

TML policy process underway for 2013-14

The Tennessee Municipal League has launched its annual policy process to determine the League's legislative agenda for the 2013-2014 legislative sessions.

Pursuant to recommendations adopted by the TML Board of Trustees and approved in the annual business meeting held during the Knoxville conference, the TML policy process has been revised. One of the key changes in the process require that each completed proposed legislative initiative form must be signed by at least three eligible local officials of the sponsoring municipality. However, if a municipality's governing body is comprised of four or fewer members, then only the signatures of two eligible officials are required. "Eligible local official" means any member of the governing body and/or the city manager or administrator of the sponsoring city.

A more detailed description of the revised TML policy process can

be viewed on the League's website, at www.TML1.org. Please read the information carefully to become familiar with the new elements of the process.

The TML policy process is open and proposed legislative initiatives for the 2013 and 2014 sessions of the General Assembly are being accepted through Sept. 21. All ideas are welcome and TML encourages member-municipalities to submit any initiative(s) of interest that benefit municipalities. Municipalities are reminded that only fully completed submissions will be considered.

A completed and signed proposed legislative initiative form must be received by TML no later than 6 p.m. CST on Sept. 21. Forms may be submitted by the following methods: by email to mLawrence@TML1.org; by fax to 615-255-4752; or, mailed to 226 Capitol Boulevard, Suite 710, Nashville, TN 37219. See **POLICY** on Page 5

Comments needed on TDEC biosolids rule

The Tennessee Water Quality Board has initiated the rulemaking process to promulgate rules for the land application of Class B biosolids, which are solid organic matter recovered from a sewage treatment plant, treated to remove harmful contaminants, and applied to land as fertilizer.

TDEC is seeking comments from the regulated community, and the deadline to submit feedback to the Division of Water Pollution Control is Sept. 7, 2012.

TML has expressed concern to the TN Department of Environment and Conservation (TDEC) about the proposal, as it adds a layer of regulation to the existing process. Currently, the U.S. Environmental Protection Agency (EPA) governs the land application of biosolids through Title 40, Code of Federal Regulation, Part 503 (40 CFR 503), a self-implementing Federal regulation. TDEC has issued guidelines to assist municipalities and utilities with compliance.

The proposed rules will require an additional state-issued permit to

land apply Class B biosolids, subjecting public water treatment facilities to two sets of rules, resulting in little or no enhanced benefit to the environment.

TML is also concerned about the fiscal impact of the proposed rules. While there are no expressed charges set forth, we need to know how the Division will account for the additional work associated with processing permit applications and notices of intent and issuing the new permits. We have requested a cost benefit analysis to identify areas where both the Division and the regulated community could potentially incur expenses.

To review the proposal, go to http://www.tn.gov/environment/wpc/ppo/ph200400_40_15amd.pdf. Please submit your comments to Denise Paige at dpaige@TML1.org no later than Wednesday, Sept. 5, 2012.

TML appreciates those of you who attended the public hearings, voiced your concerns, or submitted comments. We will continue to provide updates on this issue.

Courts differ on police use of DNA database

BY MAGGIE CLARK
Stataline.org Staff Writer

Alonzo Jay King, Jr. was arrested on Maryland's Eastern Shore in 2009 for first-degree felony assault and, as is standard practice in 25 states and the federal government, a sample of King's DNA was taken at the booking facility and sent to the state crime lab. After analyzing the sample and running it through the state's DNA database, police found that King's DNA matched crime scene evidence from a 2003 home invasion and gunpoint rape of a 53-year old woman. Based on the match, the state charged King with the rape, convicted him, and sentenced him to life in prison without the possibility of parole.

But King's conviction was overturned by the Maryland Court of Appeals, which agreed with King that his right to privacy as an arrestee was stronger than the state's need to collect this DNA. Now Maryland's Attorney General is asking the U.S. Supreme Court to issue the final word on the policy of collecting arrestee DNA.

In a brief opinion last week, Chief Justice John Roberts ordered that the state's DNA collection policy be kept in place for the time being while the Supreme Court considers whether it will hear Maryland's case later in the year. (A decision on arrestee DNA will not affect the practice of collecting DNA from convicted offenders, which is widely practiced and is not



States have asked the U.S. Supreme Court to issue the final word on the policy of collecting arrestee DNA.

being challenged.)

"There is a reasonable probability this court will grant [a hearing]," Roberts wrote, because the Third and the Ninth circuit courts have upheld collecting arrestee DNA, while both Maryland and Minnesota's highest courts have ruled against the practice. The confusion among the lower courts, Roberts explained, muddles the legality of arrestee DNA collection, which he called "an important feature of day-to-day law enforcement practice in approximately half the states and the federal government."

Widespread Practice

A final word from the Supreme Court will provide long-awaited guidance for states, which have greatly expanded DNA collection policies over the last 10 years. Police officers take arrestee samples using a cheek swab, and the samples are then processed and catalogued in a state database and sent to the national database. See **DNA** on Page 7



BY VICTORIA SOUTH
TML Communications Coordinator

It was the best of times; it was the worst of times; a time of great contention, and a time of tremendous progress. However people choose to remember the union between the city of Nashville and Davidson County; it was nothing short of revolutionary, as recorded by historians and the political movers and shakers of that day.

Upon the 50th anniversary of Metropolitan Government of Nashville and Davidson County, the system still serves as a model of consolidated government throughout the nation. Consolidation is a merger of a city and county governments and the services of each, representing creation of a new government entity, not the taking over of one by the other.

Chosen by voters in an election on June 28, 1962, metro government came into being on April 1, 1963. Since that time, two other Tennessee metro governments have been formed—Lynchburg-Moore County in 1988 and Hartsville-Trousdale County in 2001. According to data provided by The National League of Cities, to date, there are only 14 city-county consolidations in the United States. Among them are Indianapolis, San Francisco, Denver and Philadelphia.

A nine-month commemoration of the anniversary is currently underway in Nashville with activities scheduled around three key dates: the successful referendum creating the Metro Charter on June 28; the first Metro mayoral and run-off elec-

Metro-Nashville union: a celebration of 50 years



Charter commission members meet in 1962. From left: Dan May, R.N. Chenault, Charlie Warfield, and Cecil Branstetter

tion in November; and April 1, 2013, the implementation of Metro government.

"Fifty years ago, Nashvillians decided to do something different than the rest of the country and become a more efficient government and a stronger community by consolidating our city and county governments," said Nashville Mayor Karl Dean, who spoke recently alongside *Tennessean* Chairman Emeritus John Seigenthaler, an editor at the newspaper in 1962 when it endorsed the measure.

The pair kicked off a panel discussion where some familiar faces, including George Cate, Metro Nashville's first vice mayor and two inaugural council members Judge Richard Jenkins and Jim Tuck, met together again to discuss some of the opportunities and challenges associated with the new consolidated government. The evening also included

a touching tribute to former Nashville Mayor Richard Fulton, the second mayor to take office following the city/county consolidation.

"The forward thinking decision to make us a "metropolitan" form of government has saved us money and resources over the years and is the reason cities from all across the country call us to learn more about how it is done," Dean said.

While consolidation "opened the door for business," Jenkins said, it didn't come easy, Cate recalls. "It was a battle to the end," he said.

Research documents by Metro historian Carole Bucy details a near post World War II explosion of urban areas across the state. Among them, the influx of Davidson County suburbs rimming Nashville's city limits, thriving, as the city began to suffer from an eroding tax base. In Bucy's *A Short History of Metro*—See **METRO** on Page 8

Citizens tackle the complexities of city government at Franklin's Academy

BY VICTORIA SOUTH

Although there's still plenty of mysteries to explore in Tennessee, Franklin officials are diligently working to ensure the mechanics of local government aren't among them. This year's 10th Citizens Government Academy kicked off August 23 with what it does best, offering participants a free opportunity to learn about the wide variety of services Franklin provides. Hosted by the city, key agenda items taught by department heads include lessons in planning, finance, public works, and public safety. Participants, who are free to comment and ask questions, under the guidance of city officials, often gain a whole new perspective on the inner-workings of their local government.

"It's a pretty sophisticated operation and a real eye-opener for our citizens to realize all that goes into providing services," said Eric Stuckey, Franklin city administrator. It's also a great opportunity to show off our talented staff that makes it happen every day. They are extremely dedicated and care about the city."

Sessions run for eight consecutive Thursdays from 6 pm to 8 pm. Along with a Saturday guided tour of city facilities.

"I think they're always amazed at the breadth of what we do and the variety of skills it takes," Stuckey continues. "Our staff includes folks with advanced degrees in engineering, to skilled police and fire department personnel, to people who work in chemistry."

In the past, the academy has attracted a diverse group of participants from various occupations and backgrounds, including those who have political ambitions and those who are just mildly curious.

"Some people are just looking for something to do and others really want to dig into the weeds and the gory details of just about everything," said Russ Truell, Franklin's assistant city administrator. Truell teaches a crash course on the city's finance department.



Participants of Franklin's 10th Citizens Government Academy, which kicked off August 23, have the opportunity to network with city officials while learning the inner workings of local government and its departments such as planning, finance, public works, and public safety.

"In finance, we're a jack of all trades," he explains. "We do budgets, capital planning, pay bills, crank out payrolls, and audit other departments. We also issue bonds and invest money. We're over purchasing and have to follow the purchasing rules. And we sometimes sit in on review teams where an RFP has been issued for a particular product or service to make sure someone has an idea what the financial interest of the city would be."

According to Truell, it's important for participants to experience the lecture on city finances before progressing to department operations. "We spend time with pie charts showing where the money comes from and where it goes," he explains. "They see normal trend lines for increases and expenses and revenue, which typically grow hand in hand because you can't spend more than what you take in."

Every year, citizens are surprised at what they discover during the experience, as Truell notes. "I always like to show people the chart of how much our pension costs have increased. It's flat out dramatic," he said. "They see a bar chart of how much it was in 2002 or 2003, and then it's quadrupled or more each year. That always jolts them a little."

"I took it in 2010 and was really impressed with the way the city's

fire department was able to save money on training," said Christine White, a six-year resident of Franklin. "It's impressive to hear about how the city is using that money, learning how government works, and how our money is spent."

Part of the savings is reflected by the city's Street Department, where a new infrared patching truck is not only saving the city money, but adding to Franklin's quest to provide green services and sustainability.

"The truck costs around \$154,000 but with the savings it brings, we will pay for it in a year to a year and a half," Joe York, Franklin Street Department director explains to the class. "The old traditional way involved cutting a faux patch in the concrete, digging it out and hauling it off," he said. "We had to bring in all new asphalt, which is very time consuming and expensive. Now, with the truck's infrared heating unit on the back, we just heat the existing asphalt, add rejuvenating oil to it, add a little asphalt as needed, and put it back down. It's very sustainable."

Additionally, all the leaves vacuumed by the Streets Department in the fall and early winter are turned into compost and sold back to citizens at a very low rate. See **ACADEMY** on Page 3

NEWS ACROSS TENNESSEE



BY TML STAFF REPORTS

BRENTWOOD

Brentwood-based Tractor Supply Co. is planning to build a new corporate headquarters. The farm equipment retailer announced that it has entered into an agreement to purchase an undeveloped parcel of land in Brentwood. The company has been using three leased facilities since 2004. The new 260,000-square-foot building is expected to be complete in 2014. Tractor Supply currently employs about 650 people at its leased buildings and expects to grow to more than 1,000 employees in the new building.

BRISTOL

Bass Pro Shops, an outdoor enthusiast's shopping paradise, is coming to The Pinnacle commercial development in Bristol. The Pinnacle is expected to include a mix of retail, dining and lodging, plus a 14-screen movie theater and amphitheater for live music performances. The first phase of development, including the 100,000-square-foot Bass Pro Shops, is expected to begin in early 2013.

