For more information, visit the website secretcityfestival.com/

June 24 & 25 : Millington

Peace Mud & BBQ
A variety of activities for the entire family. Friday night, enjoy the aroma of some of the best barbecue east of the Mississippi while listening to the Battle of the Bands or watching the Mud Volleyball Tournament. Saturday, enjoy gazing at the amazing cars and bikes at the Protek Auto Show and watch as people of all ages try their luck and skill in the Mud Obstacle Course. For more information, visit the website www.millingtonbbq.com.

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Is the state retirement boom finally here?

BY MELISSA MAYNARD Stalene Staff Writer

As horrible as the ongoing economic slump has been for state governments, it brought with it at least one positive side effect: putting off, if only temporarily, a long-feared brain drain caused by large numbers of veteran state workers retiring. But that may be finally ending.

Plummeting stock portfolios and home values prompted many Baby Boomers to keep working long after retirement age. In a survey of personnel managers by the Center for State & Local Government Excellence in 2009, the year of the steepest declines in state revenues, 80 percent said that the economy was impacting the timing of retirements, with an overwhelming majority of those managers saying that employees were working longer than expected. "What was once a planned exit is no longer a planned exit," says Daniel Hackler, Indiana's state personnel director. "There's this dam of older folks."

This unpredictability has made the challenge of transferring knowledge to younger workers and planning for future workforce needs in specialized areas, such as information technology and health care, more daunting, but also more critical. "It has forestalled the inevitable," says Hank Batty, deputy administrator for programs in the Oklahoma Office of Personnel Management. "We have not had to deal with the issues that five years ago we thought we would be dealing with now. However, there is no anti-aging cream in the works, so we will have to deal with this at some point."

In some states, that point may be now because of a variety of factors, from increased confidence in the economy to high-profile conflicts over benefits and collective bargaining rights. Wisconsin, home to the most dramatic labor battle of the year, already has seen a dramatic spike in retirements. Thousands of state and local workers flooded the state Capitol to protest legislation rescinding their collective bargaining rights and asking them to contribute more toward their pensions and health care benefits. Now that the measure is law, retirements are soaring: Last month alone, the Wisconsin Retirement System received retirement applications from 3,026 state and local workers, well over double the number in the same period last year.

In other states, just the threat of changes to pension and health benefits is causing some employees to think about retiring. The Maine Public Employees Retirement System has posted a prominent warning sign on its website about longer-than-usual wait times due to an "unusually high volume" of requests for retirement estimates and other inquiries from state and local workers. In March, these requests rose 150 percent over the same period last year, says Retirement System Executive Director Sandy Matheson, largely because of proposals being considered by the legislature that would require higher worker contributions towards pensions and health care. "A lot of people are considering their

options while they wait to see what the legislature does," she says. Almost a quarter of Maine's state government workforce is eligible for retirement.

The Texas State Employees Association recently surveyed its members about how they would respond to proposals being considered in the legislature, including furloughs, pay cuts, significant increases in health care costs and the elimination of longevity pay, which rewards employees for their length of service in state government. Among respondents who are eligible for retirement, 57 percent said they would retire if the legislature were to enact any of the proposed changes. Shifting demographics

Nationally, the number of state workers 55 and older has nearly doubled since 2000, while the number of workers younger than 55 has grown only slightly, a Stalene analysis of unpublished data from the Bureau of Labor Statistics Current Population Survey shows.

Besides having a high proportion of older state workers in leadership positions or with highly specialized knowledge, some states also report another problem caused by budget cuts. "You have all of the Millennials at one end of the spectrum and the Baby Boomers at the other, and there's no in between," says Oklahoma's Batty. "The problem is that over the years, as budgets have been cut and cut and cut, the first thing that we start cutting out is middle management positions. There is no middle management anymore."

Even with a strong plan for the training and development of younger workers, it takes time to develop the supervisory experience necessary to lead large groups of people, state personnel directors emphasize. Finding competent people who have both the supervisory experience and the specialized knowledge to fill some key vacancies created by retirements has already been difficult in Oklahoma, Batty says. Even when the budget exists to fill a key management position, sometimes the state has been unable to find a suitable replacement. "We've just had to consolidate those duties among other positions," Batty says. "That's the part of knowledge transfer that to me is very scary."

