

Members updated on legislative issues

BY CAROLE GRAVES
& VICTORIA SOUTH

The state's financial situation, American Recovery Act funds, red light cameras, "green" industries, and changes in the business tax collections were among the many topics discussed during the Tennessee Municipal League's Annual Legislative Conference.

Held March 8 – 9 in Nashville, the two-day conference provided an excellent forum for city officials to interact with their legislators and to be updated on the many legislative issues currently being addressed by the Tennessee General Assembly.

John Morgan

The state is facing challenges in the world of government finance that it hasn't faced in 70 years, if ever, according to Deputy Governor John Morgan. Presenting a financial growth chart of revenues and expenditures since 1978, Morgan pointed out a year of good sustained growth with a curve of state tax finance expenditures relative to the economy.

"What most people do not understand is in order to keep these lines fairly close together, it takes specific rate increases," Morgan said. "It is the reality of the way our fiscal system of financial government works." Morgan pointed out that Tennessee has always been regarded as a low tax state, yet the



Photo by Victoria South

Tom Allen, Collierville alderman, (left) and Margaret Mahery, TML executive director, help welcome Lt. Gov. Ron Ramsey.

footprint of state government is shrinking.

"Will the state be able to provide services following a 21 percent cut of state dollars from the budget? Yes, but at a significantly reduced rate and citizens will come to you and the county to help fill in the gaps," Morgan said.

He emphasized that in the future, governments will need to work aggressively to do more with less. Morgan lauded Gov. Bredesen's

education initiatives as his final term comes to a close, including the Race to the Top application for a \$5.1 million grant, education reform and the American Diploma Project.

"Even a high school diploma is not a guaranteed means to enter the work place," Morgan said. "Sixty to 70 percent of jobs within the next 20 years will require some post-secondary credentials."

David Goetz, commissioner of See **ISSUES** on Page 3

AG says bill regulating vendor traffic camera contracts is constitutional

BY JOSH JONES
MTAS Legal Consultant

Numerous bills have been introduced in the General Assembly this year to amend some aspect of the law governing traffic surveillance cameras.

In fact, the subject has generated so much interest that a working committee has been appointed to look at the introduced legislation and make recommendations.

A recent amendment to one of these bills, Senate Bill 952, hopes to require every contract between a governmental agency and a vendor of traffic surveillance cameras to contain a clause agreeing to incorporate any subsequent statutory changes to T.C.A. § 55-8-198 into the contract. The Attorney General addressed the legality of this proposal in Opinion No. 10-14, stating that such a law could be constitutional as long as the resulting contract changes were reasonable.

Both the federal constitution and the Tennessee state constitu-



tion contain a contract clause prohibiting legislation that impairs a party's ability to contract. U.S. Const. art. I, § 10, cl. 1; Tenn. Const. art. II, § 20. The Tennessee Supreme Court has stated that the meaning of these two clauses is identical. *First Utility District of Carter County v. Clark*, 834 S.W.2d 283, 287 (Tenn. 1992); *Paine v. Fox*, 172 Tenn. 290, 112 S.W.2d 1 (Tenn. 1938). Generally, the law as it exists at the time of a contract's execution becomes a part of the contract. The state and federal contract clauses prohibit See **CAMERAS** on Page 6

Kingsport Complete Count Committee reaches out to community to ensure accurate census

BY TIM WHALEY
Kingsport Community & Government Relations Director

Kingsport's Complete Count Committee and similar committees around the country are nearing the finishing line on an outreach campaign to ensure each and every citizen is counted in their community during the Decennial Census.

"It's tough because in our electronic society today, we are taught to be so cautious with our personal information because we're scared to death of identity theft," Assistant City Manager for Development Jeff Fleming said. "And that fear can translate into a very real reluctance to participate in a Census."

"The Kingsport Complete Count Committee is here to reach out to folks through businesses, churches and other faith-based organizations, the housing authority, major industry including Eastman, Domtar and AGC, as well as the Chamber of Commerce. We're here to put a hometown face on this very important effort," said Fleming.

The Decennial Census is actually two counts taken at the same time, the Census of Population that was first held in 1790, with the Census of Housing beginning in 1940 to catalog social and economic conditions.

Unlike years past, the vast majority of households will receive a very short questionnaire.

"This year, it's 10 questions that take 10 minutes or less to complete," Fleming said. "The 10 questions are very simple — names of people living in the house, date of birth, gender, that sort of thing. There are no income questions on the short form."

"There is a long form that a much See **CENSUS** on Page 6



Kingsport Assistant City Manager Jeff Fleming and ETSU MPA Candidate Christian McMullin, who is interning with the city, examine overall participation rates by geographic area.

Recession topples nursery industry

BY VICTORIA SOUTH
TML Communications Coordinator

Business has stopped growing on trees in McMinnville alongside nurseries all over the state and the nation as the sluggish economy continues to wreak havoc on the housing industry. The drop off in the number of houses being built has significantly curbed developers' landscaping needs, hitting historically rich horticultural areas like McMinnville and Warren County hard.

"Our industry is doing about 50 percent less than last year," said Jerry Blankenship, Little Creek Nursery sales manager. A McMinnville fixture since 1976, sales at Little Creek and more than 600 other Warren County nurseries, including Mom & Pop businesses, have plummeted, upsetting a green industry that typically pumps around \$325 million into the local economy.

As most nurseries sell to the wholesale industry and developers across the U.S., Little Creek would load up at least three semis with trees on any normal business day in February. Now, they're lucky if they get one or two. The business had to reduce its number of employees as well.

"The lay off of workers is what's



A sluggish economy has wreaked havoc on the housing industry nationwide and is impacting the number of trees and shrubs purchased by developers for landscaping.

hurting us the most and it rebounds throughout the whole industry," said McMinnville Mayor Dr. Norman Rone. According to Rone, factors such as drought and excess rain in addition to the bleak economy has slashed local economy profits by up to 20 percent a year.

"It's a global problem," Rone continues. "That, coupled with a drought we had in this area, which is highly unusual, hurt our production. And now, nationally, there's this tremendous water problem, which if

it's too muddy, also hurts production."

The impact of the green industry statewide is \$3.9 billion in output and accounts for an estimated 51,000 jobs, according to data from the Tennessee Nursery & Landscape Association (TNLA), which is headquartered in McMinnville.

The green industry is comprised of wholesale nursery and sod growers; landscape architects, designers/builders, contractors and mainte See **NURSERIES** on Page 6

TML Annual Conference June 12 - 15 in Gatlinburg

Make plans now to attend the TML's 71st Annual Conference in Gatlinburg, slated for June 13-15.

The conference will kick off Sunday, June 13, with registration, vendor presentations, and the opening general session followed by the host city reception.

An awards breakfast on Tuesday will conclude the three-day conference.

Workshops and general sessions will focus on key elements that help mold and shape prosperous hometowns during tough economic times.

While in Gatlinburg, be sure to make time to check out the

many attractions the city has to offer. Gatlinburg boasts exciting attractions, quaint shopping, great dining, and an extensive arts and crafts community that appeals to all visitors.

To register for the conference, go to TML's website, at www.TML1.org

Schedule At-A-Glance
Saturday, June 12
7 - 9 pm Welcome Reception

Sunday, June 13
9 am - 5 pm Registration
10:30 - 11 am Feud Game
11-11:45 am Vendor Workshop
12 noon Lunch
12 - 2 pm Ice Cream



While in Gatlinburg be sure to make time to check out all the attractions the city has to offer

1:15 - 2 pm Vendor Workshop
2:15-2:45 pm Feud Game
3 - 3:45 pm. District Meetings
4 - 5:30 pm. General Session
6:30 - 8:30 pm. Host Reception

Monday, June 14
8 - 8:45 am. Breakfast
9- 10 am General Session
10:15-11:15 am Workshops
11:30 -12:15 Annual Meeting
12:30 -1:30 pm Lunch
1:30 - 2:00 pm Door Prizes
2:15 - 3:15 pm Workshops
3:30 - 4:30 pm Workshops
6:30 - 11:00 pm Pool Party

Tuesday - June 15
8:00 - 10:00 am Awards Breakfast

Risk Pool Board declares July renewal year dividend

The Board of Directors of the TML Risk Management Pool announced at its December 2009 Board Meeting that it would be returning a dividend of \$9.7 million for the 2009/2010 fund year.

Executive Vice President Dawn Crawford said she has been pleased and grateful at how well members have been doing controlling their losses. "Our members have consistently outperformed actuarial and underwriting expectations for over a decade. The continued success of the Pool's Dividend program can be directly attributed to the loss control partnership between the Pool and its members."

The Pool has long stressed the importance of the partnership it has with each of its members. It is that relationship that allows risk management to be so effective.

Dividends have been given in the last 13 of 14 years, with an average dividend of \$4.8 million per year. The TML Pool Board of Directors and staff are optimistic for another successful year and would like to thank all of its members for their continued hard work, cooperation, and support. We hope our members continue to take advantage of the loss control, risk management training and other resources the Pool offers.