CHATTANOOGA

The Environmental Protection Agency has awarded the Enterprise Center one of 21 national Brownfields Environmental Workforce Development and Job Training grants to recruit, train and place unemployed or underemployed residents in skilled environmental positions. The job training grant will offer 60 Chattanooga residents the opportunity to gain full-time, long-term employment, potentially generating \$1.7 million in annual employment dollars in the community. Trainees earn valuable certifications and grow strong skill sets. Program classes include OSHA certifications in hazardous waste operations and emergency response, construction and general industry. Additional training and awareness courses include aerial lift training; fall protection and confined space entry preparation; heavy equipment operation; first aid, CPR and Automated External Defibrillator (AED) education; lead-based paint awareness instruction; underground storage tank awareness; mold and asbestos remediation; and Class A Commercial Drivers License (CDL) training. Upon program completion, graduates will receive extensive support from The Enterprise Center and Tennessee Career Center in obtaining full-time, long-term jobs in the community. Graduates are also ensured one-on-one employer interviews and job fairs to aid with their employment search.

CHATTANOOGA

Volkswagen announced it is adding a third production team to its Tennessee plant. The new team brings VW's Chattanooga workforce totals to 3300 people, a sizable increase over the original 2000 positions announced upon the plant's groundbreaking in late 2008. By the end of 2013, the plant will be able to churn out 180,000 vehicles annually, nearly 30,000 more than its present capacity. The 2012 Passat – presently the sole vehicle built at the Chattanooga plant – continues to see its sales volumes grow by sizable

measures. Chattanooga built its 50,000th Passat in February 2012, and built its 100,000th Passat only three months later.

CHATTANOOGA

Mayor Ron Littlefield has put down an executive order mandating a 25 percent improvement in energy efficiency at city facilities in hopes of saving the city \$2.85 million per year. The city currently spends approximately \$11.4 million per year, \$2 million of which has been tied to specific buildings and purchasing 130 new vehicles annually. Executive Order No. 2012-01 includes energy saving strategies in energy usage, water, a 25 percent diversion of solid waste, utilization of renewable energy sources, and procurement of clean vehicles.

CLARKSVILLE

The city received a \$626,360 transportation enhancement grant to Clarksville for a project that extends a trail along the Red River and completes a walkway in the downtown River District. The grant funds Segment I of the Clarksville River Trail, the first of two sections of a multi-use, north-south trail segment extending from the merge of the Cumberland and Red Rivers and continuing north along the Red River for approximately 1,500 feet.

CLEVELAND

Mars Chocolate North America is planning a \$67 million expansion of its Cleveland plant to make pretzel M&Ms. The company plans to add 38 jobs. Mars currently employs 493 workers at the M&M production facility.

DYERSBURG

The revitalization of the Dyersburg Regional Airport will continue on schedule, according to the Tennessee Department of Transportation's Aeronautics Division. The city was awarded \$3.5 million in funding to repair and resurface the airport's runway. The funding will address issues such as cracks in the runway, line-of-sight issues and a partial rebuild of the runway where the cross runway and the main runway meet. The improvements are needed for the airport to stay in compliance with FAA standards. The city took over operational control of the airport in December 2011 and has been working hard ever since to revitalize an area of town that had been referred to as a "ghost town." Now with an additional \$3.5 million in funding, the city is one step closer to its vision to make the airport a viable option for pilots in northwest Tennessee and in surrounding communities.

ETOWAH

The L&N Depot, a key historical Etowah landmark, is undergoing comprehensive repairs and renovations from its roof to its foundation. The depot, a 106-year-old, two-story building which serves as home to the Etowah Chamber of Commerce and the Tennessee Overhill Heritage Association, is in the middle of necessary structural and cosmetic overhauls, officials said. The depot project, which will cost about \$225,000 in renovations, grew unexpectedly out of an Etowah Utilities program to reduce flooding through a restoration of the town's stormwater system, according to

Etowah City Manager Matthew Gravley. The depot has been subject to flooding because of failures in the stormwater network, featured prominently in the plans. During realignment of the structure's drainage lines in the spring, it was discovered that the wooden frame that acts as a cushion between the building and its foundation had rotted away. The project includes reworking the depot's drainage system, repairing its concrete walkways and cleaning its roof. Historical preservation grant requests failed to net funding for the depot, so the city had to shoulder the burden through bond issues. Other restoration plans are in the works, including repainting portions of the building interior and rehabilitating a gazebo on the depot grounds.

FRANKLIN

The city of Franklin Geographic Information Systems (GIS) Division of the Municipal Information Technology Department (MIT) nabbed a top award at a recent conference held by GIS software company Esri. The Special Achievement in GIS (SAG) Award honors organizations that have used GIS to improve the world—and set new precedents throughout the GIS community. Franklin's division was chosen based on the entire body of work completed in 2011. This includes several base maps including the parks department. The public can view these maps at the parks and recreation finder web mapping application; <http://gis.franklin-gov.com/mygovernmentservices/>; and the public maps gallery on the city's website; <http://gis.franklin-gov.com/public-maps-gallery/>. The GIS division also has completed an EOC mapping application that is integrated with Brentwood and Williamson County which can be used in case of emergencies. The city was able to do this all in-house with little help from outside resources.

GRAY

DialAmerica, one of the nation's largest privately held teleservices companies, announced the expansion of its contact center operations in Gray. To support growing client demand, DialAmerica has increased the contact center's footprint an additional 2,800-square-feet, and over the next several weeks plans to hire more than 100 contact center agents and experienced professionals to join its expanding team.

MONTEAGLE

A seven-year sewer connection moratorium for the town has been lifted due to major improvements made to the wastewater treatment plant and collection system. In 2002, the Water Quality Control Board signed an Agreed Order outlining excessive inflow and infiltration in sewer lines that caused numerous sewer overflows. Due to the inability of Wastewater Treatment Plant #2 to meet the National Pollutant Discharge Elimination System permit limits, the city was required to restore portions of Trussell Creek. An equalization tank at Wastewater Treatment Plant #1 also collapsed in 2009, releasing approximately 150,000 gallons of raw sewage into Juanita Creek. Monteagle received \$6.2 million through Tennessee's State Revolving Fund loan program and American Recovery and Reinvestment Act in September 2009 for



The L&N Depot, a 106-year-old, two-story building and a key historical Etowah landmark, is undergoing comprehensive repairs and renovations from its roof to its foundation. The depot, which serves as home to the Etowah Chamber of Commerce and the Tennessee Overhill Heritage Association, has been subject to flooding because of failures in the stormwater network. The project includes reworking the depot's drainage system, repairing its concrete walkways and cleaning its roof. Officials estimate the work will be completed in October.

infrastructure improvements. The project was funded with a 20-year, \$3.72 million loan with an interest rate of 1.79 percent. Forty percent of the funding was in the form of principal forgiveness, which does not have to be repaid. Monteagle began operation of Wastewater Treatment Plant No. 3 in December 2011. With the capacity of 500,000 gallons per day, 90 percent of the town's infiltration and inflow has been removed from its collection system. In addition, manholes were replaced and all of the old sewer lines were eliminated. As part of the town's overall improvements, local plant operators have implemented a Capacity, Management, Operations and Maintenance Plan and a Sewer Overflow Response Plan, and both Wastewater Treatment Plants No. 1 and No. 2 have been removed from service.

MT. JULIET

A metal parts manufacturer is planning to expand its Wilson County facility and add 34 jobs. Genesee A&B said it will undertake a \$2.1 million expansion of its plant at 8111 Eastgate Blvd. in Mt. Juliet. Genesee is a custom metal parts manufacturer and supplier to the telecommunications, electronics, computer, medical security hardware, auto and other industries.

NASHVILLE

A new bike share program will soon be in operation. The city is expanding its bike-share system later this year to include 200 bikes available at 20 automated B-cycle kiosks throughout the urban core. Nashville B-cycle will be fee-based and designed for short trips. To be launched later this year, B-cycle will be managed by the Nashville Downtown Partnership and is used in many other large cities, including Chicago, Houston and Denver.

NASHVILLE

The National Governors Association has decided to hold the group's annual meeting in Nashville in 2014. It will be the third time the meeting is held in Tennessee, after previous events in Gatlinburg in 1951 and Nashville in 1984. The NGA said that its nine-governor executive committee selected Nashville for its accommodations, venue options and "overall appeal." Milwaukee hosts the association's next meeting in August 2013.

NASHVILLE

Nashville is among the top 50 U.S. cities for global trade. With a global trade market of \$5.7 billion, the city was cited in the best incentives category, and came in at No. 41 overall.

Memphis was cited in the best logistics infrastructure category, and came in at No. 24 overall.

NEWBERN

The town was awarded a \$229,789 transportation enhancement grant to fund the Depot Connection Project. The project aims to improve connectivity between the Amtrak Station and the Newbern business district. The project includes the installation of four pedestrian crosswalks, landscaped pedestrian buffers, shade trees, and pedestrian lighting. Approximately 900 linear feet of sidewalks along Jefferson Street and East Main Street will also be replaced.

OAK HILL

The city has released the results of a recent scientific survey performed by Daxko T2 Consulting of city residents. The survey was comprised of telephone interviews with 411 residents, and 186 residents completed an online version. The results show that residents value living in Oak Hill and are highly satisfied with city services. Residents stated that they value their neighborhoods, the convenience of nearby amenities, the safety of the area and other factors. More than half of the respondents could not think of a single thing they dislike about living in the city of almost 5,000. More than 75 percent said they are satisfied with Oak Hill's trash service, communications with residents, streets and snow removal. Oak Hill citizens also expressed a positive view about the city's direction, with more than 35 percent not able to identify anything that concerns them most about the future of the city. Commissioners say they plan to use the survey results, as they plan for the city's future. Complete survey results are available on the city website, www.oakhilltn.us.

SMYRNA

The Certificate of Achievement for Excellence in Financial Reporting has been awarded to the Town of Smyrna by the Government Finance Officers Association of the United States and Canada (GFOA) for its comprehensive annual financial report (CAFR). It takes a collective effort from employees of the finance department to prepare the CAFR. The Certificate of Achievement is the highest form of recognition in the area of governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management. This award marks the 24th consecutive year Smyrna has been recognized.

INFRASTRUCTURE UPGRADES THAT PAY FOR THEMSELVES...

Contact ESG to accomplish the improvements you need most:

- AMR and Water/Wastewater Upgrades
- HVAC/Control Upgrades
- Window/Door Replacements
- Lighting and Electrical Upgrades
- Traffic and Street Lighting
- Guaranteed Energy Savings



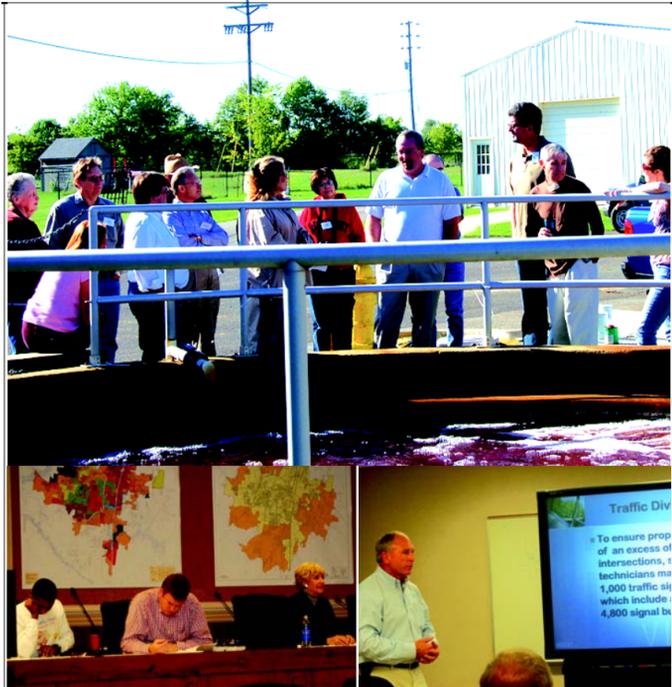
www.energysystemsgroup.com

ESG NASHVILLE OFFICE

501 Union Street, Suite 300B
Nashville, TN 37219
866.200.5675

ESG JOHNSON CITY OFFICE

1319 Sunset Drive, Suite 100
Johnson City, TN 37604
423.283.0886



The city's department heads serve as instructors for Franklin's Citizens Government Academy, which is currently in its 10th session. Top: During an 8-hour Saturday class, citizens receive a guided tour of Franklin's water plant; a mock city council meeting helps participants learn more about municipal issues city officials are faced with every day, including passing ordinances and Roberts Rules of Order; Streets Director Joe York makes a presentation that will include showing a department video featuring city employees performing their jobs made in-house by his department.