The struggling private sector job market has made it easier for states to recruit talented young people, says Shannon Templet, director of the Louisiana Department of Civil Service, but keeping those workers and training them to run the state government of the future pre-

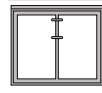
sents challenges. "Right now getting those employees isn't an issue, but there is going to be a big issue down the road," she says.

Some state personnel directors also worry that the labor and benefit battles now accelerating the exodus of some retirement-eligible workers are eventually going to create recruitment and retention issues among younger workers, especially when the economy picks up. "As benefits get chipped away because of budget issues, if we're not careful we'll lose the attractiveness and stability of state government as an employer," says Eva Santos, director of the Washington State Department of Personnel.

In Michigan, more than 2,500 employees retired at the end of last year because of an aggressive incentive package, further squeezing a workforce that has been diminished by nearly a decade of budget cuts. One agency that has felt the impact is the Department of Natural Resources, which lost 148 of its 1,250 employees, many of them critical to core agency operations, according to Public Information Officer Mary Dettloff. Because of an older-than-average workforce, the agency has been emphasizing succession planning and knowledge transfer for years. As part of a major statewide workforce planning push in 2009, the agency developed a tool for rating employees based on their estimated likelihood of retiring and the difficulty of finding a replacement. The agency tries to capture and transfer critical knowledge from those employees before they are on their way out the door.

Still, there's no way to fully prepare for such a high level of turnover, Dettloff says. The recent wave of retirements has been particularly hard on the agency because much of its budget targets particular purposes, and a significant loss of workers in those areas can be devastating.

The state's forestry program, for example, relies on timber sales to sustain itself, which requires having enough people to do everything from harvesting and chopping the wood to the management of the related sales, paperwork and accounting. And the agency now has fewer and less-experienced people in those roles. They've been able to fill some of the forester positions, but are cross-training those employees to fight forest fires—another staffing area that has been hard-hit by retirements. "If we get more than one major fire going at the same time in this state, we'll be in big trouble," she says



COMING UP

May 30: Tullahoma Veteran's Monument unveiling. Held at 9:30 am at Oakwood Cemetery in Tullahoma. Keynote speaker Col. (Ret.) William Sebren plus remarks from State Representative Judd Matheny, Tullahoma Mayor Troy Bisby, and Scout Troop No. 158 Scoutmaster Dr. Frank Steinle.

June 1-3: TN Association of Chiefs of Police Meeting held at the Millennium Maxwell House Hotel in Nashville. For more information, visit the TACP website at www.tacp.org.

June 18: Tennessee State Library and Archives DNA genealogy workshop. DNA testing is a hot topic in genealogy research. TSLA is holding a free public workshop at the State Library and Archives building in Nashville. Instructor J. Mark Lowe will explain DNA fundamentals, how to use DNA to conduct research and how to confirm results. Lowe is an instructor at the Institute of Genealogical and Historical Research at Samford University, the Salt Lake Institute of Genealogy and the RIGS Alliance at the National Archives. For reservations, contact TSLA at 615-741-2764 or e-mail workshop.tsla@tn.gov.