NEWS
ACROSS
TENNESSEE



BY TML STAFF REPORTS

ATHENS
The Tennessee Local Development Authority (TLDA) has approved a \$650,000 increase in a loan to the city to extend sewer service to a planned industrial park. With the increase, Athens will be receiving a total loan amount of \$4,740,395. The \$650,000 increase was made possible because of savings realized on other projects located elsewhere in the state that came in under bid. Funding for half of the loan amount is granted through the state’s Clean Water State Revolving Fund, with the rest granted from the federal American Recovery and Reinvestment Act (ARRA). In accordance with ARRA guidelines, only 60 percent of the total loan must be repaid. Therefore, Athens will be responsible for repaying all of the state funds, but only one-fifth of the federal money.

CHATTANOOGA
A pioneering new fuel cell technology — born in Silicon Valley and nurtured and tested, in part, at UTC’s SimCenter — could usher in a new approach to how electricity is created and distributed. The “Bloom Box” is developed to make power without any electric wires and with only about half the carbon dioxide emissions of most other electricity generation. By April, a 100-kilowatt Bloom Box will be placed on top of the EPB building in downtown Chattanooga.

CLARKSVILLE
The Clarksville-Montgomery County School System scored high in the annual state report card for Career-Technical Education. In fact, the local district topped state scores. Local CTE students outscored the state in academic attainment in reading, language arts, math, technical skills and graduation rate. The state CTE report used 2008-09 data, which reflects a local enrollment increase of 500 students compared to the previous 2007-08 figure of 7,935.

CLEVELAND
The donation of a nearly 28-acre tract of land in South Cleveland by two local families is considered a big

step forward for the push to bring a veterans nursing home facility to the region. The cost is estimated at \$21 million, with 35 percent coming from local sources and the rest from the U.S. Department of Veterans Affairs.

FRANKLIN
Noranda Aluminum Holding Corp is eliminating 89 jobs hoping to save between \$8 million and \$10 million annually. Company spokespersons said the reductions and associated restructuring will reduce costs and conserve company liquidity. The reduction comes as Noranda made an overall profit, despite continued challenges. The company made \$101.4 million in 2009, compared to a 2008 loss of about \$74 million.

JACKSON
Jackson has been ranked one of the sixth-best places to locate a company, according to a new survey by *Site Selection* Magazine. The magazine ranked Tennessee the fifth-best place to do business, the highest ranking of any Southern state given by the magazine this year. Part of last year’s business occurrences that helped lift Jackson to the sixth-place spot was the announced arrival of Carlisle Tire and Wheel. The company is moving into the former Whirlpool Jackson Dishwashing plant on F.E. Wright Drive and is expected to hire 440 people this year.

JACKSON
As a result of Jackson’s continuing efforts to support healthy lifestyles, the city has received a grant to help accomplish that goal. The National Recreation and Park Association selected Jackson as a recipient for the 2010 Action Communities for Health, Innovation and Environmental Change awards. Jackson was one of 10 cities across the country selected by the park association to receive the \$35,000 grant. A total of 40 communities were chosen as 2010 ACHIEVE sites by national organizations involved in the effort. Sandy MacDiarmid, superintendent of recreation for Jackson’s Recreation and Parks Department, said two successful years of Jumpstart Jackson helped the city secure the grant. She will serve as the grant’s

project manager. The money, which comes from the Centers for Disease Control and Prevention, is appropriated through the National Recreation and Park Association to the recipients and will be used to help create a broader form of community-based partnerships.

JOHNSON CITY
A utility analysis and subsequent decisions to improve building systems have resulted in a cost savings for Millennium Centre. For the 12-month period of February 2009 to January 2010, building retrofits have led to \$35,160 in savings over the previous 12-month period. The greatest savings were seen in electricity and natural gas costs, thanks in large part to a revamped control system. “The control system allows us to use outside air in heating or cooling the building,” said Todd Smith, the city’s business management analyst. “If the air outside is 40 degrees, we will use that cool air to lower the temperature in the building whereas before, we would have to use chilled water.” The system also allows a room’s temperature to be individually controlled. Energy Systems Group, which led the utility analysis and building retrofits, has identified a 23 percent decrease in Millennium Centre’s carbon footprint since July 2009. Millennium Centre staff have been working since 2008 to make the facility a leader in environmentally responsible practices. The Centre also earned JanPak Clean Zone certification last year for implementing “green” cleaning solutions and installing touch-free restroom fixtures.

KINGSTON
The U.S. Rural Development Administration the U.S. Rural Development Administration that it will receive a series of grants and low interest loans for various infrastructure projects which have been planned for several years. The city will receive grants totaling \$879,000 together with two 40-year low interest loans for the remaining \$1,706,000. The Rockwood Water Line Interconnect Project will connect Rockwood, Roane Central Utility District and Kingston with a 16-inch water transmission main which will enable Kingston to purchase water from Rockwood for the next 20 years. Total project cost is estimated to be about \$2,700,000, or about \$2,000,000 less than it would cost to expand the city’s existing water treatment plant. The Gallaher



Officials turned out for a ground-breaking ceremony in Maryville. The \$19 million low-interest bond the city received is the largest single appropriation of American Recovery Act funds in the state and helped put the stalled construction project back on track. Breaking ground on the new Coulter Grove Intermediate School are, from left, U.S. Assistant Treasury Secretary Dan Tangherlini, Tennessee Secretary of State Tre Hargett, Tennessee Department of Education field service director Ron Blaylock, State Sen. Doug Overbey, State Rep. Joe McCord, State Rep. Bob Ramsey, Maryville Mayor Tom Taylor, Maryville City Manager Greg McClain, and Maryville City School Board Chair Christi Sayles.

Road Phase 2 Sewer Project will benefit from a grant of \$322,100 and a 40-year 3.25 percent loan of \$1,292,000. This project will accommodate commercial development in the Gallaher Road Corridor. The Automated Meter Reading Project will replace existing water meters with automated units, thus allowing the city to operate more efficiently with less personnel. The grant on this project is \$142,000 and the low interest loan is \$486,000. Grants on these three projects amount to \$1,433,100. Together with other projects Kingston expects to receive about \$11,000,000 in grant funds this year.

KNOXVILLE
Knoxville’s airport may soon offer a less expensive option for travelers headed to the nation’s capital. The Department of Transportation awarded the Metropolitan Knoxville Airport Authority a \$500,000 grant to help lure a lost-fare airline into opening a route between McGhee Tyson Airport and one of the three major airports in the Washington DC-Baltimore area. The MKAA was one of 84 airport authorities that applied for the Small Community Air Service Development Grant last year. Only 19 of them received it.

LEWISBURG
Will & Baumer Candle Company officially opened the doors to its new candle manufacturing facility in the Lewisburg Business Park February 18 with a grand opening ceremony to celebrate its move from Syracuse, NY, to Lewisburg. Construction for the \$1.3 million project began in July. The 10,000 sq. ft. facility will house six-eight employees in its first year of operation and grow to 13-19 employees by 2012.

MANCHESTER
A ground-breaking was held at the Manchester Wastewater Treatment Facility to celebrate the upgrade and expansion of the facility through a planned operational life to 2030. Funding for this 18-month-long upgrade and expansion is being supplied by joint American Recovery and Reinvestment Act (ARRA) stimulus funding and loan funds from the Tennessee Department of Environment and Conservation State Revolving Loan Fund (SRLF) program. The project is funded with \$7.5 million SRLF monies, and \$5 million of ARRA Stimulus Funding loan forgiveness. The facility upgrade includes an increase in treatment capacity from 3.4 to 4.3 million gallons per day of flow, two new pumping stations, one new clarifier, new ultraviolet disinfection equipment, two new aerobic digesters and sludge pressing equipment, plus new automatic controls and remote monitoring.

MARYVILLE
Breaking ground on the new Coulter

Grove Intermediate School was lauded as a good example of federal stimulus funds at work. The school, which was halted because of the sour economy, is back on track thanks to almost \$19 million in American Recovery and Reinvestment Act funds. The plans were first conceived in 2002. After several years of planning, property was purchased and ground was broken on the school property. Soon afterwards, in November 2008, the project was suspended because of a downturn in the economy. When American Recovery Act dollars became available in the form of low or no interest loans to systems throughout the state, Maryville city council members gave school system officials permission to apply for the funds through the Tennessee School Bond Authority. According to Maryville Mayor Tom Taylor, the \$19 million low-interest bond the city received is the largest single appropriation of American Recovery Act funds in the state.

MT JULIET
The American division of the Taiwanese musical instrument manufacturer KHS will move its corporate headquarters to Mt. Juliet. The company announced it will relocate from its current headquarters in Austin, Texas, to the Wilson County city, building a 100,000-square-foot facility in the Beckwith Farms development along Interstate 40. KHS provides and distributes Jupiter wind instruments, Mapex drums, majestic concert percussion and Altus flutes. Its new facility will provide a central warehouse and distribution point for North American operations.

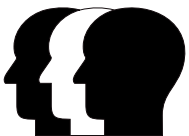
MURFREESBORO
In the first increase in 17 years, green fees at the Veterans Administration golf course will rise by one dollar on May 1, as approved by the Murfreesboro City Council. The director said the course (VA) loses about \$100,000 a year. As the land is federally owned, the city has not been successful in obtaining a long-term lease on the property.