ACADEMY from Page 1

"We've been doing that for four years now, and participants from former citizen government academies have helped spread the word," York said. "If we weren't composting our leaves, we would have to haul them to a landfill."

The highlight of York's presentation is a made-in-house video featuring the city's workers on the job.

"The video, the tour and other presentations all reinforce a sense of community pride," said White. "After I took the class, I realized the value of living here. I'm actually going to attend the academy a second time. The classes inspired me to want to become more involved in my community."

While Franklin just recently incorporated LED street lights into its infrastructure, the Streets Department has maintained LED signal lights for several years, according to York, and is now in the process of installing a battery backup system for signals at the city's major intersections.

"If we have a power outage, the backup system will kick in and keep that intersection going," he explains. "We're a huge maintenance division, maintaining all the streets, all the drainage, traffic signals and the rights-of-way. Participants usually don't realize that we have a traffic signal division or that we have 103 signal lights maintained in-house. If you drive around the city, you're also going to see a few thousand signs. We maintain all that signage and also make the signs in-house."

Like most cities throughout the U.S., Franklin's department heads are concerned about the future of municipal services in tough economic times.

"We normally get a small percentage of the gas tax for our resurfacing program," York explains. "If gas goes up to \$4 a gallon, our portion of the gas tax doesn't fluctuate. We're looking to grow to around 100,000 citizens over the next several years. As the city grows, we have more streets to maintain. Money to spend on resurfacing more streets would have to come from the general fund. And the way the economy's been, general fund money is usually taken up with several other things. When we invite people to come live and work here, and grow businesses here, we would like to have the best streets possible."

Back by popular demand, the mock citizen council meeting allows citizens to discuss and deliberate, while demonstrating their expertise with Roberts Rules of Order.

"It's interesting to watch them struggle with some of the issues our board struggles with regularly," said Monique McCullough, Franklin's public outreach specialist. As she assists with organizing the academy, McCullough also conducts Saturday's eight-hour tour of city sites, where various department speakers are on hand.

"I think people are amazed at the water and wastewater plant," McCullough continues. "We always say how the water that comes out of the wastewater plant is a lot cleaner than what comes in, which amazes them. The budget is another eye opener. They usually don't realize what the percentage of sales tax

is versus property tax."

"People are also surprised at how much the city maintains overall," adds Lisa Clayton, Franklin's Parks & Recreation director. "They don't realize what might be city property compared to private property. We have more than 700 acres in our parks system and more than 50 structures. Participants discover it takes a lot of manpower to maintain all that landscaping and equipment."

Among the facilities, the city operates seven historic parks and is in the process of interpreting its battlefield in response to Franklin's recent battlefield reclamation efforts.

"We just started a cell phone audio tour within our historic parks and linked our website to QR codes on signage in the park where visitors can hear the history on their cell phones," Clayton said. "When you do not have someone on site all the time, it provides those layers of missing history. Being able to have an audio tour and work with other groups within our city that tell the Battle of Franklin has been a tremendous asset."

Clayton notes that networking with other departments and safety and liability issues are always at the forefront during her department's extensive planning sessions.

"The most interesting legislation affecting our parks system came through a couple years ago with the guns in parks," she said. "It created a debate within our community about whether we should allow them or not. In the end, we did not allow guns within our parks system. But we do foresee that legislation like this will have more and more impact on the parks system, because you have open spaces and multiple acres where you do not have supervision. We have to look at alternatives for public safety."

When asked what would be the most important class of all, if legislators were to attend the academy, Stuckey said he would probably consolidate everything into one class in order to convey a sense of all the city of Franklin does for its citizens.

"We're not just here for police and fire, or to pave the streets," Stuckey said. "We've got all these different things going that touch people's everyday lives. And what we do is impacted by what happens at the state level. We would like to demonstrate the insight and professionalism that exists in local government, the level of commitment and involvement; how dedicated our people are."

"I'm a firm believer that local government is really the most effective government that can be delivered," Stuckey continues. "We're so close to the people. We get feedback and respond to those needs more effectively because we're right here. They're our neighbors and friends and we're here to make things work for the community."

While Franklin's Citizens Government Academy is already in session, citizens may register up to August 28. Applications are available on the city's website, www.FranklinTN.gov/CGA, or at City Hall. The academy is free and available to all residents of the city of Franklin who are over 18 years of age. Class size is limited. If interested, call 615-550-6606 or e-mail moniquem@franklinton.gov.

Columbia uses grant to redevelop eastside

BY KELLY QUIMBY
The Daily Herald

Two years after the city of Columbia received funds from the U.S. government to boost its housing market, the city is nearly ready to use the money to build new homes for first-time buyers.

Using a \$500,000 grant from the U.S. Department of Housing and Urban Development's Neighborhood Stabilization Program, the Advent Community Development Corporation is expected to begin construction of new homes on the city's eastside by the end of the year, Columbia Housing and Redevelopment Corporation Director Trent Ogilvie said.

"The program came out under HUD, and it was developed as an alternative to all the foreclosures that were taking place within communities all across the U.S.," Ogilvie said. "You could do demolition of blighted properties, acquisition, homeowner education and other types of eligible activities in partnership with the city."

Ward 3 City Councilwoman Christa Martin said that while the process has been lengthy, much work has been done with the Tennessee Housing Development Agency, money lenders and a construction company in the intervening time to get the project under way.

For the first round of purchases in Columbia, the director said Advent Community Development Corporation, the non-profit arm of CHRC, will build four homes on the city's east side, an area which has already been tagged by the city to be in need of redevelopment. Ogilvie said two of the properties purchased will require the razing of dilapidated structures prior to construction. The other two homes are being built on vacant properties.

Advent will host a meeting for first-time home buyers interested in purchasing the single-family homes using assistance from the program. The homes will contain three bedrooms and two bathrooms in their 1,000-1,200 square-foot space. The homes are expected to sell for about \$90,000, but those deemed eligible by the Tennessee Housing and Development Agency will receive a 4 percent grant toward their down payment, as well as a \$10,000 grant toward the home's purchase.

Ogilvie said once the homes are sold, the city can purchase and sell more homes with the funds earned



For the first round, Advent Community Development Corporation will build four homes on the Columbia's east side, an area which has been tagged by the city to be in need of redevelopment.

from the original sale. Assistant City Manager Jennifer Moody said so far, the city has pegged six properties for work in the city — including two on East 11th Street, two on East Ninth Street, one on Hill Street and one on West Third Street.

About \$27,000 was spent to purchase the property, with the remainder of the grant funds devoted to legal expenses involved with the purchases, the down payment assistance and homeowner education. The program will continue to revolve until the funds are completely exhausted, Moody said.

"It is a big part of the redevelopment," she said. "The NSP grant is working within the redevelopment area, which has a high propensity for crime and a lot of blight that was occurring. We see this as a catalyst to assist in work that's already being done in east Columbia."

The city recently accepted more than \$20,000 in donations from Advent to devote toward the renovation of a structure on Wayne Street, which will eventually house the Maury County Boys and Girls Club's Youth Empowerment Center and Head Start.

Boys and Girls Club Director John Stephens said the hope is to double the number of children serviced by the club. He said the programs offered by the club have been proven to create better citizens who have positive relationships with their community.

This — along with the work of the East Columbia Task Force, which is studying the feasibility of a new school in the area; People Helping People Together, a volunteer or-

ganization aimed at improving blighted properties; and Habitat for Humanity, a national non-profit which constructs homes for families in need — should contribute to a positive turnaround for the area within a couple of years, he said.

Jan Kirk Wright, president of People Helping People Together, recently announced the group would be hosting its second annual People Helping People Day on the city's eastside Oct. 13. The event is focused on improving life for East Columbia citizens by upgrading the curb appeal of the area's homes. The goal this year is to have more than 100 teams of volunteers clean up more than 100 homes in the community.

"When you start cleaning up the area, attitudes change, people change," Wright said last month. "When you start changing everything, it's going to have an impact on the whole city of Columbia. The whole climate changes."

Martin said she's aware of more projects from various groups could be coming soon.

Ogilvie said that as residences continue to improve over the next couple of years, the city, his organization and others like it will begin to focus their efforts on improving east Columbia's infrastructure and recreational and commercial offerings.

"We just want to continue that work and bring about positive redevelopment," he said. "A great community has to have great housing, great schools and great parks for the citizens."

Reprinted with permission by the Daily Herald.

E&A
SOLUTIONS
INC.

"Ethics, Integrity and Honesty in every environment"



-Drug and Alcohol Testing (DOT and Non-DOT)

-Criminal Background Checks

-Third Party Administration

-Tennessee Drug Free Workplace Training

-In-House Medical Review Officer

-Free Random Selection Services including DOT Consortium

Visit www.eandasolutions.com

Contact Us:

Ph#: (615) 804-0506

Fax#: (615) 453-5854

employsolutions@bellsouth.net



PEOPLE



BY TML STAFF REPORTS

William Watson is the new finance director and city clerk for the city of Cleveland. Watson, 58, of Hixson, has served since 2008 as the accounting manager for Catoosa County, Ga.

After 25 years with the city of Franklin, including 24 with the Franklin Fire Department and the past year with the Human Resources Department, **Jeff Elliott** has announced his retirement. Elliott, a former fire department training captain and present Occupational Health and Safety Training Specialist for HR's Risk Management Division, will leave the city to accept the position of Fire Service Program Director at the Tennessee Fire and Codes Academy in Bell Buckle. A native of Franklin, Elliott began his firefighting career as a volunteer for the Williamson County Rescue Squad. He was hired by the Franklin Fire Department in 1988 and worked his way through the ranks. He was promoted



Elliott

to captain in the training division in 2006.

Tim Potts was recently promoted as Columbia's Chief of Police. Potts currently serves as the Interim Chief of Police and is a 25-year veteran of the Columbia Police Department. Potts attended numerous specialized training courses and is a graduate of the University of Tennessee's Southeastern Command and Leadership Academy. He has served as Patrol Sergeant and Lieutenant over the Narcotics and Vice Division prior to being promoted to Assistant Chief in 2000. During his tenure as Assistant Chief, Potts has been responsible for overseeing the day-to-day operations of all components of the department.



Potts

State Rep. **Johnny Shaw** has just become part of a select group of Tennessee broadcasters. The Distinguished Service Award was presented to Shaw at the 64th annual conference of the Tennessee Association of Broadcasters.



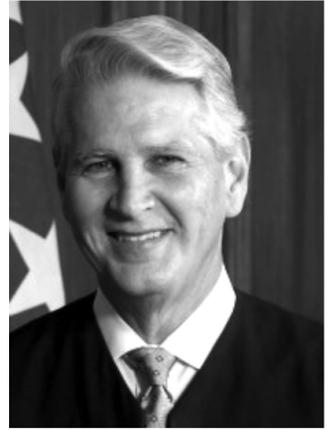
Pictured L-R, Chris Ornelas, Chief Operating Officer National Association of Broadcasters, Rep. Johnny Shaw, WBOL / WOJG-FM and Whit Adamson, President Tennessee Association of Broadcasters.