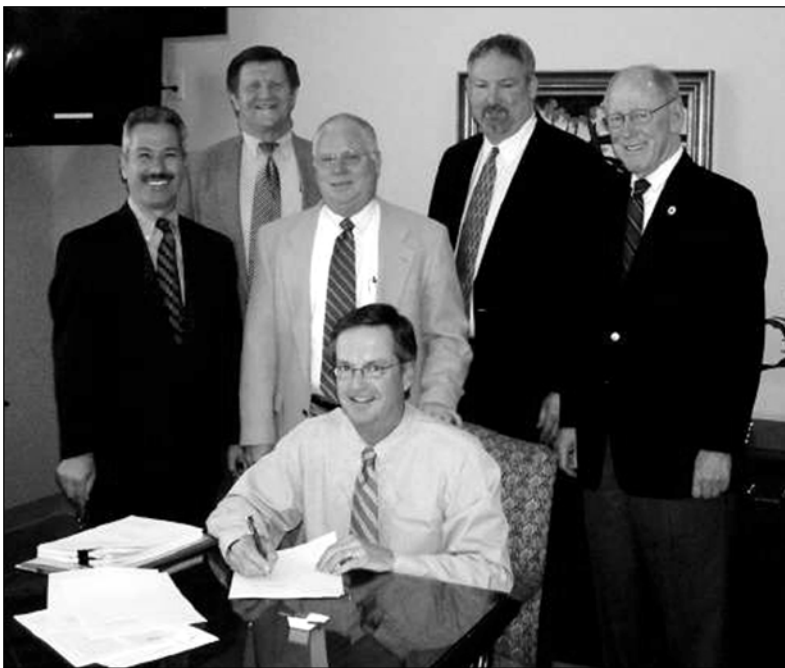
Rain or shine, sleet or hail, every day is perfect for a GovDeals sale! GovDeals Online Government Surplus Auctions—24/7 Visit GovDeals.com today or call 1-866-377-1494

Tennessee Municipal Bond Fund Board of Directors to meet

Notice is hereby given that the Board of Directors of the Tennessee Municipal Bond Fund will meet in regular public session Saturday, June 11, 2011, at 10:30 a.m., Central Time, at the Embassy Suites Hotel in the Reserve Board Room, for the purpose of considering and transacting all business which may properly come before said board. Some members of the Board of Directors may participate in such meeting by telephonic means, which will be audible to any member of the public attending such meeting. If reasonably possible, an agenda will be available on Thursday, June 9, 2011, at the offices of the Tennessee Municipal Bond Fund, 226 Capitol Boulevard, Suite 502, Nashville, Tennessee. Additional information concerning the above may be obtained at 615-255-1561.

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The city of Murfreesboro closes a \$103 million loan, the largest in TMBF history.



The town of Nolensville closes a \$21,000 loan.

Clean Cities help local governments pave the way for electric vehicles

BY JULIE SUTOR
Nation's Cities Weekly

As communities throughout the country grapple with rising gas prices, electric vehicles and hybrids are getting more attention than ever. And municipalities are playing key roles in realizing the promise these vehicles hold for improving the nation's energy security. The U.S. Department of Energy's Clean Cities initiative offers local governments valuable tools and resources for successful deployment of electric vehicles (EVs) and charging infrastructure.

Located in nearly 100 communities across the country, Clean Cities Coalitions are but one important resource to help municipalities get started with electric vehicles.

Coalitions offer technical assistance, networking opportunities with key stakeholders and training and workshops, and help with project proposals to public and private fleet managers who want to reduce petroleum consumption.

Financial resources available through Clean Cities also help prepare local governments for EV deployment.

Just last month, Energy Secretary Steven Chu announced the

availability of \$5 million in Clean Cities funding for community-based efforts to deploy electric vehicle infrastructure and charging stations. Local governments and private companies can partner to apply for funding to develop plans and strategies for deployment, update permitting processes, develop incentive programs, or launch other local or regional initiatives that help bring these vehicles into the marketplace.

More information, including application instructions and deadlines, is available at www.fedconnect.net under the title "DE-FOA-0000451 Clean Cities FY 2011 FOA."

To help cities learn more about the wide range of alternative fuels and advanced vehicles, Clean Cities stocks its Alternative Fuels and Advanced Vehicles Data Center (AFDC) website www.afdc.energy.gov with the most current technical and policy information.

The AFDC's section on electric vehicles and hybrids features in-depth information about technology basics, available vehicle models, charging equipment, maintenance and safety. It also contains a tool that calculates average well-to-wheels emissions of electric vehicles and plug-in hybrid electric vehicles (PHEVs) based on the sources of

electricity in a given geographic location.

"This collection of information will be extremely valuable to cities and regions that are getting ready for EVs and PHEVs," Clean Cities Co-Director Linda Bluestein said. "They can take advantage of the work already done by early leaders, so no one will have to reinvent the electrically powered wheel."