NASHVILLE
The city’s crime rate, the number of crimes per person, fell in 2009 to the lowest level in 31 years as major crimes dropped for the sixth year in a row to the lowest number in 20 years. According to police statistics, the total number of major crimes for 2009 was almost 11 percent less than in 2008. Five of the seven major crime categories declined and while burglaries increased just over 7 percent, there were fewer recorded in 2009 than in 1970.

SPARTA
Tennessee Department of Economic and Community Development Commissioner Matt Kisber, Sparta Mayor Tommy Pedigo and White County Executive Herd Sullivan, along with leadership from the Sparta-White County Chamber of Commerce, took part in ribbon-cutting ceremonies celebrating the grand opening of Norcom of Tennessee’s expanded production facility in Sparta. The 26,000 square-foot expansion represents an investment of \$2 million over three years and is expected to create 30 to 50 new jobs. Norcom of Tennessee is a composite products manufacturer with two core lines: wrecker bodies and bath tubs designed for individuals with mobility challenges. The company began operations in 1990 in Michigan and relocated to Sparta in 1997.



PEOPLE



BY TML STAFF REPORTS

State Rep. **Ben West Jr.** announced that he won’t run for reelection this year. He has served since 1985. The veteran lawmaker missed part of last year’s session because of a heart attack that required double bypass surgery. He’ll turn 69 next month.



West

The Tennessee House passed a resolution, honoring the congressional service of U.S. Rep. **Zach Wamp**. The measure was sponsored by Rep. Gerald McCormick of Chattanooga. The House last month voted to pass a similar resolution to honor U.S. Rep. Bart Gordon, who is retiring after 13 terms.



Wamp

Jackson City Councilman, **Ernest Brooks, II**, was recently re-appointed to serve on the National League of Cities Council for Youth,

Education and Families for 2010. The Council oversees and supports the work of NLC’s Institute for Youth, Education and Families (YEF Institute). NLC launched the Institute in 2002 in recognition of the unique and influential roles that mayors, city council members, and other local leaders can play in strengthening families and improving outcomes for children and youth.

Tennessee Department of Transportation Structures Division Director **Ed Wasserman** and Region Three Director **Winston Gaffron** were recently honored as top engineers in Tennessee by the Middle Tennessee Chapter of the Tennessee Society of Professional Engineers. Wasserman, who has spent 45 years with TDOT including 24 years as the Director of the Structures Division, was awarded the society’s highest honor, “Outstanding Engineer of the Year.” Gaffron, who has worked with TDOT for 37 years, received the “Government Engineer of the Year Award.” The “Outstanding Engineer of the Year” award is the highest honor given to any individual by the TSPE chapter. Winners are selected based on their integrity, reputation and services to the engineering field. The “Govern-

ment Engineer of the Year” award is presented to the top professional engineer working in government service.

Economic and Community Development Commissioner **Matt Kisber** was honored in a resolution presented by the Tennessee Center for Performance Excellence for his efforts to integrate organizational excellence initiatives in Tennessee’s communities through the Criteria for Performance Excellence. Based on the Baldrige National Quality Program, TNCPE is the only organization in the nation to apply the Baldrige Criteria at a municipal level.



Kisber

Memphis Senator **Jim Kyle** has withdrawn from the 2010 Tennessee gubernatorial race vowing he would continue to be an outspoken advocate to promote and define the solutions that answer the state’s most pressing challenges in both higher education and job creation.



Kyle

J.R. Wauford & Company
Consulting Engineers, Inc.
Water and Wastewater Systems

Home Office:
2835 Lebanon Road
P.O. Box 140350
Nashville, TN 37214
(615) 883-3246

www.jrwauford.com

Branch Offices:
Maryville, TN 37804
(865) 984-9638
Jackson, TN 38305
(731) 688-1955



TML members updated on legislative issues from state’s top brass

ISSUES from Page 1

David Goetz

Finance, said it would be 2014 before the state will see the same revenue collections as it enjoyed in 2007. He said that three things had to happen in order to balance the 2010-11 budget: final revenue estimates are approved by the state funding board; the legislature must approve a proposal by the Tennessee Hospital Association to raise \$229.5 million from a 3.5 percent fee on hospitals to offset proposed cuts in TennCare; and the legislature must approve a small tax package that would generate some \$70 million.

Included in the tax package is:

- a proposal to tax cable services, cable boxes, and business telecommunications services, which is estimated to generate some \$50 million;
- a \$2 increase on driver’s licenses – estimated to generate \$9.5 million annually; and
- a “free breakfast tax” that would tax the lodging businesses for the food that they offer as free breakfasts as part of their room rate – estimated to generate \$10 million.

Glen Page

Deputy Commissioner of Revenue, Glen Page, updated the members on the business tax collection process, which was transferred from local governments to the state as a result of legislation passed last May.

Commissioner Page said that despite some growing pains, it is already paying off through a voluntary disclosure program that grants amnesty to those businesses who have been avoiding paying the taxes and by matching records with other state departments.

He said that his department has already collected an additional \$800,000. “And that’s not even exerting a big force of effort,” said Page. “Now that we have a system in place, we can really begin analyzing our records – matching city and county tax records, and identify taxpayers that should be registered and are not.”

One of the main reasons the Department of Revenue pushed for the change, is because of the department’s ability to identify and capture delinquent tax collections.

Revenue began accepting the first business tax returns and payments beginning in February with the Classification 1 returns.

Rep. Phillip Johnson

Rep. Phillip Johnson, a member of the House Transportation Committee, updated city officials on legislation affecting the use of traffic enforcement cameras. Johnson was appointed to lead a working group in the development of a set of standards to regulate the use of traffic cameras by local governments. Standards developed by this committee will be submitted to the full Transportation Committee for consideration

“We’re trying to come up with workable solutions for our local communities that choose to use this type of traffic enforcement,” said Johnson.

Johnson said one of the main reasons he got involved in this issue was that he thought it was important to develop consistent procedures that could be applied statewide.

“A citizen traveling across Tennessee should know what to expect from Memphis, to Knoxville to Johnson City,” he said.

Johnson said that the work of his committee should be completed by next week, but cautioned city officials that there are no guarantees that what his group submits will still be intact when the legislation reaches the House floor.

“There are two dozens bills affecting red light cameras this year,” he said. “I hope this one will encompass everyone’s concerns.”

Justin Wilson

The state comptroller, Justin Wilson, updated the membership on the American Recovery and Reinvestment Act (ARRA) and counseled local governments on the importance of following the reporting requirements established under the act.

Wilson explained that the Office of Tennessee Recovery Act Management (TRAM), established by the Governor to ensure accountability, transparency, and compliance, has issued 12 directives for state and local agencies that receive ARRA grants.

“It is very important that local government become familiar with these directives before applying for or accepting ARRA grants,” said Wilson.

He also discussed the issue of debt and municipal bonds. “Most cities issue debt and there is nothing wrong with that if it is done right,” said Wilson. “But we have had some problems with ‘swaps’ and have issued guidelines for those.”

By request of the comptroller, Tennessee municipalities were asked to provide input on a model debt management policy for local governments. After receiving comments from local governments, Wilson said it was apparent that the cities had raised some legitimate concerns, mainly that “one size doesn’t fit all.”

“And I agree with that,” he said. “It’s not appropriate to apply the same policy to everyone when there are wide differences in resources and needs.”

He instead is reviewing some additional guidelines that will encompass four basic principles:

- 1)if you issue debt – you should know what you are doing;
- 2)make the information available to your citizens – they should be aware that you are issuing debt;
- 3)should hire professionals that are working for you and no one else to ensure that there isn’t a conflict of interest; and
- 4)disclose any fees that are being paid.

The comptroller said that these four principles will serve as a starting point for developing another set of guidelines to be considered and that municipal governments will again have the opportunity to provide input before any further action is taken on a model debt policy.

Lt. Gov. Ramsey

Ramsey also spoke of the state’s financial situation, noting that “It will be tough, but I promise you, we are not going to balance the budget on the backs of local governments.”

Ramsey said that Tennessee has the reputation of being a well-run state, and is not facing some of the huge problems other states are facing such as Michigan, which is closing 17 prisons and sending prisoners home, and Illinois, which is laying off 17,000 teachers.

Ramsey also highlighted the work of the legislature during the Special Session on Education called by Gov. Phil Bredesen in January.

The new laws enacted as a result of the special session helped position the state for federal Race to the Top funds. “Tennessee First to the Top Act of 2010” focuses on student performance and graduation rates at both the high school and college levels. The “Complete College Tennessee Act of 2010,” creates a statewide transfer policy so that any student who earns a two-year degree at a community college can move on to a four-year university as a junior.

“It passed almost unanimously,” Ramsey recalled. “I voted for it because it’s good policy.”