The award was established in 1974 to honor broadcasters who have distinguished themselves through service to their communities and the broadcast industry. Shaw is the owner/operator of WBOL and WOJG-FM in Bolivar, where he started as an announcer. In addition to his 45 years in broadcasting, the Hardeman County resident has been a Baptist minister for the past 32 years.

Dean Flier, Brentwood's first fire chief, has passed away at his home in Arizona. He was 81 years old. Flier was responsible for turning a private, subscription-based fire protection service into a city-run fire department.

Wade sworn in as state's 29th Chief Justice

Justice Gary R. Wade was sworn in as the 29th chief justice of the Tennessee Supreme Court at the Sevier County Courthouse. He will succeed Chief Justice Cornelia A. Clark, who has served as chief justice since Sept. 1, 2010. Gov. Haslam will administer the ceremonial oath to Chief Justice Wade on Sept. 5, at the Knoxville Bar Association's annual dinner honoring the Supreme Court. Justice Wade was appointed to the Tennessee Supreme Court in 2006 by former Gov. Phil Bredesen. Prior to his appointment, he served on the Court of Criminal Appeals for 19 years and was elected by his colleagues to serve as Presiding Judge from 1998 to 2006. Justice Wade previously served as president of the Tennessee Judicial Conference in 1995-96 and was named Tennessee Appellate Judge of the Year in 2004. He is the founder of the Tennessee Judicial Conference Bar Foundation, an organization that provides



Wade

need-based scholarships to law students at each of the state's law schools. Before taking the bench, Justice Wade was in private practice for 15 years in the firm of Ogle, Wade, and Wynn and also served as mayor of Sevierville from 1977 to 1987.

State revenues \$9.9 million more than budget estimates

Tennessee revenue collections continued their upward trend in July, but at a much slower pace compared to recent months. Finance and Administration Commissioner Mark Emkes announced a net positive growth of 4.46 percent over July collections of one year ago. Overall July revenues were \$880.9 million, which is \$9.9 million more than the state budgeted.

July marks the 12th consecutive month this year in which total collections have exceeded the budgeted estimates. July sales tax collections represent consumer spending that took place in the month of June.

"We continue to believe the growth in sales and corporate tax collections indicates a very slow economic recovery in Tennessee, but we also continue to see mixed results at the national level," Emkes said. "The latest published leading economic indicators show that the U.S. economy decelerated in the second quarter, which causes concern at the state level."

"We'll close fiscal year 2012, which ended June 30, with a revenue surplus which will help maintain a balanced budget in fiscal 2012-2013."

On an accrual basis, July is the twelfth month in the 2011-2012 fiscal year.

The general fund was over collected by \$2.7 million, and the four other funds were over collected by \$7.2 million.

Sales tax collections were \$14.7 million more than the estimate for July. The July growth rate was 3.30 percent. For 12 months revenues are over collected by \$241.8 million. The year-to-date growth rate for twelve months was positive 6.57 percent.

Franchise and excise taxes combined were \$0.8 million under the

budgeted estimate of \$55.5 million. The growth rate for July was positive 8.64 percent. For 12 months revenues are over collected by \$308.2 million and the year-to-date growth rate was positive 22.26 percent.

Inheritance and estate tax collections were \$10.1 million below the July estimate. For twelve months collections are \$37.9 million above the budgeted estimate.

Privilege tax collections were \$1.1 million above the July budgeted estimate. For 12 months collections are \$9.0 million more than the budgeted estimate, and the year-to-date growth rate was positive 11.71 percent.

Business tax collections were \$1.0 million less than the July estimate. Year-to-date collections for eleven months are \$15.9 million below the budgeted estimate.

Tobacco tax collections were \$2.6 million below the budgeted estimate of \$25.9 million. For 12 months revenues are under collected by \$18.5 million.

Gasoline and motor fuel tax collections for July were over collected by \$3.4 million. For 12 months revenues are under collected by \$5.1 million.

All other taxes for July were over collected by a net of \$5.2 million.

Year-to-date collections for twelve months were \$563.8 million more than the budgeted estimate. The general fund was over collected by \$543.0 million and the four other funds were over collected by \$20.8 million. The FY 2012 revised budget assumed an over collection of \$209.6 million in General Fund Taxes. Therefore, the amount over collected above and beyond what's already in the budget is \$333.4 million (\$543.0 million minus \$209.6 million).

STATE BRIEFS



BY TML STAFF REPORTS

Haslam founding member of bipartisan mayor's auto caucus

A bipartisan group of four governors, including Gov. Bill Haslam, is forming an auto caucus to support policies aimed at boosting the U.S. auto industry. Michigan Gov. Rick Snyder unveiled the National Governors Auto Caucus, in a speech at the Center for Automotive Research's annual Management Briefing Seminars at Grand Traverse Resort. The governors typically compete head-to-head to try to woo automakers to expand operations or locate new plants, each in his home state. But they have collaborated on some issues of importance to the auto industry in recent years. The caucus was formed to provide "a forum for governors to discuss bipartisan, non-controversial issues related to the industry and its eight million jobs. Gvs. Jay Nixon, Mo. and Pat Quinn, Ill., are also founding members of the caucus, which will be open to all governors.

Spike in elderly crime victims

A growing number of Tennesseans 65 years old and up are becoming victims of crime, according to a report released by the Tennessee Bureau of Investigation. The report, the first of its kind in the state, found that crimes with victims 65 years old or older rose by about 7 percent from 2009 through 2011, the same time that the state saw a 5 percent drop in overall crime. The report focused on four key areas most likely to affect seniors: robbery, burglary, assaults and fraud. They were disproportionately victims of home burglaries and fraud cases, making up one out of 10 victims of those crimes in the state during the three years studied. The study found that more than 41 percent of those assaulted were attacked by a relative. The TBI said the report is meant to provoke discussion among lawmakers, prosecutors and law enforcement. You can't treat it the same as gangs, you can't treat it the same as regular burglaries and robberies," said TBI spokesperson Kristen Helm. "There has to be some kind of coordinated effort to determine how to deal with this type of crime." Citizens can help by reporting suspicions to the elder abuse hotline at 888-277-8366.

TN ranks highest sales tax rate

Tennessee ranks highest among all 50 states in a new study of state and local sales taxes released by The Tax Foundation, a nonpartisan research organization. The state has the highest combined state and local sales tax rate with an average of 9.43 percent, according to the study.

Hotline created for struggling homeowners

The Tennessee attorney general and Tennessee Housing Development Agency have created a mortgage hotline for struggling homeowners. The development comes after attorneys general across the country reached an agreement with the nation's top five mortgage services that will provide an estimated \$140 million in relief to Tennesseans. Tennessee Attorney General Bob

Cooper said the idea behind the hotline is to make sure the state's homeowners get the help they deserve. Homeowners calling the new hotline can learn about housing assistance programs or be directed to foreclosure prevention counselors. The toll-free number is 855- 876-7283, available Mon. through Fri., between 8 am and 5 pm Central time.

TDOT provides grant for Reelfoot Lake area visitor's center

The Tennessee Department of Transportation is providing a \$1.5 million grant to build a new visitors center at Reelfoot Lake. The Tennessee River Scenic Byway is receiving \$500,000 for bicycle and pedestrian safety improvements, and the Cherohala Skyway National Scenic Byway is getting \$20,000 to install more interpretive signs. The Reelfoot Lake grant will be used to construct a new visitors center and revamp existing facilities.

TVA ends Generation Partners program

The Tennessee Valley Authority is ending its Generation Partners solar incentive program Sept. 30 and replacing it with Generation Partners with Green Power Providers, a new program that will continue to fund the arrays at a lower rate. It will cap the system size at 50 kilowatts and provide \$1,000 in incentives, a significant decrease from the previous program. Generation Partners helped fund up to 75 percent of projects between \$100,000 and \$1 million.

TN exports up 7 percent

Tennessee exports are up 7 percent so far this year, showing that more of the state's companies are shipping goods overseas amid a range of efforts to encourage such activity. The state's exports totaled \$15.7 billion in the first half of 2012, up from \$14.7 billion in the same time period last year, according to data from the International Trade Administration. Tennessee's first half 2012 merchandise export sales outpaced the 2011 figures for the same period in many top destinations.

TN opens three STEM schools

The state's Department of Education announced the opening of three new Science, Technology, Engineering and Mathematics (STEM) focused schools this year. The new programs are part of the Tennessee STEM Innovation Network, a collaboration between the department

and the Battelle Memorial Institute. Innovation Academy of Northeast Tennessee, hosts 80 students in each sixth and seventh grade class and operates as a joint venture between Kingsport City Schools and Sullivan County Schools, with the support of Eastern Tennessee State University. The school plans to expand to eighth grade in 2013-14. The Southeast Tennessee STEM School, located on the campus of Chattanooga State Community College in Hamilton County, hosts 75 ninth-grade students. The high school will add an additional 75 students for its first three years. The Upper Cumberland Rural STEM Initiative is at Prescott South Elementary School and Prescott South Middle School in Putnam County. As they transition to become the region's first STEM program, teachers will be collaborating with the hub at the Millard Oakley STEM Center at Tennessee Tech University.

TN among most toxic states

The Natural Resources Defense Council has named Tennessee as among the most toxic states in the country. According to the NRDC, Tennessee is the 11th worst state in the country for exposing its residents "to toxic air pollution from coal-fired power plants." Tennessee's electric sector emitted 9.6 million pounds of harmful chemicals in 2010, the latest year for which data is available. That accounted for 37 percent of the state's pollution in 2010, or about 3 percent of toxic pollution for all U.S. power plants. Tennessee ranked 21st for the amount of industrial mercury pollution emitted in 2010, at 1,250 pounds, or 2 percent of U.S. electric-sector mercury pollution. Nationally, the NRDC found a 19 percent decrease in all air toxins emitted from U.S. power plants in 2010.

Green Development grants offered to cities

The Tennessee Department of Environment and Conservation will once again partner with the Tennessee Stormwater Association, the Tennessee Valley Authority and the Tennessee Department of Transportation to offer a grant program designed to help local governments fund green infrastructure and low-impact development projects.

A total of \$350,000 in grant funds will be available for allocation over the next three years. Grants ranging from \$10,000 to \$30,000 will be awarded to local governments through a competitive process for projects such as rain gardens, green roofs, pervious concrete applica-

tions, trees and tree boxes, in addition to outreach and education efforts designed to promote green development in Tennessee communities. The grants require a 20 percent local match.

This year's grant cycle represents only the second time the Green Development Grants have been offered to local governments. Communities selected during the 2012 grant cycle will join the cities of Athens, Lakeland, Knoxville and Nashville, which received funding in 2008 for various projects ranging from pervious concrete parking or walking paths to green infrastructure improvements to community

recreational areas.

Applications for the 2012 Green Development Grants are due by Sept. 30, 2012, and grant awards will be announced by Nov. 1, 2012. Grant applications will be reviewed and ranked by a team comprised of representatives from each of the partner agencies. The next offering for Green Development Grants will be available May 2013. Online application materials and additional information about the Green Development Grants are available on TDEC's website at www.tn.gov/environment/greendev/ or through the Tennessee Stormwater Association at www.tnstormwater.org/.

J.R. Wauford & Company

Consulting Engineers, Inc.

Water and Wastewater Systems

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

www.jrwauford.com

Branch Offices:
Maryville, TN 37801
(865) 984-9638
Jackson, TN 38305
(731) 668-1955



President, Congress authorizes two-year transportation bill

MAP-21: Moving Ahead for Progress in the 21st Century

By NLC Federal Relations Staff

On July 6, President Obama signed a two-year bill authorizing federal transportation programs following several years of negotiations on Capitol Hill. The final agreement incorporated provisions of a Senate-passed bipartisan bill, known as MAP-21.