Through an online collection of case studies in electric vehicle deployment, including four U.S. locations on the leading edge of home-charging implementation, the AFDC provides public officials with a blueprint for permitting procedures, tax incentives, regulatory mechanisms, technical guidelines, equipment inspection requirements and more. The case studies can be found at www.afdc.energy.gov/afdc/EV_case_studies.

Finally, as the successful deployment of EVs and PHEVs will largely hinge on drivers' ability to charge their vehicles quickly and conveniently, the AFDC provides consumers and fleets with location information for more than 600 charging stations through the Alternative Fueling Station Locator. To access the Station Locator, visit www.afdc.energy.gov/stations.

Retail trends and recruiting strategies

BY C. KELLY COFER, CCIM,
President, The Retail Coach

Retailer demand for new locations is up 40 percent from 2010 levels, according to industry reports published by Reuters and business.wire.com.

States and regions with the lowest unemployment rates have been the most attractive to retailers and include the Greater Washington D.C. area, the Eastern seaboard, Chicago, Florida, Texas and California.

How Does Your Community Attract New Retail?

A successful retail recruitment strategy includes many components – but none are more important than the Retail Trade Area.

A Retail Trade Area is defined as the longest distance consumers are willing to travel to purchase retail goods and services. The size of the area depends on the variety of goods and services offered in your community and its proximity to competing retail in nearby communities. In most cases, consumers will travel further to purchase high order goods such as automobiles, recreational vehicles and furniture, than they will to purchase lower order goods, such as groceries, gasoline, drugs, and shoes.

Every retailer has a target customer profile or customer description that includes demographic, geographic, and psychographic characteristics, as well as purchase history. A component of the customer profile is a minimum Retail Trade Area population requirement.

What Are Retailers Seeking?

As you might expect, smaller retailers require a lesser Retail Trade Area population than larger retailers. For example, Payless Shoe Source, Hibbett Sports and GameStop require a Retail Trade Area population of 20,000. Kohl's, Best Buy and Barnes & Noble require trade areas of 100,000 or greater. Exceptions to

this rule are specialty retailers such as Chico's and Jos. A. Bank Clothiers. Each requires a Retail Trade Area of 150,000.

Restaurants also have Retail Trade Area population benchmarks to which they adhere. Kentucky Fried Chicken, Taco Bell and Schlotsky's require Retail Trade Area populations of 20,000 or greater. Chili's Bar & Grill and Chick-fil-A require 50,000; and Cheddar's Café, Red Robin Gourmet Burgers and Smashburger require 75,000. The Cheesecake Factory, a specialty restaurant, requires 250,000 in its Retail Trade Area.

When determining Retail Trade Areas, retailers must pay close attention to existing units and store spacing to avoid cannibalizing business from existing stores with the introduction of a new unit. Retailers also pay close attention to competing retailers and their locations.

How is a Retail Trade Area Determined?

There are three primary ways to determine a Retail Trade Area; concentric circles or radials; drive-times; and retailer-defined trade areas.

Concentric Circles or Radials

Traditionally, Retail Trade Areas were determined by drawing concentric circles or radials around a community or retail location. However, this method does not account for physical geography, such as lakes, rivers, mountains, oceans, freeways and nearby competing retail developments. These geographical factors influence how a consumer shops.

Drive Times

Retail Trade Areas can also be determined by the amount of time it takes to drive to a community or retail location. A drive-time trade area defines the surrounding geography of a community or location whose residents can reach that "site" within a certain amount of time.

A drive-time trade area will always be irregularly shaped because of the layout of road systems, differences in speed limits on roads and freeways, and geographic barriers. This methodology is often used in urban settings with high population density.

A limitation to the drive-time methodology is that it does not account for the impact of retail development that falls within the drive-time trade area. This methodology also fails to address the shopping habits of consumers in rural areas who are accustomed to driving great distances to shop.

Retailer-Defined Trade Areas

The Retailer-Defined Trade Area begins with an extensive area market analysis and competition survey. This onsite method includes touring competing communities to document the major retailers presents and analyze the shopping patterns of the residents.

Once the area and competing retail developments have been inspected and analyzed, meetings are conducted with the management of the regional and national retailers in the client community to determine where each retailer's customers are traveling from. This information is confirmed by cataloging the license plate numbers of consumers shopping in the community, and searching and mapping their addresses to determine their origination. This analysis completes the information used to define and draw the Retailer-Defined Trade Area.