Rep. Steve McDaniel

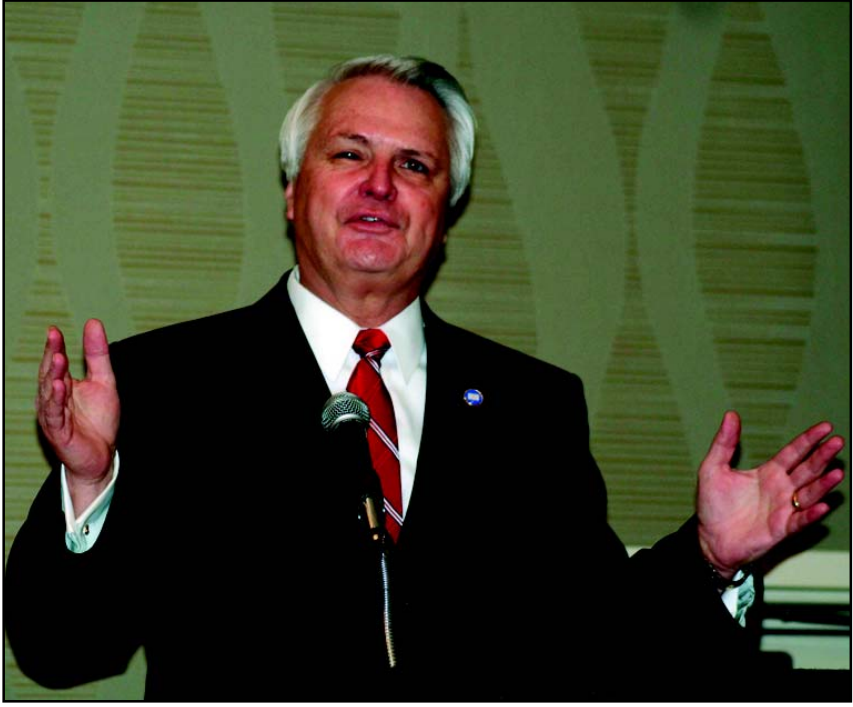
Pointing out the various changes and challenges of this year’s session, Deputy House Speaker Steve McDaniel projected a March 24 completion date for most committees.

“The biggest thing we’re dealing with is the budget,” he said, noting that the Finance Committee, following the state’s budget hearings, plans to reevaluate some of the more serious cases. “We can’t help them all,” he conceded. “We could dip a little deeper into the rainy day fund.”

However, McDaniel emphasized that dipping into the fund is not without pitfalls. “It’s not wise to go much deeper into the rainy day fund than the Governor has already recommended,” he said. McDaniel expressed that in his opinion, it will take years for the state’s economy



Deputy to the Governor John Morgan



Lt. Gov. Ron Ramsey

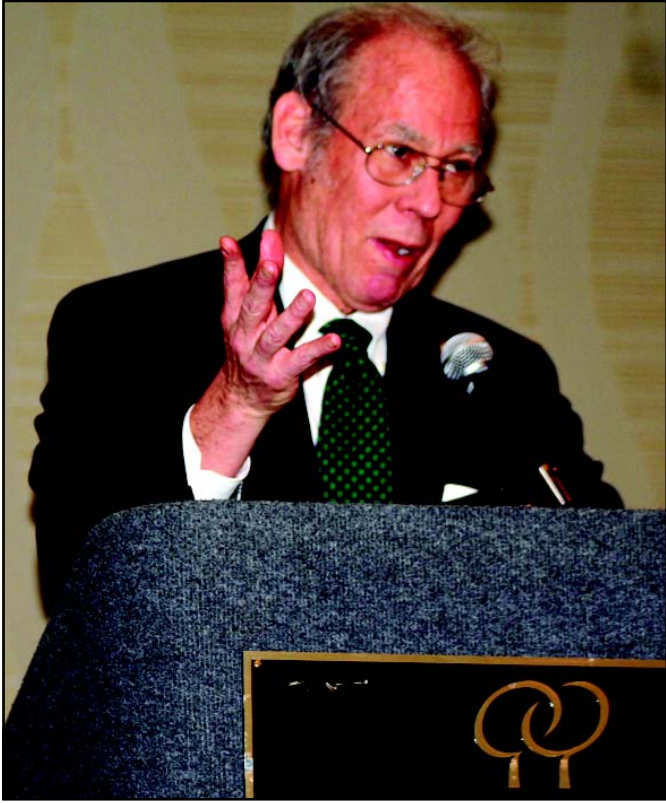
Photos by Victoria South



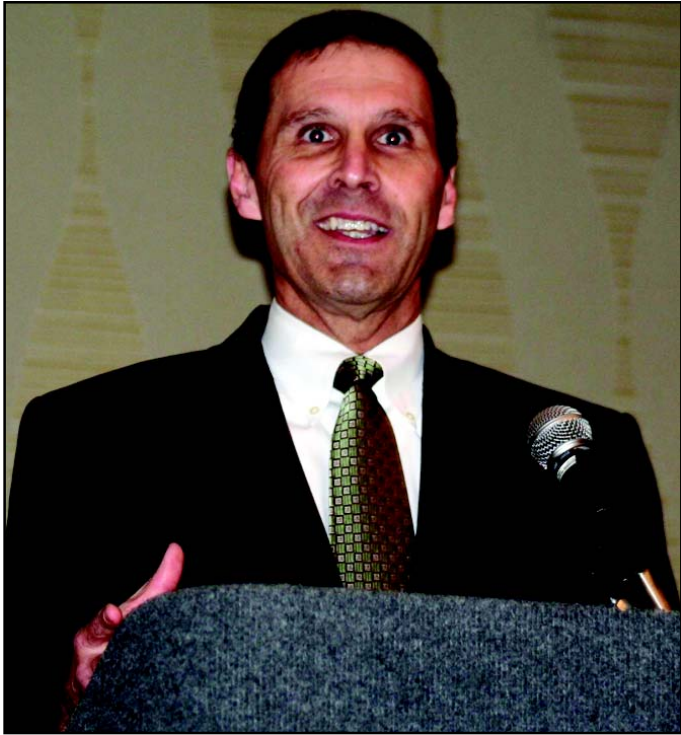
State Finance Commissioner David Goetz



Deputy House Speaker Steve McDaniel



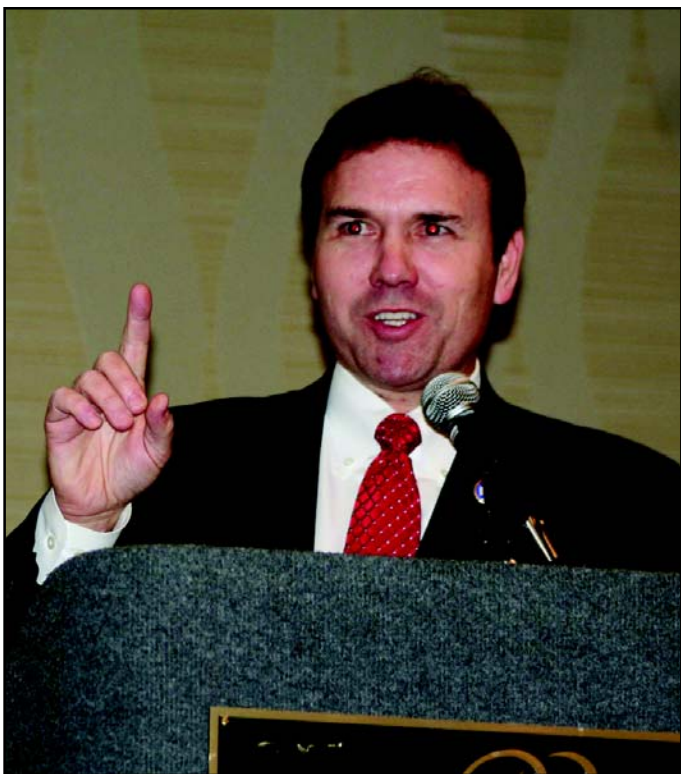
State Comptroller Justin Wilson



Glen Page, Deputy Commissioner of Revenue



Matt Kisber, Commissioner of Economic and Community Development



Rep. Phillip Johnson

to repair itself. “I don’t like services going away from people who really need them,” he said. “But when you don’t have the money, you can’t spend it.”

Matt Kisber

Vision, strategy, differentiating. These are the necessary components leading to unprecedented economic growth opportunities for the people of Tennessee as related by Department of Economic and Community Development Commissioner Matt Kisber.

Noting how the development of the auto industry, primarily Nissan, played a significant role in transitioning the state toward a manufacturing and advanced manufacturing status, Kisber predicted the next one-third of the state’s manufacturing jobs would derive from renewable and sustainable energy sources, solidifying Tennessee’s goal to be a global green industry leader.

“I cannot think of a better time when we’ve been better poised to see Tennessee lead in so many areas,” said Kisber, lauding the state’s Three-Star and Main Street programs for

helping cities identify strengths and weaknesses and providing the necessary tools for cities to function as economic engines. Kisber pointed out that ECD’s partnership with the Tennessee Center for Performance Excellence, and bringing the Baldrige National Quality Program to the municipal level, has caught the eye of national leaders.