The following sections highlight some of the provisions of the legislation that most impact local governments.

GENERAL

- Effective Oct. 1, 2012; funds federal transportation programs until Sept. 30, 2014
- Includes funding for federally supported highway, transit and bridge programs
- Funded at \$105 billion each year—current levels plus inflation
- Guarantees 95 percent return of federal gas taxes back to states
- Transfers \$18.8 billion in general funds (not gas tax revenues) to keep spending at current levels, despite shortfalls in the Highway Trust Fund
- Continues 80/20 highway-transit split
- Restructures current highway program by eliminating or consolidating 60 programs, with authority to states for making decisions

METROPOLITAN PLANNING ORGANIZATIONS (MPO)

- Rejects efforts to change the structure, population thresholds for becoming and remaining an MPO; adds new requirement that MPOs include representation of public transportation providers
- Creates new “regional transportation planning organization” for greater involvement of non-metropolitan area regions in planning
- Establishes new performance measures as part of planning process to be developed in coordination with state and public transportation providers
- MPOs would have 180 days to set regional targets once statewide goals are established and would include performance measure targets and anticipated impact of projects on reaching goals
- No formal role for MPO or local governments in new “national strategic plan” that identifies projects of national and regional significance
- Creates a new \$10 million planning pilot program for transit-oriented development that will provide funding to communities with a New Starts grant to do station area planning

TRANSPORTATION ALTERNATIVES

Current Transportation Enhancements, Safe Routes to Schools and Recreational Trails Programs are folded into a new Transportation Alternatives Program at reduced levels. (Current law provides a 10 percent set-aside for transportation enhancements to be spent by the state on transportation alternatives such as bicycle path and pedestrian

walkways). Combined, these programs would be funded at \$800 million per year, a cut of more than 30 percent from the \$1.2 billion allocated in FY 2011 for the individual programs.

States are only required to spend 50 percent of funding on “transportation alternatives” programs, funds sub-allocated based on population including funds to MPOs with populations of 200,000 and above.

- States will first allocate funding from the “transportation alternatives” program to the Recreational Trails Program unless they opt out of the program
- Current funding for Safe Routes to School will continue through September 30, 2012
- States can transfer up to 50 percent of “transportation alternatives” funding to other state programs
- Transportation Enhancements Spending Report from the National Transportation Enhancements Clearinghouse details states’ use of federal funding under the transportation enhancements program at www.enhancements.org

TRANSPORTATION INFRASTRUCTURE FINANCE INNOVATION ACT (TIFIA)

- Expands TIFIA finance program funding to \$750 million in FY 2013 and \$1 billion in FY 2014 from the current \$122 million in loan funds available to finance transportation projects
- Increases amount of a project that can be funded with loans and guarantees
- Sets aside 10 percent for rural infrastructure projects, and eligible project cost floor lowered from \$50 million to \$25 million for rural projects
- Adds project readiness eligibility standards requiring applicants to demonstrate they can begin contracting process for construction within 90 days
- Sets deadlines for evaluating and processing applications
- Establishes rolling approval process
- Allows private funding as part of repayment stream
- Extends repayment period from 35 years to life of the asset

PROJECT DELIVERY/ENVIRONMENTAL REVIEW APPROVAL

Reforms process to reduce the time it takes to gain necessary approvals and build transportation projects, including expansion of projects characterized as “categorical exclusions” which are exempted from environmental assessment:

“Categorical exclusion means a category of actions which do not individually or cumulatively have a significant effect on the human environment ... and ... for which, therefore, neither an environmental assessment nor an environmental impact statement is required.” — 40 CFR 1508.4

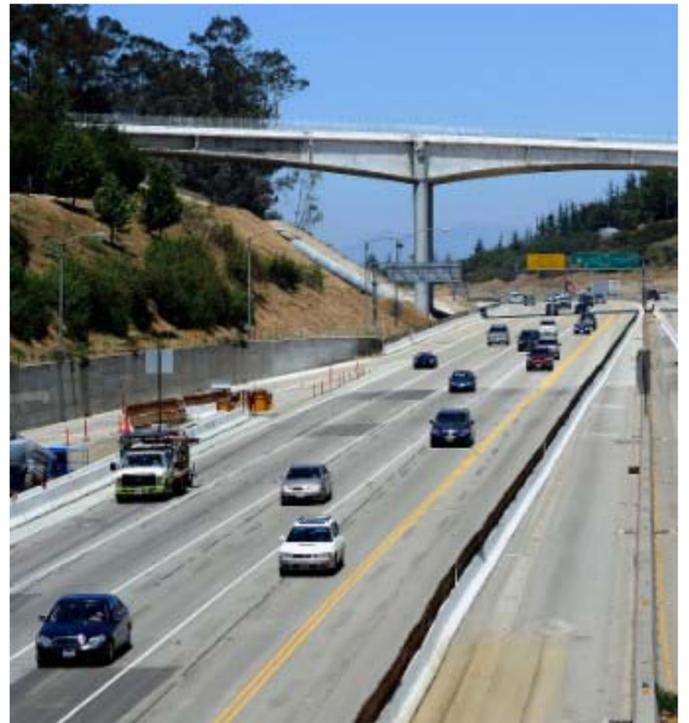
“...They are actions which: do not induce significant impacts to planned growth or land use for the area, do not require the relocation of significant numbers of people; do not have a significant impact on any natural, cultural, recreational, historic or other resource; do not in-

volve significant air, noise, or water quality impacts; do not have significant impacts on travel patterns; and do not otherwise, either individually or cumulatively, have any significant environmental impacts.”

- New categorical exclusions include: projects located within an existing right-of-way; projects receiving less than \$5 million in federal funds or which cost less than \$30 million in total; and projects damaged or destroyed in a natural disaster provided the replacement facility matches previous design
- Expanded flexibility to begin project related activities prior to completion of NEPA
- Expanded delegation of authority under NEPA to all states (from 5-state pilot) and expands to include rail, transit and multimodal projects
- Multiple agency reviews to be conducted concurrently, rather than sequentially
- Allows MPOs or states to develop programmatic mitigation plans
- Allows DOT Secretary to design single lead agency in multimodal project
- Sets financial penalties for agencies failure to meet deadlines
- Sets four year deadline for completion of required permits, approvals, review or studies

PUBLIC TRANSPORTATION PROGRAMS

- Transit programs will increase slightly to \$10.578 billion in FY 2013 and \$10.695 billion in FY 2014, with some changes to the program
- Urbanized Area Formula Grants will fund transit capital and planning projects and will now include the Job Access and Reverse Commute (JARC) program
- Transit systems serving populations over 200,000 with 100 buses or fewer will have the ability to flex some capital funding for operating costs; smaller systems (between 76-100 buses during rush hour) may use 50 percent of their funds; and systems with 75 or fewer buses may use 75 percent of federal funds
- The Bus and Bus Facilities formula program will change from a discretionary grant program to a formula program, and each state will receive a minimum allocation of \$1.25 million
- Grants to rural areas will increase, and eligibility expanded
- A new State of Good Repair grant program will replace the Fixed Guideway Modernization Program, requiring new performance measures
- Benefit for employee transit commuters to be on par with parkers not restored; transit advocates and employer groups hoped to restore this benefit to the \$240/month level that expired at the end of 2011
- Fixed Guideway Capital Investment Grants (New Starts/Small Starts) program authorized at \$1.907 billion/year for FY 2013 and FY 2014 (below the \$1.955 billion in FY 2012) streamlines project approval process; eliminates duplicative steps in project development and calls for quicker project review; modifies eligible standards to include new fixed guideway capital projects, small starts and core capacity improvements, as well as programs of interrelated projects
- Corridor-based bus rapid transit



Part of the federal two-year transportation program, the Congestion Mitigation and Air Quality Program is designed to help states and metropolitan areas meet federal air quality standards, funds projects that reduce congestion, improve air quality, and lower auto emissions.

projects that do not operate in rights-of-ways dedicated exclusively to public transportation are eligible for small starts funding

CONGESTION MITIGATION AND AIR QUALITY PROGRAM (CMAQ)

Created to help states and metropolitan areas meet federal air quality standards, funds projects that reduce congestion, improve air quality, and lower auto emissions. Funds are distributed based on population and air quality.

- Conference agreement did not adopt Senate proposal to sub-allocate 50 percent of CMAQ funds directly to metropolitan regions in states with non-attainment areas under the Clean Air Act; the final bill dropped language providing for direct sub-allocation of funding
- New law allows states to transfer up to 50 percent of CMAQ funds to other programs, an increase from the 21 percent transfer allowed under previous law
- Conferees did not adopt House proposal to eliminate dedicated funding and eliminate restrictions on projects serving single occupant vehicles or the Senate proposal to combine Transportation Enhancements and CMAQ
- Law requires regions with populations over 1 million to develop a

performance plan outlining baseline conditions, targets for performance measures and a description of how funded projects will help meet air quality targets

TOLLING

- Expands ability of states to use federal funds to construct new capacity, reconstruct, restore or rehabilitate highways on and off the Interstate System
- Permits reconstruction or replacement of a toll-free bridge or tunnel and conversion to a toll facility
- Removes provisions that reduced highway formula funds for states that sell or lease toll facilities to private companies

NATIONAL FREIGHT POLICY AND NATIONAL FREIGHT NETWORK

- Establishes goals of a national freight policy
- Requires the U.S. Department of Transportation (DOT) to develop a National Freight Strategic Plan
- Allows DOT to increase the federal share from 80 to 90 percent for freight projects on the Interstate and from 80 to 90 percent for other freight projects if included in state freight plan
- Encourages states to develop freight plans and freight advisory committees

TML policy process

POLICY from Page 1

Any municipality submitting a proposed legislative initiative must appear before the TML Policy Committee. The TML Policy Committee will meet on Oct. 30, in the TML building located at 226 Capitol Boulevard in Nashville to consider and rank those legislative initiatives that have been fully completed.

The committee will rank all of the qualifying proposed initiatives in order of preference, as determined by a vote of the committee. The committee’s final ranking of pro-

posed initiatives will be submitted to the TML Legislative Committee for consideration.

The TML Policy Committee is comprised of nine members: the eight elected district directors and the current 2nd vice president of the TML Board of Directors. The 2nd vice president will chair the committee. All nine members of the committee have voting privileges.

For more information or questions about the new process, please contact TML at 615-255-6426.

THE TML POOL
Tennessee's Leader in Risk Management Services

Built on reliable
SERVICE & COVERAGE

www.thepool-tn.org • 800-624-9698

Tennessee Municipal League
 2012-2013 Officers and Directors
PRESIDENT
Ken Wilber
 Mayor, Portland
VICE PRESIDENTS
Allen Barker
 Mayor, Humboldt

David May
 Councilmember, Cleveland

Curtis Hayes
 Mayor, Livingston
DIRECTORS
Bryan Atchley
 Mayor, Sevierville

Troy Beets
 Mayor, Kingston

Angie Carrier
 Johnson City, President (TCMA)

Wallace Cartwright
 Mayor, Shelbyville

Vance Coleman
 Mayor, Medina (District 7)

Betsy Crossley
 Commissioner, Brentwood

Ann Davis
 Councilmember, Athens

Karl Dean
 Mayor, Metro Nashville

Margaret Feierabend
 Councilmember, Bristol (District 1)

Jerry Gist
 Mayor, Jackson

David Gordon
 Mayor, Covington (District 8)

Kevin Helms
 City Manager, Oak Hill (District 5)

John Hickman
 City Manager, Waynesboro (District 6)

John Holden
 Mayor, Dyersburg

Dot LaMarche (District 2)
 Vice Mayor, Farragut

Ron Littlefield
 Mayor, Chattanooga

Bo Perkinson
 Vice Mayor, Athens (District 3)

Madeline Rogero
 Mayor, Knoxville

Norman Rone
 Mayor, McMinnville (District 4)

Charles "Bones" Seivers
 President-CEO, TN Municipal Bond Fund

Ron Washington
 Vice Mayor, Murfreesboro

A.C. Wharton
 Mayor, Memphis
PAST PRESIDENTS
Kay Senter (2012)
 Mayor Pro-Tem, Morristown

Sam Tharpe, (2011) Mayor, Paris

Dale Kelley (2010) Mayor, Huntingdon

Tom Beehan, (2008) Mayor, Oak Ridge

Tommy Green (2007) Mayor, Alamo

Tommy Bragg (2006) Mayor, Murfreesboro

Bob Kirk (2004) Alderman, Dyersburg

Tom Rowland (2002) Mayor, Cleveland
TML AFFILIATED ORGANIZATIONS

(Ex-Officio Directors)

Tennessee Municipal Attorneys Assn.