The Retailer-Defined Trade Area presents the most accurate and justifiable approach in determining a community's Retail Trade Area. Computer-generated radials and drive-times are easier and typically less expensive to produce, but they can be inaccurate.

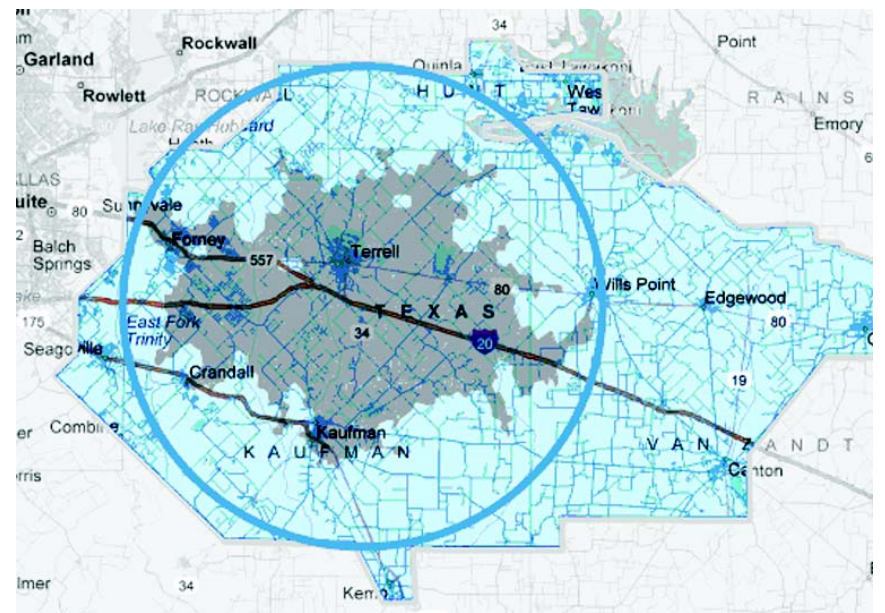
Credibility is Critical when Courting Retailers (Above Map)

When a prospective retailer makes a site visit to a community, he

Nissan Leaf and demo charging station available at TML Annual Conference



Tennessee is one of six states selected to participate in the largest deployment of electric vehicles (EV) and charging stations in history. Working with local resources such as Nissan, TVA, Oak Ridge National Lab, Clean Cities of Middle Tennessee, East TN Clean Fuels Coalition, NES, KUB, EPB among others, Tennessee has the opportunity to be at the forefront of EV readiness. TML will offer a workshop on community readiness at the annual conference in Murfreesboro on **Sunday, June 12, from 4:30 to 5:30 p.m.** presented by ECOtality, a leader in electric transportation technologies and Nissan, the first affordable, all-electric vehicle available to the mass market. The workshop will provide an overview of the EV project, as well as provide information on how your community can benefit from federal and state incentives to install EV charging stations in your community. A Nissan LEAF will also be available at the conference, as well as a demo charging station.



Combined, concentric circles/radials, drive time and retailer-defined trade areas present a comprehensive picture of the retail opportunities available in a community.

or she will typically meet with the same store personnel who were interviewed for the Retailer-Defined Trade Area determination. This not only gives the Retail Trade Area credibility – it gives the community credibility.

And credibility and accuracy are critical when it comes to successfully marketing your community to corporate site selectors and brokers in the retail industry.

Kelly Cofer will present a workshop session at the TML Annual Conference in Murfreesboro on Monday, June 13, from 9 to 10 a.m. Entitled, *Hitting the Target*, city leaders will learn how to develop and implement a successful retail recruitment strategy for your community.

Risk Management Pool Board to meet

Notice is hereby given that the Board of Directors of the TML Risk Management Pool will meet in regular session on Saturday, June 11, 2011, at 8:00 a.m. in the Anatole Room of the Embassy Suites Murfreesboro Hotel & Convention Center for the purpose of considering and transacting all business which may properly come before said board. Additional information concerning the meeting may be obtained by calling the office of the TML Risk Management Pool, telephone number 615-371-0049.