Championing the state’s goal for a clear competitive edge, Kisber reminded members that \$29 billion in new capitol investment does not happen by accident but by strategy. “It’s not always the things they ask for in terms of incentives and monetary expenses,” he added, emphasizing differentiation as a magnet for new industry. Kisber cited Chattanooga leaders’ decision to prepare an automotive plant site—before winning over Volkswagon executives—as an example. Kisber stressed the majority of VW’s incentives were in the form of tax credits. “The state on a per capita basis has led the Southeast and has been one of the leaders in growth of our corporate tax collection without raising the rate or expanding the base,” he said.

STATE BRIEFS

BY TML STAFF REPORTS

Another green energy company is coming to Tennessee, but this one doesn't have anything to do with solar power. Hawaii-based ClearFuels Technology has agreed to partner with Hughes Hardwood to develop a biorefinery in Collinwood. ClearFuels will invest approximately \$200 million to develop the facility, which will convert 1,000 tons a day of leftover wood products into diesel or jet fuel. It is expected to produce 16 million gallons of diesel and 4 million gallons naphtha, a hydrocarbon product that can be used in the production of gasoline. It is also expected to produce six to eight megawatts of electricity. The biorefinery is expected to employ 50 people when it opens in late 2013 or early 2014. ClearFuels is expected to break ground in late 2011.

Tennessee is one of 16 finalists for a federal Race to the Top education grant. Twenty-five states applied, but ultimately the number of winners is likely to be in the single digits. US Education Secretary Arne Duncan says all of the states named as finalists scored more than 400 points on the 500 point scale used to judge the applications. He says that means they've all got proposals that have the potential to win millions of dollars. Now it comes down to interviews with state leaders. "We want to find out people's capacity to implement their plans," said Duncan. "Looking people in the eye and sitting down with them and having heart to heart conversations will make me much more confident when we pick the eventual winners." Tennessee has asked for more than \$500 million dollars to do things like intervene at struggling schools, beef up math and science instruction, and help teachers make better use of student test scores.

The Three-Star Program and the Tennessee Center for Performance Excellence have received a 2010 Innovator Award from the Southern Growth Policies Board for their unique partnership assisting Tennessee communities. The Innovator Award honors communities and organizations that work creatively to improve economic opportunity and quality of life on a regional basis. Three-Star maintains a close partnership with TNCPE, a nonprofit organization that uses the Criteria for Performance Excellence based on the Baldrige National Quality Program to assess Three-Star communities' strategic plans. TNCPE then provides coaching and feedback to help communities implement and improve their plans. The result is stronger communities that are more attractive to new business with more diverse economies and greater job opportunities. A grant of \$100,000 to TNCPE will extend the partnership, which was set to expire this year. The funding will ensure that communities continue to have access to TNCPE's evaluation and improvement tools at no cost.

The Senate has unanimously approved legislation that seeks to combat phone scams targeting Tennessee's senior citizens. The measure sponsored by Sen. Joe

Haynes was approved 32-0. It would impose a fine of up to \$2,500 for anyone in the state who uses a false or concealed number through an autodialer to call another Tennessee phone number. Haynes said he proposed the bill after receiving complaints from relatives of senior citizens who received outrageous contract offers from insurance agents, pest control companies and people posing as home repair agencies. Political candidates, schools, businesses and charities would be allowed to use autodialers as long as their Tennessee phone numbers and names are displayed through caller identification.

Tennessee is getting a total of \$55.3 million in federal grants for two rail projects. The Tennessee Department of Transportation said the funds from the federal Transportation Investment Generating Economic Recovery program will pay for railroad improvements in Fayette, Stewart and Montgomery counties. Most of the money — \$52.5 million — will go for construction of an intermodal freight transfer facility in Fayette County, near Memphis. The project is part of the Crescent Corridor — a 2,500-mile rail route operated by Norfolk Southern Corporation that extends from New Jersey to Memphis and New Orleans. There is also \$2.8 million to rehabilitate short freight lines in northwestern Middle Tennessee and to construct a new switching terminal near Memphis.

A mysterious fungus that has killed more than one million bats in the United States has spread to Tennessee, and state officials worry it could spread rapidly, wiping out nature's best defense against insects. Tennessee had its first cases of white-nose syndrome when two tri-colored bats hibernating in a cave in Sullivan County tested positive for the fungus. Biologists are bracing for Tennessee to be hit hard by the fast-spreading fungus because the state has so many caves. In all, there are more than 9,600 caves throughout the Volunteer State, some of them hosting hibernating bat colonies of more than 100,000. Bats play a vital role in the environment, with some of the creatures eating up to 1,200 mosquitoes per hour.

The number of Tennesseans licensed by the state to go armed increased by nearly 51,000 people last year — to 268,711, according to new state statistics. That's an increase of 23 percent over the 218,004 Tennesseans with handgun-carry permits on Jan. 1, 2009. By comparison, the 2008 increase was 14 percent, according to Tennessee Department of Safety figures. The new data indicate that about 6 percent of Tennessee residents old enough to have a handgun-carry permit — those ages 21 and up — had one at the start of this year. Knoxville has the highest concentration of permit-holders among the state's largest cities. More than 11 percent of its residents 21 and up are licensed to carry firearms.

Tennessee's efforts fighting its childhood obesity epidemic are beginning to pay off, health officials say, with a small drop in a rate that's been rising for at least

three decades. In this state — third in the nation for pediatric obesity — even a flat year-to-year rate could be considered progress. But researchers at East Tennessee State University found that school-age children who are overweight or obese dropped from 40.9 percent in 2007-08 to 39 percent in 2008-09. The coordinator of the state's coordinated school health program, said that for the last three years, the Department of Education has been working with schools to create individual health plans for students. Lawmakers also created mandatory physical education time and higher nutrition standards for school food and drinks.

Almost three out of four Tennessee adults can't name a single gubernatorial candidate, according to a new Middle Tennessee State University poll. The pollsters asked Tennesseans to list as many candidates as they could recall. Seventy-three percent of the adults polled couldn't name a single candidate running for governor. Even when mentioned one at a time by name, none of the candidates is recognized by a majority of Tennesseans. No candidate has more than 12 percent support.

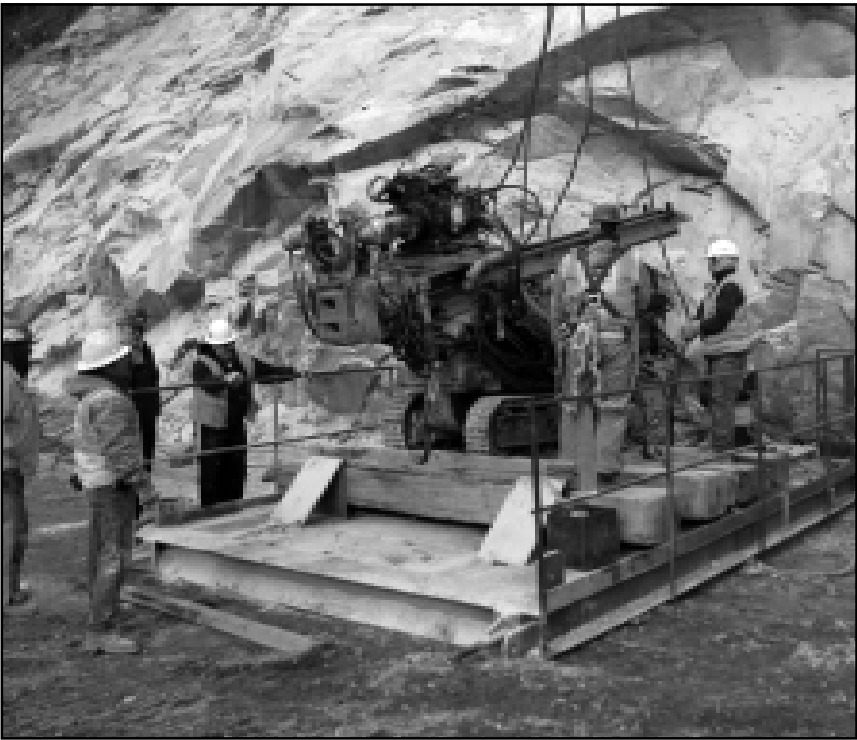
Delinquent residential mortgage loans rose in Tennessee in the fourth quarter to 11.31 percent, according to the Mortgage Bankers Association. Among the 50 states, Tennessee ranked 11th in terms of delinquencies and 23rd in terms of foreclosures, the MBA said. Thirty percent of borrowers were nonprime, meaning FHA and subprime, compared to 22 percent nationally. The delinquency rate jumped 0.22 percent from third quarter 2009, the association said. The long-term trends were mixed. The number of foreclosure actions started in the quarter on existing loans dropped 0.6 percentage point to 0.94 percent, while the percentage of loans in the foreclosure process jumped 0.8 percentage point to 2.34 percent. The MBA said the rates were not seasonally adjusted and noted that mortgage delinquencies historically rise between the third and fourth quarter as consumer spending increases for such things as heating costs and holiday spending.