Joe Thompson, Gallatin

Tennessee Municipal Judges Conference

John T. Gwin, Mt. Juliet

Tenn. Chapter, American Public Works

Shawn Lindsey, Athens

Tennessee Government Finance Officers

Ms. Sandra Allen, Memphis

Tenn. Assn. Housing & Redevel. Auth.

John Snodderly, LaFollette

Tennessee Building Officials Assn.

Steve Mills, Hendersonville

Tennessee Fire Chiefs Assn.

Chief Lynn Murphy, Henderson Co.

Tennessee Assn. of Air Carrier Airports

Larry Cox, Memphis

Tennessee Association of Chiefs of Police

Gil Kendrick, Jackson

Tennessee Water Quality Management

Tennessee Recreation and Parks Assn.

Greg Clark, Germantown

Tennessee Chapter, American Planning

Karen Hundt, Chattanooga

Tennessee Personnel Management Assn.

Peter Voss, Bartlett

Tenn. Assn. Municipal Clerks &

Records, Lanaii Benne, Franklin

Tennessee Assn. of Public Purchasing

Rex Gaitner, Smyrna

TN Section, Institute of Transport

Engineers, Kevin Cole, Knoxville

Tennessee Public Transportation Assoc.

Jason Spain, Nashville

Tennessee Fire Safety Inspectors

Tommy White, Sevierville

Assn. of Independent and Municipal Schools

Reecha Black, Alamo

TML ASSOCIATE SPONSORS**5 STAR SPONSOR**

Bank of America

E & A Solutions

3 STAR SPONSOR

Bank of New York Trust Co., N.A.

CMI Equipment Sales, Inc.

Fifth Third Bank

First Tennessee Bank

2 STAR SPONSOR

Alexander, Thompson, Arnold CPAs

Ameresco, Inc.

Barge Waggoner Sumner & Cannon, Inc.

Carr, Riggs & Ingram LLC

Energy Systems Group

Garver

ING Financial Advisers, LLC

Master Meter, Inc.

Networkfleet, Inc.

Waste Management Inc. of Tennessee

1 STAR SPONSOR

A2H (Askew, Hargraves, Harcourt &

Associates, Inc.)

Alliance Water Resources

Brown, Pearman, Russell, LLC

Caldwell Tanks

CDM Smith, Inc.

Employee Benefit Specialists, Inc.

GEO-Job GIS Consulting

J.R. Wauford & Co. Consulting Engineers

Kennerly, Montgomery & Finley, P.C.

Local Govt. Corporation

McGill Associates, P.A.

Pavement Restorations, Inc.

Republic Services

SIC Project Management

Sophicity

Third Rock Consultants

Thompson Engineering, Inc.

TLM Associates, Inc.

Utility Service Co., Inc.

Waste Connections of Tennessee Inc.

Waste Industries USA, Inc.

State's first healthy watershed initiative completed in Jackson



Jackson celebrates the first project completed under the Tennessee Healthy Watershed Initiative. Pictured are: David Blackwood, West TN River Basin Authority Engineer; State Rep. Jimmy Eldridge; Jackson County Mayor Jimmy Harris; TDEC Commissioner Bob Martineau; Jackson Mayor Jerry Gist; State Rep. Johnny Shaw; TDEC Deputy Commissioner Shari Meghreblian; David Salyers, West Tennessee River Basin Authority Executive Director; and TN Dept of Agriculture Deputy Commissioner Jai Templeton.

A restoration campaign in Jackson to take a small tributary of Cane Creek from a channelized stream to an engineered, meandering stream is the inaugural project from the Tennessee Healthy Watershed Initiative. The restoration combines several new approaches to managing stormwater, improving water quality, enhancing wildlife habitat and viewing, and providing educational opportunities for the local community.

The project is designed to reduce flooding in the Bemis area centered on a tributary of the Forked Deer River called Cane Creek. The tributary has been a flood hazard to the area for the past 100 years. Work included the reforestation of two acres of floodplain area, the restoration of one acre of wetland, the improvement of 1,200 feet of channelized habitat, removal of de-

bris, creation of a walking trail for residents and the building of improved and new drainage areas for streets in Bemis. The wetlands and basins created will allow excess water to soak into the ground allowing pollutants to be filtered out by vegetation, providing improvement in the quality of water for recreational purposes.

Prior to restoration, the site had a history of flooding after rainstorms, largely because its streams had been channelized (i.e., dredged and straightened). The site now features an innovatively engineered meandering stream, stormwater detention (including a restored wetland), and a newly planted stream-bank habitat.

The social and economic benefits of restoring streams and buffers by eliminating channelization in-

clude less flooding, lower maintenance costs, and increased property values. Stream restoration also improves water quality for recreational purposes, stabilizes stream banks, and helps remove excess sediment from the stream.

The restoration project was made possible through the support of the Tennessee Healthy Watershed Initiative, formed in August 2011 by the four signatory organizations that comprise its Executive Committee: the Tennessee Department of Environment and Conservation (TDEC), The Nature Conservancy (TNC), the Tennessee Valley Authority (TVA), and the West Tennessee River Basin Authority (WTRBA).

This is the first project of the Initiative. It is expected that there will be many more to come throughout the state.

NATIONAL BRIEFS

U.S. cities have become increasingly segregated by income since 1980, the Pew Research Center reports. According to Reuters, this rising segregation is seen in 27 of the 30 biggest metropolitan areas and stems from the long-term increase in U.S. income inequality, Pew said in its study of Census data. Residential segregation by income is less widespread than segregation by race, even though U.S. black-white segregation has been falling for decades, the report said. The analysis shows that 28 percent of lower-income households in 2010 were in a mostly lower-income neighborhood, up from 23 percent in 1980. Eighteen percent of upper-income households were in a majority upper-income census tract, twice the level in 1980. Rising income inequality "has led to a shrinkage in the share of neighborhoods across the United States that are predominantly middle class or mixed income," wrote the report's authors. The share of neighborhoods that are middle class fell to 76 percent in 2010 from 85 percent in 1980. Most of the metropolitan areas showing the greatest increase in segregation have seen significant popu-

lation growth as people moved in.

Prisoners released in 2009 served an average of nine additional months in custody, or 36 percent longer, than offenders released in 1990, according to a report released by the Pew Center on the States' Public Safety Performance Project. The study found that for offenders released from their original sentence in 2009 alone, the additional time behind bars cost states \$23,300 per offender, or a total of more than \$10 billion, more than half of which was for non-violent offenders. The report, Time Served: The High Cost, Low Return of Longer Prison Terms, also found that time served for drug offenses and violent offenses grew at nearly the same pace from 1990 to 2009. Drug offenders served 36 percent longer in 2009 than those released in 1990, while violent offenders served 37 percent longer. Time served for inmates convicted of property crimes increased by 24 percent. Though almost all states increased length of stay over the last two decades, the overall change varied widely be-

tween states. Among 35 reporting states representing nearly 90 percent of 2009 prison releases, time served rose most rapidly in Florida, where terms grew by 166 percent and cost an extra \$1.4 billion in 2009.

The postal service, reeling from its failure to make a \$5.5 billion payment toward employee benefits, continue to move ahead with plans to cut hours at more than 13,000 rural post offices. Officials have said they also do not have the cash to make a second payment, due in September. The proposed reductions are poised to strike the deepest blows in rural areas, many lacking broadband Internet and reliable cell phone service. A *USA Today* analysis shows the cuts will strike a line through Appalachia. The proposed cuts affect more than 42 percent of the Postal Service's nearly 31,000 offices and branches. Last year, the service proposed closing 3,700 post offices. The service said the cuts are needed to match customer use and to save \$500 million a year. The Postal Service's net loss was \$5.1 billion in 2011. All changes are expected to be made by September 2014.

No loan is too large or too small



The city of Dyersburg closed a \$4.5 million loan to use on various municipal projects.



The town of Cumberland Gap closed a \$5,000 Highway Safety Grant Anticipation Note.



See us for your special projects needs. (615) 255-1561

**Sept. 1: Bristol**
TriCities Bacon Fest

151 Speedway Blvd. Hog calling competition, recipe challenge, bacon stations, music stage, arts & crafts and much more. For more information, visit the website <http://tricitiebaconfest.com/> or call 423-434-2005.

Sept. 1-2: Franklin
23rd Annual Jazz Festival

Held at The Factory at Franklin inside Liberty Hall and the Music Marketplace located in Jameson Hall. Headliners include: Tom Hemby and The Tim and Myles Thompson Quartet. Blues Writers Showcase. Street parking around the perimeter of the festival available on a first come first serve basis. For more information, visit http://www.franklinjazzfestival.com/fr_home.cfm

Sept. 3: Harrogate
Annual Labor Day Celebration

Harrogate City Park at 3 pm with kids' games, live bands, food, crafts and business fair. Spectacular fireworks display at 9 pm. **Rain Date: Sept. 8.** For more information, call Harrogate City Hall at 423-869-0211.

Sept. 7-16: Nashville
The Tennessee State Fair

Held at the Tennessee State Fairgrounds, 500 Wedgewood Ave. For more information, call 615-852-8980. For a complete schedule, visit <http://www.tnstatefair.org/>.

Sept. 7-9: Eagleville
25th Annual Tennessee Pioneer Power Days

Hay bailers and thrashers, Tractor Slow Rac, vintage tractors, Antique Tractor Pull, kid's Pedal Tractor Race and Pull, Women's Skillet Toss. For more information, contact Jesse Geasley at 615-542-5656 or e-mail jessegeasley@yahoo.com.

Sept. 14-15: Adams
Old Time Bluegrass Contest

Bell School grounds, 10 miles north of Springfield on Hwy 41. Registration begins Fri. at 4 pm. Shade tree picking, food, vendors, campsites. Contests for all experience levels: bluegrass bands, fiddle, harmonica, banjo, fiddle, mandolin, flatpick guitar, clogging and more. For more information, call Marlin at 615-390-6754.

Sept. 14-16: LaVergne
Old Timers Festival

Carnival, food, artisans, and free entertainment along with a parade at 10 am Sat. For more information, visit www.oldtimersfestival.com

Sept. 29: Thompson's Station
Fall Festival

Thompson's Station Park, 1513 Thompson's Station Rd. West, from 9am-5pm. Free family fun, arts & crafts, food, kids games, live music, a chili cook-off and more. For more information, call 615-794-4333 or e-mail thompsons-station.com.



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.