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Bob Martineau's single track career led to commissioner of TDEC

BY GAEL STAHL

Martineau's parents were both originally from Wisconsin and he attended high school in a small town outside of Madison, Wis. They had lived all over when he was a young child – in Maryland, Iowa, and St. Louis for a couple of years following their father, a lawyer who was in private practice, taught law and worked in government administrative legal positions. Martineau would go on to college in Minnesota and law school in Ohio before spending a year in Nashville working for a federal judge, going back to Ohio and moving to Washington, D.C., for 10 years, including seven in public sector work before returning to Nashville in 1995, where he has been an environmental lawyer in private practice until January.

On graduating from high school, Martineau looked into small liberal arts schools throughout the upper Midwest before choosing St. John's University, a small private Catholic school in central Minnesota that was, he says, the equivalent of Sewanee: The University of the South in central Tennessee.

Growing up around his father, a lawyer and law professor who was in and out of public service teaching at the University of Iowa and NYU and running the court of appeals in the 8th Circuit of Appeals at St. Louis and for the state courts in Wisconsin, he got an early respect for the role of law and judges and governmental processes. Being always around professors, judges, and political folks, he saw how government operated and majored in government in college with a minor in English. His summers were spent doing public service sector internships in Washington, D.C. In high school he worked with a congressman on Capitol Hill; later in the summer, he worked with the Legal Services Corporation's government relations office.

Grad school being a given, he wanted something to prepare himself to make a difference. Maybe a master's in public administration would enable him to do things like become a commissioner in state or federal government. But the more he thought about it, it seemed that being a lawyer would offer more and better options. He enrolled in the University of Cincinnati College of Law where he got his law degree and has spent the vast majority of his career ever since doing environmental law in public and private sectors.

After graduating law school, he went to Nashville to work for a federal judge for a year, then worked in an Ohio firm where he learned environmental law, then was off to Washington, D.C., for 10 years, most of it in public service environmental work. After he married Pam Eddy in 1994, also a lawyer, they decided to leave the DC rat race and find a more family friendly place to live. They decided on Nashville where they have lived and worked ever since. They have a 14-year-old daughter, Meredith.

Martineau's 25 years as an attorney working in the field of environmental law include seven years as senior attorney in the Office of the General Counsel for the U.S. Environmental Protection Agency in Washington, D.C. At EPA, he helped develop New Source Performance Standards, and Air Toxics regulations and co-edited the American Bar Association's The Clean Air Act Handbook among his other writings on environmental topics with an emphasis on the Clean Air Act.

On moving to Nashville, Martineau became a partner at the firm of Waller Lansden Dortch and Davis practicing in the area of environmental law. He worked with companies on the development and implementation of corporate environmental management programs and auditing programs and assisted in assessing the impacts of proposed legislative or regulatory initiatives at the federal and state level.

He is a member of the Air and Waste Management Association and active in the community as past president of First Steps, Inc., a child development center. He currently serves on the Board of Directors for the Legal Aid Society of Middle Tennessee and Cumberlands.

On Jan. 15, 2011, Robert "Bob" Martineau was sworn in as the seventh Commissioner of the Tennessee Department of Environment and Conservation by Tennessee Gov. Bill Haslam who said, "Bob Martineau is one of Tennessee's foremost experts on environmental regulation. He brings an unparalleled level of knowledge to the field, and he'll serve Tennesseans well."

TT&C: You have an extensive background in environmental law. How do you think that experience, including the seven years at the EPA in Washington, can help serve the state and the citizens of Tennessee?

BM: I think it gives me a really unique experience and background in understanding what the department does, how the department relates to the EPA and how it relates to those it regulates, the other stakeholders whether environmental groups or local governments. I think being the first commissioner of environment and conservation that comes in grounded in environmental law helps me understand the basics of the substantive programs and hit the ground running. At EPA I represented a lot of different institutes and with TDEC I represented large corporate entities, local governments, smaller businesses and individuals. I've been on the other side of the table for permitting processes, expanding or relocating businesses, developing Greenfield sites, and I've been on the regulatory side pursuing regulatory development in the legislative or enforcement arena.