The departments of tourism and agriculture have found a mutual silver lining: a boomlet in agricultural tourism. Milking cows, wandering through corn and cotton mazes, watching chicks hatch, having a country wedding and picking melons are among the activities drawing city folks and their pocketbooks to farms around Tennessee. Officials from the state Department of Agriculture say more than 600 such operations can be found across Tennessee today. And some of the farmers have crossed into the cyberspace world, setting up web sites and Facebook pages. With an estimated loss of 11.5 acres of Tennessee farmland per hour to development, conservationists wanting to preserve the state's green landscapes are also among those supporting the movement. Figures from a 2006 University of Tennessee study showed annual spending of about \$32 million, including \$17 million in direct spending.

After three years of stepped-up immigration enforcement, the overloaded court system isn't keeping pace — and observers say



Tennessee Wildlife Resources Agency field biologist Sterling Daniels, left, and The Nature Conservancy cave specialist Cory Holliday examine bats hibernating in New Mammoth Cave to see if they have been infected with white-nose syndrome. Biologists are bracing for the state to be hit hard by the fast-spreading fungus.



Work continues to progress on the U.S. 64 rockslide removal project.

almost nowhere in the country is the problem worse than in Tennessee. The immigration court has such a heavy caseload that hundreds of people recommended for deportation haven't even been given a court date yet. They line up monthly at local immigration offices, where suspected illegal immigrants are asked to check in until a court date can be set. The Memphis-based immigration court — which handles most immigration matters in Tennessee, Arkansas, Kentucky and the northern half of Mississippi — has one of the nation's highest caseloads per judge. In 2008, Memphis had only two judges to handle about 3,500 pending cases. A February American Bar Association report found that staffing shortages and heavy caseloads are creating inequities in immigration courts.


Mass layoffs remained high last month in Tennessee, and first-time filings for unemployment insurance held steady, according to a report issued by the U.S. Bureau of Labor Statistics. Tennessee had 40 mass layoffs in January — defined as a layoff of 50 or more people by a single company. That equaled the combined number of mass layoffs reported in November and December, but was down significantly from January 2009, when 76 mass layoffs were reported. During the month, 3,102 people made initial claims for unemployment insurance, compared with 3,144 the prior month and 6,782 the prior January.

Tennesseans carry the second-largest credit card debt load in the country — an average of \$6,823. But that's down from \$7,029 that

TransUnion reported in November. Only Alaskans carry more card debt (\$7,328). The lowest average credit card debt was found in Iowa (\$4,139), followed by North Dakota (\$4,318) and West Virginia (\$4,448). The report looks at the ratio of bankcard borrowers who are 90 days or more delinquent on one or more of their credit cards. Nationwide, the rate increased to 1.21 percent in the fourth quarter of 2009, up from 1.1 percent in the previous quarter. In Tennessee, the delinquency rate was 1.24 percent. Nevada came in first for credit card delinquency with 2 percent.

Work continues to progress on the U.S. 64 rockslide removal project. Crews set off a series of blasts on the eastern slope and brought down a large amount of rock debris. US-64 in Polk County is closed at mile marker 17.6 due to a major rockslide near the Ocoee 2 Dam. A portion of Little Frog Mountain slid into the roadway on Nov. 10, 2009. The contractor plans to continue working daylight hours on a seven day a week schedule, weather permitting, until the project is completed. The roadway is scheduled to reopen to traffic on March 31, 2010.


The search process for the University of Tennessee's next president has officially begun. The Board of Trustees approved a process and an aggressive timeline for the presidential search that calls for the election of the university's next president during the fall board meeting Oct. 21. Trustees also approved the use of a firm to assist with the search and authorized the administration to issue requests for proposals.



Tom Spencer
Territory Manager

570 Beechgrove Way
Burns, TN 37029 USA

T (615) 973-0367 tom.spencer@sensus.com
www.sensus.com



1431 Kensington Square Court
Murfreesboro, TN 37130
Phone 615/ 896-7375
FAX 615/ 890-7016

Engineering • Surveying • Mapping • GIS

Visit our web site at www.wiserco.com



ENGINEERING SOLUTIONS FOR CHANGE AND GROWTH

OFFICE LOCATIONS
429 CLAY STREET
KINGSPORT, TN 37660
PHONE: (423) 245-4970
FAX: (423) 245-5932

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

ROANOKE, VA
ASHEVILLE, NC
ATHENS, GA

www.matternandcraig.com

- CIVIL
- TRANSPORTATION
- WATER
- WASTEWATER
- STORM DRAINAGE
- STRUCTURAL
- SITE DEVELOPMENT
- SURVEYING



Engineering | Surveying

Knoxville Tri-Cities
(865) 546-5800 (423) 467-8401

www.VaughnMelton.com

Your Project... Our Promise



P.O. Box 2968
Murfreesboro, TN 37133-2968
(615) 895-8221
www.griggssandmaloney.com



Financial Management - Revenue Management -
Document Management - City Court Management -
Hardware & Networking Solutions - Software
Support & Training Solutions

714 Armstrong Lane
Columbia, TN 38401

Phone: 800-381-4540
Fax: 931-381-0678
E-mail: marketing@localgovcorp.com
www.localgovcorp.com



WATER RESOURCES
Professional Water and Wastewater Operations

Sandy Neal, SPHR
Vice President

206 South Keene Street • Columbia, MO 65201
573-874-8080 Ext. 224 • Fax: 573-443-0833
Cell: 573-808-5946 • sneal@alliancewater.com



ENGINEERS
ARCHITECTS
PLANNERS
SURVEYORS
LANDSCAPE/ARCHITECTS

ASKEN HARRAVES HARBURT & ASSOCIATES, INC.

MEMPHIS, TN JACKSON, TN HERNANDO, MS
901.372.0404 731.424.5460 662.288.2188

CREATING AN ENHANCED QUALITY OF LIFE FOR OUR CLIENTS AND COMMUNITY.




Chattanooga
Phone: 423.267.7613
Fax: 423.267.0603

Knoxville
Phone: 865.246.2750
Fax: 865.246.2755

Nashville
Phone: 615.834.8300
Fax: 615.834.8328

practical innovation, by design™
www.ctiengr.com



PAVEMENT TECHNOLOGY, INC.
ASPHALT RECYCLING & PREVENTIVE MAINTENANCE SPECIALISTS

Helping Cities and Counties Make Pavements Last Longer Since 1972

1 - 800 - 333 - 6309



Tennessee Offices:
Nashville
Knoxville
Memphis
Chattanooga
Tri-Cities
Oak Ridge

BWSC
ENGINEERS
ARCHITECTS
PLANNERS
LANDSCAPE
ARCHITECTS
SURVEYORS

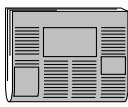
hungerwaggoner.com



Water • Wastewater • Transportation
Stormwater • GIS Digital Mapping

GRW Engineers, Inc.

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

CITY MANAGER

CAPE CORAL FLORIDA. The city of Cape Coral is accepting applications for the position of City Manager. The city manager, at the direction of the city council, shall be the chief administrative officer of the city. Responsible to the council for the administration of all city affairs by or under the city charter, the city manager will assist in implementing the council's agenda through a collaborative effort. The city manager will direct a city workforce of approximately 1,500 employees and is responsible for day to day operations. Individual assigned to this classification is accountable for applying extensive knowledge of a wide variety of city government functions. Salary and terms of the contract are negotiable and subject to council approval. Must establish residency in Cape Coral within 30 days of hire and maintain residency for duration of employment. For additional information and to apply, please visit the website www.capecoral.net/jobs. Employment opportunity closes April 15, 2010. Female, minority, military, and private sector candidates are encouraged to apply.

FIRE CHIEF

JOHNSON CITY. The city is looking for a fire professional to serve as Fire Chief. Minimum salary is \$66,574 or higher depending on experience. The chief will plan, direct, coordinate and supervise the city's fire department while actively and visibly supporting the city's vision. Requirements include: at a minimum, a bachelor's degree in fire science, public administration or business administration; ten (10) years previous experience in fire suppression and prevention; six (6) years progressively responsible fire administration and fire supervision at the managerial level; to obtain or possess and maintain a valid Tennessee certified firefighter certification; emergency medical technician certification; hazardous materials technician certification. To succeed in this role, applicants need teambuilding and leadership skills; a comprehensive knowledge of the principles and practices of equipment employed in modern firefighting; fire hazards and fire prevention techniques; the use of fire records and their application to the solution and evaluation of fire problems and in the effective planning of fire programs and assignments; federal, state and local laws and ordinances; the ability to command the respect of officers and personnel; establish and maintain effective working relationships with other city officials and the public; flex, learn, and grow with the changes and challenges of the city. Send a confidential resume and application to City of Johnson City, Human Resources Department, P.O. Box 2150, Johnson City, TN 37605. Visit the website to download an application and for full job description, at www.johnsoncitytn.org. EOE.