BENEFITS OPERATIONS MANAGER

MEMPHIS. The city is seeking qualified applicants for the position of Benefits Operations Manager. The position works under the general supervision of the Benefits Officer. Provides supervision to professional and support staff to ensure accomplishment of city benefit projects and processes through coordination with the human resource business partners. Manages the day-to-day administration of employee benefits/call center operations and interprets plan provisions and requirements. Resolves administration and policy issues and questions. Coordinates activities with vendors, active employees, retirees, and COBRA participants. Assists in analyzing and implementing benefit program trends. Identifies, designs, and proposes best practices and competitive benefit programs to support organizational strategies and associate needs. Assists in analyzing and implementation of cost and utilization data and recommends changes to achieve cost containment goals. Manages timely and accurate enrollment of new hires, qualifying events, terms, and data transmission to third parties. Leads all aspects of the annual open enrollment process including preparing communication material. Works with internal and external resources to identify optimal media and creating specific and accurate plan materials. Advises Benefits Officer and the leadership team on interpretation of plan provisions. Serves as liaison with internal clients and external vendors on benefit topics or employee issues. Participates in the budget preparation and budget management process. Maintains a high level of proficiency and knowledge of benefits and vendor systems, including the Benefit Enrollment System. Identifies and reports operational problems and sees them through to resolution. Reviews service center audits for call center, pension and other related projects. Minimum qualifications a bachelor's degree in Business or Public Administration or a related field and seven (7) years of professional experience in Human Resources to include experience in benefits design and administration with three (3) of the seven (7) years in a supervisory capacity; or any combination of experience and training which enables one to perform the essential job functions. Specific experience in managing the operations of a call center preferred. Certified Associate Benefit Specialist (CEBS) certification, Certified Benefits Professional or Professional in Human Resources (PHR) certification is preferred. Working knowledge of Excel, Word, PowerPoint and Oracle is preferred. Proof of education required. Annual Salary: \$64,616.01 - \$94,502.44; Bi-weekly: \$2,485.23 - \$3,634.71 Human Resources/Benefits J.O. #12-080. To view the complete online job description, visit: <https://ebusiness.memphistn.gov>.

CITY MANAGER

MILLINGTON. The city is seeking a new City Manager. Positions that report directly to the city manager include the directors of: Arts, Recreation & Parks, Office of Planning and Economic Development, Public Works, Finance and Personnel along with the Police and Fire Chiefs. This position is responsible to an eight member board of mayor and aldermen. The successful candidate should have a bachelor's degree in public administration, finance, or a related field and a minimum of five (5) years of senior administrative level experience in local government. A Certified Public Manager and/or ICMA Credentialed Manager are preferred. This position requires strong supervisory, budgeting, and communication skills. Interested individuals may view the full job description at the city's website: <http://www.cityofmillington.org/job.aspx>. Letters of application, salary requirements, resumes, and three professional references with contact information should be sent to: City of Millington, Attention: Personnel Director, 7930 Nelson Road, Millington, TN 38053. Position will remain open until filled, with priority to those resumes received by Sept. 28, 2012.

COURT/OFFICE CLERK

MILLERSVILLE. The city is accepting applications for a full-time court/office clerk. This is a front office position involving a variety of duties such as processing tickets, taking payments, preparing dockets, and filing all court-related paperwork with the state. Must work city traffic court two evenings a month, and safety school one evening a month. Seeking someone who is personable, detail-oriented, multi-tasked, and computer literate. Benefit package includes paid vacation, holidays, state retirement, and health insurance. Pay range \$11 to \$12/hr depending on skills and work history. Must apply in person M-F from 9-5 at: Millersville City Hall, 1246 Louisville Highway, Millersville, TN 37072. EOE.

ECONOMIC & COMMUNITY DEVELOPMENT DIRECTOR

CHEATHAM COUNTY. The Joint Economic and Community Development

Board of Cheatham County is accepting applications for the position of Director of Economic and Community Development. This full-time position reports to the county mayor and is responsible for the recruitment of new businesses to the county, as well as assisting existing industries with expansion projects. The full job description and application, along with instructions for applying can be found at: www.cheathamconnect.com. EOE.

HUMAN RESOURCE DIRECTOR

GREENEVILLE. HR Director oversees all facets of the town's personnel matters: recruiting, hiring, training, employee benefits, employee disciplinary oversight, and risk management. Will interface with all departments (225 employees) and will act as liaison with several external agencies. Desire proven teamwork skills that strengthen organizational development. Minimum 4-year college degree in HR, business, public administration or related field. Master's preferred. At least 4 years experience in HR, govt. experience preferred. Send resume to City Administrator Todd Smith, 200 N. College St., Greenville, TN, 37745. 423-639-7105.

HUMAN RESOURCES MANAGER

PORTLAND. The city is seeking qualified applicants for the position of Human Resources Manager. Currently the position reports directly to the mayor. This position has responsibility for the daily administration of the city's Human Resources programs, policies and procedures ensuring compliance with all applicable laws and/or regulations. The position coordinates and administers any combination of the following: benefits administration, payroll administration, worker's compensation administration, recruitment and selection processes, safety and wellness, insurance, training and development. The Human Resources Manager will be knowledgeable of federal laws affecting public sector entities, and certain portions of the Tennessee Code Annotated. Must have the ability to effectively communicate both orally and in writing; develop and conduct effective training programs; and develop and manage a budget. This position requires a bachelor's degree in Personnel/Human Resources, Business Administration, or a related field, and at least three years of experience as a human resources generalist. Salary: DOQ; comprehensive benefit package including the city retirement plan. Applications will be accepted until Sept. 7, 2012. A background investigation and pre-employment physical will be required. EOE/DRUG FREE WORKPLACE Submit a letter of interest, current resume with salary history and at least three professional references to: UT - MTAS, attn.: Portland Human Resources Manager; 226 Capitol Blvd. Suite 606, Nashville, TN 37219

Courts differ on police use of DNA

DNA from Page 1

tional DNA database managed by the FBI.

Supporters of arrestee DNA point to its successes—as of June 30, 2012, Virginia arrestee DNA samples have matched forensic evidence in 755 open cases since the state started collecting arrestee DNA in 2003. Since New Mexico began taking arrestee DNA in 2007, evidence from 200 cold cases has been matched to felony arrestee DNA.

For New Mexico residents Jayann and Dave Sepich, it was a DNA match that identified and convicted their daughter Katie's killer almost five years after her death in 2002. The Sepich family now advocates for arrestee DNA statutes across the country. "We learned the power DNA has," says Jayann Sepich, "not just to solve crimes but to prevent crimes, and the trauma and the pain they bring."

But many share the concerns of the Maryland Court of Appeals that collecting DNA from arrestees violates their Fourth Amendment right to be free from unreasonable search and seizure and deprives them of their presumption of innocence. The National Association of Criminal Defense Lawyers wrote in 2008 that collecting arrestee DNA "flouts the presumption of innocence, misallocates resources, and greatly expands the potential for discrimination."

Beyond Fourth Amendment concerns, the overall effectiveness of collecting DNA from arrestees has come into question. In the King case, defense attorneys pointed out that of the 10,666 samples that the state of Maryland took in 2011, only 19 led to an arrest, and only nine of those arrested were actually convicted.

"A program of warrantless collection and search of DNA," King's lawyers wrote in their filing before Chief Justice Roberts, "where 99.82 percent of the persons subjected to mandatory collection of their genetic blueprint are not arrested as a result of the search represents a substantial public interest in upholding Fourth Amendment protections that greatly outweighs the State's claim of harm."

Also controversial are the lack of uniform policies for what happens to a sample if an arrestee is not ultimately charged or convicted, explains Sara Katsanis, a researcher at Duke University's Institute for Genome Sciences and Policy. "Most states have not offered automatic

mandatory expungement of DNA samples," Katsanis says, but rather put the onus on the people arrested to have their DNA removed from the databases. As of September 2011, only eight states provided automatic expungement of a DNA sample if the arrestee was not convicted. The other 17 states and the federal government provided DNA expungement only upon request.

Additionally, Katsanis says, as the number of arrestee samples has increased, the increased volume of work for crime labs means that processing other crime scene evidence often gets put on the back burner. As Stateline has previously reported, increased demand for DNA samples from both arrestees and convicted offenders have exacerbated DNA backlogs, often leaving other crime scene evidence untouched. If the Supreme Court rules that taking DNA from arrestees is constitutional, more states will undoubtedly create arrestee DNA statutes, taxing crime labs further.

DNA growing in importance

One state that relies heavily on arrestee DNA is Colorado. There, Denver District Attorney Mitchell Morrissey asserts, processing arrestee samples goes quickly and helps greatly to solve violent crimes. "The majority of crimes that DNA helps us solve are against women and children," says Morrissey, who has been a pioneer in prosecuting cases using DNA evidence, "and the sooner you get (the offender's) DNA in the system, the sooner you're able to get the criminals off the streets."

In a study conducted by Morrissey's office, five criminals active in the 1990s were found to have committed 52 violent crimes, including three murders and 19 sexual assaults, all of which, Morrissey claims, could have been prevented if the state had an arrestee DNA statute during that time.

Whether or not the Supreme Court grants a hearing in Maryland's case, DNA will continue to be a fixture in modern criminal justice. Some law enforcement agencies are hoping to make it the primary form of identification in investigations, rather than relying on names, fingerprints or appearance, which can all be altered over time. "People change names," says Morrissey, "fingerprints are smeared, people look different, but your DNA can't change."



Sept. 13 - 14: Joint Annual Meeting of the American Council of Engineering Companies of Tennessee (ACEC), the Tennessee Society of Professional Engineers (TSPE), and the Tennessee Section of the American Society of Civil Engineers, Embassy Suites Murfreesboro, 1200 Conference Center Blvd. Speakers include TDEC Commissioner Bob Martineau, and David Scobey, chairman of the Board of Trustees at Lipscomb University.

Sept. 19-21: Certified Municipal Clerk Institute and Master Municipal Clerk Academy, Embassy Suites Murfreesboro, 1200 Conference Center Blvd. To register, visit <http://www.mtas.tennessee.edu/Training/TAMCAR/TAMCARfall2012.pdf>. For information regarding the program, contact Dana Deem, TAMCAR Institute Director and MTAS Management Consultant, at 615-532-2588 or e-mail at dana.deem@tennessee.edu.

Sept. 26-28: 2012 Sustainable Conference: Sustaining Tennessee's Future held at Montgomery Bell State park, 1000 Hotel Ave., Burns, TN. Sponsors include AiRES Energy, TDEC, TN Renewable Energy & Economic Development Council. Keynote speaker Paul Carter, Director of Agronomy, Tennessee State Parks. Learn about TDEC's Vision, Sustainability Outlook in East, West and Middle Tennessee, network with exhibitors. Hear amazing success stories: *Planting Trees and Honoring Heroes*, Alan Sparkman, Tennessee Concrete Association; *Strata-G Sustainability Outreach*, Jeannette Widman, Strata G; *Increase in Allowable Process Rinse Water Conductivity: A Sustainability Success Story*, Ted Wilkinson, Triumph Aerostructures-Vought Aircraft Division. To register, visit <http://events.r20.constantcontact.com/register/event?ocid=a07e64jfvn29bafcd1&llr=6p8lj9gab> For more information, call Christina Treglia, TDEC Office of Sustainable Practices, by email at christina.treglia@tn.gov or by phone at 615-532-9271.

Oct. 7-10: ICMA 98th Annual Conference in Phoenix/Maricopa County, AZ. Daily keynote sessions, educational and Solutions Track sessions, roundtable discussions, ICMA University workshops and forums, field demonstrations, and numerous demonstrations of technology applications. Hear about the innovative ideas and practical strategies you need to deal with the challenges facing local governments today. For more information, visit http://transformgov.org/en/CalendarEvent/100450/ICMA_Annual_Conference.