TT&C: What do you see as your number one goal as the new commissioner of the Tennessee Department of Environment and Conservation?

BM: The big picture goal is to serve the governor and people of Tennessee by implementing the mission of the department in the most cost-effective, customer-service way we can. Budgets are tight so we've got to operate and manage the organization in the most efficient way to protect the land, air, water, and natural resources including our parks and natural areas for current and future generations.

TT&C: You are an expert in the area of air pollution control. Tennessee cities have been working hard for several years to meet stricter federal ozone standards. Do we have areas in the state not meeting these requirements?

BM: Once Knoxville was designated as attainment earlier this year, all areas of the state meet current EPA ozone standards. That said, EPA plans to make standards more stringent so later this summer we'll probably have to revisit some areas not meeting the new lower standards. While there are some areas that might not meet all air quality standards for particulate matter or SO₂, I want to make it clear that our air is cleaner today than it's been in 40 years – since the passage of the Clean Air Act. And this lowering of air emissions took place despite economic development and increased vehicle miles traveled by individuals. We've had a significant growth in the economy at the same time as we were bringing emissions down.

TT&C: Your experience as a Nashville environmental lawyer gave you insight into how TDEC establishes state policies. Share a little bit of that experience with our readers.

BM: I interacted with TDEC from pretty much all aspects of what it does on the environment side, not so much with parks except as a user of our parks. I worked extensively with TDEC on behalf of clients seeking to permit new or expanded facilities and make capital investments to create jobs. I worked with Nissan in siting the Decherd facility and was involved in the initial permitting of the Electric Vehicle Battery plant. I worked with the department over the years in development of federal regulatory requirements that get implemented at the state level. So, I understand the rulemaking process, how the partners interact with EPA, and the rulemaking processes of the regulatory boards, such as the Air Pollution Control Board or Water Pollution Control Board. I've worked with the department in compliance and enforcement. I understand that enforcement is a tool that the department has. In my view it is not the first tool since our goal is getting compliance in meeting environment requirements. Enforcement isn't usually as useful a tool as education and communication in working to get that compliance.

More important is having a partnership with local communities and stakeholder groups working together to enhance the environment. Most of the low hanging fruit of environmental regulation is gone. We are now working with more than just the biggest, largest polluters in the environmental community by trying to affect individual behavior, vehicle miles traveled, encouraging the making of



Bob Martineau

greenways, using energy efficient equipment in vehicles, and more fuel efficient vehicles. All those partnerships involve communication, education, and prevention so that the department can really leverage its role by working with communities, individuals and companies to further protect the environment beyond the regulatory world.

TT&C: One issue that local governments have encountered with TDEC is not being involved in the rulemaking process. Do you plan to engage cities and counties more in the policy process?

BM: Yes, as I mentioned to city officials at the TML conference earlier this year, we are going to hold informal regional roundtables with local officials to discuss departmental issues of concern to city officials. Our first one is set up for mid-May at which we will be meeting with municipal and county officials. We'll have half a dozen or so of those across the state this summer and welcome that input.

A lot of our regulatory boards already have municipal government representatives on them. That's a way municipal governments have an ongoing voice in the rulemaking process and communicate with the department on policy issues.

We also have eight environmental field offices. Every city is assigned to one of them. These field offices have people you can call about your one-stop-shop TDEC questions. These folks can help provide assistance with local permit coordination, local complaint management and information on resources like Brownfield grants, state revolving fund loans, recycling grants and other programs.

TT&C: You also spoke at TML's Legislative Conference about the partnership that Tennessee cities and TDEC have in ensuring the public's health and a clean, safe environment in our communities. Can you expand on that?

BM: The providers of wastewater and drinking water are usually local utility or municipality districts. We partner with them by providing funding of about \$75 million a year in grants and low interest loans to enhance drinking water and wastewater infrastructure improvements. That's a key environmental protection goal. We also partner with local governments on stormwater treatment and to promote parks and greenways. We provide matching grants to local communities to build greenways, trails and parks, and provide grants to municipalities to hire parks directors or to help a community get started with a parks program if they don't have one in place.