MTAS EXECUTIVE DIRECTOR
The University of Tennessee Institute for Public Service is conducting a search for applicants for the MTAS Executive Director position. The Mu-

nicipal Technical Advisory Service (MTAS) provides consulting and training services to all incorporated cities in the State of Tennessee as part of the university's public service mission. The MTAS Executive Director is responsible for leadership of the agency including strategic planning, workforce development, stakeholder relations and private fund raising. The Executive Director must establish and maintain relationships with cities through an advisory committee and with the TN Municipal League and its affiliate organizations. The executive director is responsible for overall agency management including human resource and budget issues and performance measures. Qualifications include a master's degree in public administration, city management or a related field and a minimum of 10 years experience as a senior leader in a complex organization, preferably in a local or state government or nonprofit organization with similar work goals. Experience as a city manager and/or managing staff in remote locations a plus. Applicant must have strong oral and written communication skills, ability to lead a multi-talented, multi-disciplined municipal consulting agency, and ability to manage budget and human resources. The position will be based in Knoxville and will require extensive statewide travel. Applicants should send a resume and cover letter detailing how the applicant's credentials meet the requirements of the position. Include information on salary expectations. Send all information to MTAS Executive Director Search Committee Chair Chuck Shoopman via email at chuck.shoopman@tennessee.edu. For more information on the position and the statewide UT Institute for Public Service, visit www.mtased.ips.tennessee.edu. The University of Tennessee is an EEO/AA/Title VI/Title IX Section 504/ ADA/ADEA institution in the provision of its education and employment programs and services. All qualified applicants will receive equal consideration for employment without regard to race, color, national origin, religion, sex, pregnancy, marital status, sexual orientation, gender identity, age, physical or mental disability, or covered veteran status.

TOWN RECORDER

PEGRAM. The Town is seeking applications for the position of City Recorder. The Recorder is responsible for oversight and maintenance of financial accounts of the city related to accounting, purchasing, payroll, cash management, tax and business licensure as well as, preparation of board meeting minutes, agendas, and legal notices. A basic understanding of municipal accounting principles and finances is desired as well as the ability to meet state certification requirements within three years of hire. Must have proficient computer skills, excellent communication, writing and organizational skills as well as ability to multi task and meet deadlines. Must have flexibility scheduled. An Associate Degree or comparable experience with a High School Diploma or GED is required (Experience with Administrative or Government Accounting is preferred). Salary is DOQ, submit your resume to Town of Pegram, PO Box 249, Pegram, TN 37143 or email: pegramcityhall@comcast.net or fax to (615) 646-6869. Deadline to submit resumes shall be 4:00 pm on Thursday, March 25, 2010.

TDOT obligates 100 % of American Recovery Act transportation funds

Credits great partnership with Metropolitan Planning Organizations

The Tennessee Department of Transportation has obligated 100 percent of the \$572 million in Highway Infrastructure Investment funds made available through the American Recovery and Reinvestment Act two weeks ahead of the March 1 deadline required under the Act.

TDOT received approval of its last project on the eve of the one-year anniversary of the Recovery Act. Tennessee is one of the first states to obligate 100 percent of Recovery Act funds for highway infrastructure.

"I appreciate the work of the Department of Transportation and its local and regional partners in reaching this important milestone for the Recovery Act in Tennessee," said Gov. Phil Bredesen. "This accomplishment ensures that all of our Recovery Act dollars for highway infrastructure will stay in Tennessee for needed improvements that will continue to boost local economies." According to the Recovery Act, States that failed to meet the March 1 deadline lose any unobligated Recovery Act funds. By obligating all funds ahead of schedule, TDOT is now positioned to secure additional funds not utilized by other states should they become available.

"Tennessee was able to meet this deadline ahead of schedule in large part thanks to strong partnerships with the MPOs across the state," said TDOT Commissioner

Gerald Nicely. "Many of the state's Recovery Act funds are already at work on transportation projects in communities across the state. Without the Recovery Act funds, many of these important projects would not have been built or would have been delayed."

In total, Tennessee received \$572,701,043 in Recovery Act funds for Highways and Bridges. Of that total, \$15.8 million went to the seven small Metropolitan Planning Organizations (Bristol, Clarksville, Cleveland, Jackson, Johnson City, Kingsport, Lakeway/Morristown) and the Rutherford County Urbanized area through the Nashville MPO for use on local projects. Another \$69.9 million was provided to the four large urban MPOs (Chattanooga, Knoxville, Memphis, Nashville) for use on local projects. TDOT received \$486,877,182 in Recovery Act highway funds for use on TDOT projects.



Cranes are used to lift steel bridge beams over Interstate 40 at White Bridge Road. The Nashville interchange modification project is funded through the American Recovery & Reinvestment Act.

Recovery Act funds are being used on more than 412 individual projects in Tennessee.

TDOT has completed work on 136 projects to date and has paid out more than \$223.4 million in funds. Funds for transportation projects are paid out as work is completed, so Recovery Act funds for transportation will continue to provide jobs and boost the economy for the next two years.

TDOT is highlighting some of the Faces of Recovery in Tennessee. Check TDOT's Recovery Act web page to hear the stories of several Tennesseans working on Recovery Act projects and learn more about TDOT and the Recovery Act at www.tn.gov/tdot/recovery.

Aeronautics grants awarded to airports

Gov. Phil Bredesen announced that federal and state aeronautics grants totaling \$1.3 million have been approved for six Tennessee airports.

"Our local airports are vital to the economy and travel system of Tennessee," said Bredesen. "Investing in our airports helps keep them efficient at meeting the needs of businesses and travelers."

Those municipal airports that received grants include the Centerville Municipal Airport, the Lebanon Municipal Airport, and the Millington Regional Jetport.

Centerville will receive \$11,435 in funds to be used for a 24-hour fueling system.

The Lebanon Municipal Airport will receive \$85,500 for architectural and engineering services for improvements to the terminal building.

The Millington Regional Jetport will receive \$450,000 for a new Airport Rescue Fire Facility building.

The grants are made available through the Tennessee Department of Transportation's Aeronautics Division. "This division administers federal and state funding to assist in the location, design, construction and maintenance of Tennessee's diverse public aviation system," re-



ported TDOT Commissioner Gerald Nicely. "We are pleased to continue to support Tennessee's general aviation and commercial airports."

Except for routine expenditures, grant applications are reviewed by the Tennessee Aeronautics Commission (TAC), which is a five member board charged with policy planning and with regulating changes in the state airport system plan.

Ronald Cooper is chair of the TAC and explained, "These grants can have a significant impact on the future of a general aviation airport

and its economic contributions to our state. Our board carefully reviews all applications for grant funds to ensure that the proper state and local matching funds are in place and that the grants will be put to good use."

The TDOT Aeronautics Division has the responsibility of inspecting and licensing the state's 126 heliports and 75 public/general aviation airports. The Division also provides aircraft and related services for state government and staffing for the Tennessee Aeronautics Commission.

Funding distributed to 911 districts for upgrades

A resolution moving through the Tennessee General Assembly urges local 911 call centers to accept text messages. House Joint Resolution 746, sponsored by Rep. Pat Marsh of Shelbyville, highlights the need for Tennessee's 911 system to receive a "digital upgrade."

"We're pleased that Rep. Marsh has brought attention to this issue," said Lynn Questell, executive director of the Tennessee Emergency Communications Board. "Most people don't know that you can't text 911 currently. It just doesn't work. We are in the process of upgrading our infrastructure to take it from the old analog system to new, Internet Protocol (IP) based digital technology."

Marsh says he brought the resolution in response to concerns from his constituents.

"People have asked me why they can't text 911," Marsh said. "Now, I can tell them we just don't have the technology yet. But I can also tell them that Tennessee is poised to be a national leader in digital 911."

Questell said the state's current 911 infrastructure needs the upgrade in order to keep up with emerging technology like Internet-based phone service and texting.

"What we have now is a system that is challenged," Questell said. "But, we've prepared for that. We're on the verge of a statewide project to digitalize our 911 system.

This will mean a more efficient, more intelligent emergency response."

Questell is referring to the state's Next Generation 911 (NG 911) project, which should begin deployment in late 2010. The conversion process is similar to the recent conversion of televisions from analog to digital. It will involve the deployment of an IP platform specifically for 911 and the purchase and deployment of new equipment at 911 call centers across the state.

"Once the NG 911 project is complete, Tennesseans will have access to the best technology available to coordinate emergency response," said Randy Porter, Chair of the Emergency Communications Board.

TECB has adopted a funding plan to connect local Emergency Communications Districts to the NG 911 project. The plan will distribute \$25 million to local emergency communications districts (ECDs) this year.

"These funds will allow local ECDs to purchase the necessary equipment for the NG 911 upgrade," said Questell. "We're moving ahead with our plans to convert 911 in Tennessee to a digital system." The funding plan will provide each district with \$120,000 plus an additional amount determined by the district's population.

"This is a big project that will have significant benefits for Tennes-

seans," Questell said. "While we're distributing funds to districts for the purchase of necessary equipment, we're also building a statewide digital 911 infrastructure."

"We need NG 911 to handle emerging technologies like Internet phone service (VoIP) and the many capabilities of today's cell phones."

The TECB expects to begin deployment of NG 911 by early 2011.

"Once the NG 911 project is complete, Tennesseans will have access to the best technology available to coordinate emergency responses," said Randy Porter, Emergency Communications Board chair.

The General Assembly created the TECB in 1998 to assist ECDs' boards of directors in the areas of management, operations and accountability, with the goal of establishing reliable emergency communications for Tennesseans. In 2005, Tennessee became the third state in the nation to become Phase II-ready, meaning a 911 operator can obtain a wireless caller's number and location information. In 2005, also Tennessee received an award from the Congressional E911 Institute for having the nation's best state system.