Save the Date: Dec. 11: Governing Summit on Healthy Living: Policy, Innovation, Collaboration. Held at Atlanta's Botanical Garden. Attendees will be called on to shape current strategic plans and projects under consideration along with the barriers and problems for implementation in their jurisdictions. The agenda focuses on the four pillars for healthy living. Speakers include Nashville Mayor Karl Dean. For more information, contact Katie Blaney, registration coordinator, at 916-932-1300 ext. 1305 or e-mail kblaney@governing.com

TENNESSEE MUNICIPAL LEAGUE STAFF

Margaret Mahery, Executive Director
Chad Jenkins, Deputy Director
Mark Barrett, Legislative Research Analyst
Carole Graves, Communications Director & Editor, *Tennessee Town & City*
John Holloway, Government Relations
Debbie Kluth, Director of Marketing / Member Services
Kevin Krushenski, Legislative Research Analyst
Mona Lawrence, Administrative Assistant
Denise Paige, Government Relations
Victoria South, Communications Coordinator
Sylvia Trice, Director of Conference Planning

TENNESSEE TOWN & CITY

(ISSN. No. 0040-3415) Publication No. 539420
— Official publication of the Tennessee Municipal League. **Publisher:** Margaret Mahery (mmahery@TML1.org); **Editor:** Carole Graves (cgraves@TML1.org); **Phone:** 615-255-6416. **Advertising:** Publisher reserves the right to reject any advertising deemed unacceptable. Fax classified ads to TT&C: Attention Mona Lawrence at 615-255-4752, or e-mail mlawrence@TML1.org. Fax advertising copy to TT&C: Attention Debbie Kluth at 615-255-4752, or e-mail to dkluth@TML1.org. Opinions expressed by non League officials or staff do not necessarily reflect policies of TML. *Tennessee Town & City* is published, semi-monthly, 20 times per year at 226 Capitol Blvd., Suite 710, Nashville, TN 37219-1894. Periodicals postage paid at Nashville, TN. Subscription rates: \$6 per year to members, \$15 to nonmembers, \$1 a copy. **Postmaster:** Send changes of address to Tennessee Town & City, 226 Capitol Blvd., Suite 710, Nashville, TN 37219-1894.



Metro/Nashville union: a celebration of 50 years

METRO from Page 1

Metropolitan Government for Nashville-Davidson County, the county was unable to provide basic services such as street lighting, sewers and police and fire protection to these outlying communities such as Donelson, Madison and Green Hills. All the while, county residents were enjoying city services like libraries and parks without paying taxes for them and duplication of services was rampant. "There were two of almost everything," Seigenthaler recalls.

When the county health director, John Lentz, told Nashville Mayor Ben West that having both city and county health departments wasn't necessary, West told Lentz to move ahead with a merger, which went smoothly. By 1958, a commission, approved by West, recommended the city and county unite to avoid duplicate services.

"The root of our problem is found in the fact that during the next 25 years, Metropolitan Nashville has outgrown both its city and county governments," said a treatise prepared by both the Nashville and Davidson County planning commissions. Printed in both newspapers *The Banner* and *Tennessean*, "A Plan for Metropolitan Government for Nashville and Davidson County" did little to stop the 1958 referendum from being soundly defeated by the county's voters, not once, but twice, and

black leaders," Cate continued. "I remember during that first administration very few Saturdays passed that the mayor didn't have a meeting in his office to talk about problems involving public accommodations. We had black leaders in the council who wanted to work these things through. We got along well; but in the community, tensions were very high."

"Race had absolutely no difference on the council," Tuck adds. "We all worked together."

A 2002 Policy Research Institute Report notes that a study of the results of the consolidation, completed after the first 10 years of the union between Metro/Davidson County, indicates an improvement for Nashville. "It was better off financially due to the diversified revenues received from such sources as a larger tax base, a local sales tax, and an automobile regulatory fee," the report said.

Additionally, education, under the metropolitan form of government, was perceived as a success because it equalized teachers' salaries, equalized educational opportunities across the county, and eliminated competition between city and county systems, the report adds.

"With the merger of both city-county government, we became one school system but it came at a period when the Supreme Court had mandated desegregation laws," said Black.

"The city, under the metropolitan form of government, took the easiest route without causing a problem, one year at a time. After the sixth year, they integrated all the schools and it worked out real well for the public school system."

The newly merged police department and sheriff's department saw much improvement in economic sav-

ings, service levels, and equipment, according to the consolidation study. There were additional improvements in the uniformity of procedures, records, and communications.

Service levels were increased by the fire department, and water and sewage services were combined and expanded. Finally, planning, zoning and all related building codes were applied countywide. The greater uniformity and higher quality of services were found to be a benefit to the community.

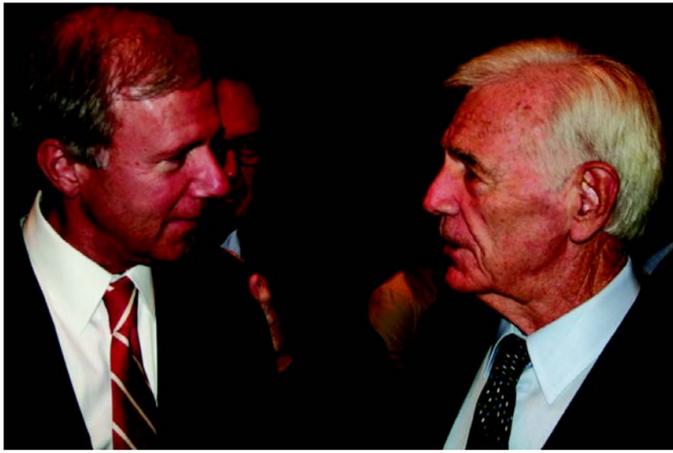
"Metro's biggest strengths has been its nonpartisan government," said Seigenthaler. "Party politics is virtually removed from Metro politics."

In his recognition of Fulton, Seigenthaler credited the new government's second mayor as a pioneer of downtown revitalization with the development of Nashville's riverfront. "Dick Fulton brought to this community an understanding that no city can be a great city without a total commitment to its downtown area," said Seigenthaler. "Great cities are built around great downtown areas. And with that, Dick Fulton began to build the foundation in which Karl Dean leads us today in a new direction with new progress in prosperity."



Photos by Victoria South

John Seigenthaler, founder of the First Amendment Center and former editor of *The Tennessean*, and current Nashville Mayor Karl Dean appear at a panel discussion about the challenges and opportunities associated with the newly consolidated government.



Former Mayor Bill Purcell chats with former Mayor Richard Fulton, who was honored at the John Seigenthaler Center as the second mayor to serve under Metro's consolidated form of government.

West subsequently withdrew his support. The matter was equally complicated by the burgeoning civil unrest of the times.

"During this period, the black community felt adamant that the white community was stripping blacks of their political power from inside the city limits," said panelist Melvin Black, a former Metro school teacher who served two council terms in 1995 and 1999. "That proved to be a false impression," Black added.

According to Bucy, West's new plan, annexation, only proved to alienate some residents. The two controversial annexation ordinances, a wheel tax and green sticker law, requiring citizens who lived outside the city limits and regularly drove into town to pay a user tax, would eventually fund greater services, West said. Instead, it ignited outrage among newly annexed residents, who were concerned they'd be shorted on new services.

"I think what really sold it was when Mayor West annexed Murfreesboro Road all the way to the airport from the city limits and the people didn't have a say so about being brought into the government," Jenkins offered. "I think the news media jumped on that and it helped sell the idea of Metro."

"The fear of God," pronounced moderator Betty Nixon. "Well... the fear of Ben West," Jenkins replied, setting off a roar of laughter across the auditorium.

In any case, a 1962 merger referendum was approved by citizens in both jurisdictions. West, in his 1963 contest with Judge Beverly Briley, lost re-election as mayor of the new metropolitan government. Briley, who was an ardent supporter of the consolidated government, was elected in November and the metropolitan government was implemented on April 1, 1963.

"Mayor Briley was the founding mayor of this joined government," said Seigenthaler. "We've reviewed how tough it was for him to put together a government," as the panel conceded none had prior public office experience before joining the newly formed council.

"Of that group of council members, many of them were new to local government," Cate said. "But they were dedicated and committed and gradually began to know each other." The challenges of Metro Nashville's consolidated government included zoning, planning, police protection, a change in Nashville's liquor-by-the-drink laws, and the new metropolitan school system. According to Cate, between April 1 and June 29, the new council worked through Mayor Briley's budget. "After three months, we had the first budget and tax rate for metropolitan government," he said. "One of the first confirmations we had to give was the mayor's appointments to the planning commission. It was extremely important. The relationship between the planning commission and the council was always a matter of some tension."

The inaugural group included black leadership as well as one woman. Included among them was internationally known Z. Alexander Looby, a lawyer active in the civil rights movement.

"I give credit to Mayor Briley and some of the business community for our outstanding



A panel that included the first Metro vice mayor and two inaugural council members, discuss the early days of consolidated government. Pictured left to right are: Judge Richard Jenkins, elected in 1962 representing District 13; Melvin Black, a former teacher with Metro Nashville Public Schools serving two council terms in 1995 and 1999; and George Cate, Metro Nashville's first vice mayor.



Betty Nixon, a former Metro Council member and the first major female candidate to run for mayor of Nashville, served as moderator for the panel. She is flanked by panel participant Jim Tuck, one of Metro's first council members elected in 1962 and representing District 34. Tuck was re-elected in 1966 and 1971.

For other resources about the merger of Metro-Nashville, visit the Nashville Library's digital library to hear recorded interviews about metro's consolidation, at <http://digital.library.nashville.org/cdm/singleitem/collection/nr/id/1271/rec/8>

Resource Books include:

- Booth, David A. *Metropolitics: The Nashville Consolidation*. East Lansing: Michigan State University, 1963.
- Bucy, Carole S., ed. *Your Metropolitan Government of Nashville and Davidson County. Nashville: The League of Women Voters of Nashville, 1990.*
- Coomer, James C., Charlie B. Tyer. *Nashville Metropolitan Government, the First Decade*. Knoxville: University of Tennessee Press, 1985.

Metro Nashville's post consolidation mayors



Beverly Briley (1963-1975)

Richard Fulton (1975-1987)

Bill Boner (1987-1991)

Phil Bredesen (1991-1999)

Bill Purcell (1999-2007)

"We've had just five mayors since Metro began way back in 1963," Pat Nolan, senior vice president of DVL Public Relations told the *Capitol Review* in a 2007 interview. Nolan serves as a committee chair for Metro Nashville's 50th Anniversary Celebration. "We've never had an incumbent mayor defeated for re-election and only one has served less than two full terms," Nolan said. "If that's not stability over nearly a half-century of local politics, I don't know what is."

The following are just a few accomplishments of Metro Nashville's former mayors:

Briley—A champion of metropolitan government; took a fairly progressive position on the Civil Rights Movement; readily cooperated with black leaders and is generally credited with

helping smooth the transition away from racial segregation in Nashville.

Fulton—Construction of the Nashville Convention Center in downtown during the mid-1980s; placed women in management positions in his administration; revitalized portions of downtown and the Riverfront Park.

Boner—Prioritizing public safety, building the Juvenile Justice Center and expanded air service by constructing a major new airway.

Bredesen—Added more than 440 new teachers, built 32 new schools and renovated 43 others; The NFL's Houston Oilers (Tennessee Titans) were brought to Nashville and furnished with a new stadium; the NHL awarded Nashville its first of four new expansion franchises as the Nashville

Predators; a new arena was built; and a new downtown was built as a cornerstone of major improvements to the entire library system.

Purcell—Named "Public Official of the Year in 2006 by *Governing Magazine*; the development and preservation of more than 26,000 affordable housing units, included affordable units, and expanded greenways in the city; boosted education funding by \$150 million and switched to budgeting for school capital needs on an annual basis enabled in part by property tax increases in 2001 and 2005. Implemented a series of performance audits after taking office shaking a culture of courthouse cronyism leading to tens of millions in savings; replaced the city's outdated convention center; renovation of the city courthouse and construction of a new minor league baseball stadium.