TT&C: During these tough economic times, local governments struggle to meet their budgets to serve their citizens and can't afford to absorb the cost of unfunded mandates handed down by the state. Can you assure our members that new local government obligation will be accompanied by resources sufficient to fulfill the responsibility?

BM: Budgeting dollars to do all we need to do is a real issue on the federal, state and local levels. I recognize that. The governor recognizes that. We understand that local communities are struggling to provide

TT&C: Some of our cities have been involved with regional water planning projects relating to drought management. What is the latest information on those projects?

BM: There are two projects, one in South Cumberland and one in the Portland area. Both projects have moved forward. Those involved have identified some alternatives to address water supply issues in those areas in the event of drought. The South Cumberland project is in final draft and should be out by mid-June or so. The utilities working in that area studied the alternatives and reached a consensus on what option they think is the best drought plan to submit to TDEC for approval. The folks involved in the Portland plan have looked at various alternatives and decided it would be best to recommend an interconnection between Portland and White House to provide a water supply. That report will probably be done later this summer. Both utilities are working together to implement their chosen alternatives to make them a model for other areas to locate regional water supply sources.

TT&C: Also at the legislative conference you mentioned TDEC's involvement with Brownfields development.

BM: In the past few years, Chattanooga's Mayor Ron Littlefield has been particularly adept at securing Brownfield grants from EPA to help clean up polluted areas in the city, turn them into Greenfields, and reuse them for economic development. Volkswagen is now investing more than \$1 billion to manufacture their new mid-size sedan for the world at Enterprise South, the former Volunteer Army Ammunition Plant Brownfield site. Other locations receiving EPA Brownfield grants over the past five years include Cookeville, Lenoir City, Jackson, Knoxville, Nashville, Hamilton County, Shelby County and Anderson County. TDEC's Division of Remediation works closely with local governments and regional development districts to identify projects and make compelling grant applications that secure these federal dollars for Brownfield redevelopment.

TT&C: Tennessee is proud of its state parks, not only for being nice places to visit but also for the way they add to the state's economic picture.

BM: In some rural communities parks can be the hub of their economic base, particularly in mid-size and smaller locations such as Paris Landing or Panther Creek for residents of Morristown and the Lakeway Region, and other places such as Byrdstown, Crossville, Henderson, Pikeville, Savannah and Winchester. They all know their local state parks are economic engines for them. The University of Tennessee did a study in 2009 to measure the economic impact of the state's investment in parks and found that park visitors spent about \$725 million on items such as gas and supplies and equipment that equates to about 12,000 jobs in the state. The overall economic impact of parks is about \$1.5 billion. Every General Fund dollar the legislature puts into the state parks generated about \$17 in direct expenditures and \$37 in total industry output. That's a pretty good return on your investment. We're going to continue to work with those communities and with the Commissioner of Tourism and her department to promote parks as an economic tourist attraction that supports the economic development of communities and the state.

TT&C: You are pleased with your two new deputy commissioners?

BM: I've been very fortunate to get both of them. On the park side, we have Brock Hill who was the county mayor of Cumberland County for 16 years. He brings a valuable combination of local government and small business experience.

On the environment side, Shari Meghreblian, has joined us as the state's new deputy commissioner for environment. She has 25 years in the environmental area, has been active in groups like the Harpeth River Watershed Association and has long public involvement at General Motors at the Columbia/Spring Hill Saturn plant where Saturn was on the forefront of innovative environmental programs at their plant. She recently got a Ph.D. in Environmental Management from Vanderbilt and brings a lot of different perspectives I'm happy to have them both on board.

TT&C: In December 2010, the Solid Waste Disposal Control Board approved a pilot project program that involves two hub collection sites per grand division. Update us on this project?

BM: Those pilot projects are moving forward in each grand division. TDEC is working with counties and the recycling folks in those jurisdictions and put together a pilot project proposal. Those proposals should be coming in to TDEC next month or so and then the department will work to help provide some funding to get those projects off the ground as pilot projects. We've already had contact with a number of other municipalities that also want to participate in that as soon as we get these pilot projects going. We'll work with the pilot projects and decide which ones should be funded as being the most viable project to increase recycling in our communities.