The TECB is administratively attached to the Department of Commerce and Insurance, which works to protect consumers while ensuring fair competition for industries and professionals who do business in Tennessee. www.tn.gov/commerce/

NATIONAL BRIEFS



BY TML STAFF REPORTS

The U.S. Postal Service estimates \$238 billion in losses in the next 10 years if lawmakers, postal regulators and unions don't give the mail agency more flexibility in setting delivery schedules, price increases and labor costs. Estimates also predict that letter carriers will deliver just 150 billion pieces of mail in 2020, a drop of about 26 billion pieces from 2009. Mounting labor costs are also complicating the agency's path to firm fiscal footing. Projections anticipate steeper drops in mail volume and revenue over the next 10 years. Customers will continue to migrate to the Internet and to cheaper standard-mail options, and away from the Postal Service's signature product, first-class mail. In an effort to offset some of the losses, the agency is pushing anew for a dramatic reshaping of how Americans get and send their letters and packages. The U.S. Post Master General, John E. Potter, is seeking more flexibility in the coming year to set delivery schedules, prices and labor costs. The changes could mean an end to Saturday mail deliveries, longer delivery times for letters and packages, increases in postage-stamp prices that exceed the rate of inflation, and — possibly — future layoffs. The agency also plans to

explore offering "hybrid mail products" that deliver some mail to customers via e-mail. The Postal Service is also considering potentially closing thousands of locations and moving some products and services to nearby supermarkets, office supply stores and pharmacies.

There's been a sharp drop in the percentage of America's children being bullied or beaten up by their peers. According to a new national survey by experts who believe anti-bullying programs are having an impact. The study, funded by the U.S. Department of Justice, found that the percentage of children who reported being physically bullied over the past year had declined from nearly 22 percent in 2003 to under 15 percent in 2008. The percentage reporting they'd been assaulted by other youths, including their siblings, dropped from 45 percent to 38.4 percent. The lead author of the study, Professor David Finkelhor, said he was "very encouraged." "Bullying is the foundation on which a lot of subsequent aggressive behavior gets built," said Finkelhor, director of the University of New Hampshire's Crimes Against Children Research Center. "If it's going down, we will reap benefits in the future in the form of lower rates of violent crime and spousal assault."

Every resident counts...and it takes just 10 minutes to prove it

CENSUS from Page 1
smaller group of people will get that does ask very in-depth questions. This data is collected in a completely unidentifiable way to pull statistically valid samples that allow general conclusions to be drawn about a population, like the median household income within a neighborhood, the number of single heads of household and other information like that.”

A nearly inconceivable number of choices and opportunities will or will not present themselves based at least in part on the outcome of the Census.

“From retail stores and restaurants to manufacturing and the provision of certain public and private services, to how a municipality develops zoning and growth guidelines, the basic Census data influences tons of decisions,” Fleming said. “It determines our market potential, what kind of businesses and jobs we should be working to attract, and can limit or advance overall growth; the basis for all of these databases starts with the Census.”

At the same time, certain state-shared taxes are per capita based, as are a number of federal grant programs. Other opportunities are available depending on social and economic demographic characteristics identified in the count.

“Taking a page out of Civics 101, the purpose of the Census is to determine the apportionment of the population for voting purposes,” Fleming said. “It still serves that critical purpose, but it has also taken on a ton of other implications as well. It’s vital that everyone return their survey.”

Those surveys are in the mail and arriving at homes around the nation through March, complete with a stamped return envelope. In the March to April timeframe, Census questionnaires will be made available at select public sites for those who did not receive one by mail. For those who don’t return a completed form, Census workers will begin “knocking on doors” from May through July.

In all, this is the third census Fleming has participated in as a Kingsport city staff member. So far, the early participation rate for Sullivan County is the second highest in the state at 77 percent compared to 72 percent nationally and 69 percent at the state level.

“It used to be, you spent a couple of years preparing to do the Census, and it was a couple years later before you received any of the data. And that data wasn’t easy to sift to get to the kind of geographic based information that proves useful.

“Today, technology aids both the speed the information can be disseminated as well as the accuracy. New information is constantly being released. And it’s all right there on the U.S. Census website,” said Fleming. “You can pull up information on a neighborhood, school district, city, county, metropolitan area or state. But that information is only as good as what is returned if and when folks fill out there survey.”

Fleming and the city of Kingsport have been urging their residents to take 10 minutes for 10 questions. “You might end up helping your neighbor and yourself,” he said.

10 communities chosen for new downtown revitalization program

Ten communities have been selected to participate in Tennessee Downtowns, a Tennessee Department of Economic and Community Development (ECD) community improvement program for cities and counties seeking to revitalize traditional commercial districts. The communities are: Celina, Erwin, Jefferson City, Martin, Milan, Mt. Pleasant, Monterey, Paris, Selmer and Sweetwater.

The communities are each home to downtown commercial districts established at least 50 years ago and have demonstrated their readiness to organize efforts for downtown revitalization based on the successful “Main Street Four-Point Approach to Downtown Revitalization™.”

The highly competitive selection process was based on five core

criteria: historic resources, need (economic and physical), demonstrated local effort, overall presentation and probability of success.

Tennessee Downtowns is part of ECD’s Tennessee Main Street Program and will award reimbursable innovation project grants of up to \$15,000 to participating communities. The successful applicants will also receive an 18-month program of technical assistance, which includes training on downtown revitalization and historic preservation, an introductory site visit and attendance at a two-day downtown revitalization workshop. Program directors in Tennessee Main Street communities will also mentor and assist Tennessee Downtowns in their revitalization efforts.

Main Street revitalization is a comprehensive, incremental, self-

help economic strategy that also focuses on developing public-private partnerships to enhance community livability and job creation, while maintaining the historic character of the district. For information about the Main Street Program and the Main Street Four Point Approach™, visit www.preservationnation.org/main-street/about-main-street/. Tennessee’s Main Street program provides communities with technical assistance and guidance in developing long-term strategies that promote economic growth and development. The program provides information and assistance in forging public networking and training opportunities for downtown commercial districts.

For more information about Tennessee Downtowns, visit www.tennesseemainstreet.org.

AG says bill regulating vendor traffic camera contracts is constitutional

See CAMERAS on Page 6
any law passed after the execution of a contract from affecting the terms of that contract. This can mean limiting a right or imposing a new duty.

This prohibition, however, is not absolute. Courts have stated that subsequent laws affecting contracts are permissive if they result in only reasonable changes to contract terms. When determining reasonableness courts will look to factors such the foreseeability of the changes, the parties’ expectations and the public purpose of the law.

Hence, as with the proposed legislation, if the clause to incorporate new changes is inserted into a contract prior to execution it is much more likely that a court would find compliance with subsequent changes to be reasonable.

Towards the end of the opinion the Attorney General provides two illustrating examples. If a future act amended the section on traffic surveillance cameras by requiring a certain software system to be used by vendors, this contract change would likely be found reasonable and thus

enforceable. However, if a subsequent change required a vendor to be paid substantially lower than the contracted rate, this would likely be found unreasonable and thus unconscionable and unenforceable.

What legislative recommendations will finally come from traffic surveillance camera committee remains to be seen. However, this opinion makes it at least possible that the legislature could require a specific provision in future contracts.

Recession topples nursery industry in Tennessee, nation

See NURSERIES on Page 6
nance firms; retail garden centers, home centers and mass merchandisers with lawn and garden departments; and marketing intermediaries such as brokers and horticultural distribution centers (re-wholesalers).

In a 2005 University of Tennessee study *Economic Impacts of the Green Industry in the United States*, researchers emphasize the important relationship between green industries and municipalities:

Not only is the green industry crucial for the support of urban forestry in providing quality plant material used in our cities, it also offers

professional personnel with specialized expertise for growing, maintaining, and managing city trees. These professionals have demonstrated their willingness to educate, volunteer, and mentor city employees in the cities and towns where they make their homes and own businesses.

Across the nation, nurseries specializing in edibles—vegetables, fruit trees and berries —have fared somewhat better, thanks to a renewed interest in whole foods and organic produce. But, like any crop, the seeds take time to grow.

“If I were to start growing fruit trees, it would be at least two or three

years before I’d have anything to sell,” Blankenship notes. “Even after the economy picks up, it’s almost a year before our industry sees it because plants are the last things people buy. We’re just trying to guess what the demand will be three or four years from now. But, we’re farmers, and farmers are eternally optimistic.”

In 2009, TNLA President Marshall Allen sums up the situation in his somber address to the membership:

“This year has been a challenge for most of us, for some a survival mode, and for others, a time to wave the white flag. One thing’s for cer-

tain, all of us have had to analyze our business and adapt, modify and streamline our way of competing in today’s environment.”

Unable to delay the inevitable through bank loans or other arrangements, a large number of nurseries across the nation have already gone bankrupt or bellyup, as John Aguirre, executive director of the Oregon Association of Nurseries observes in an interview with the *Associated Press*, “It’s a very tough lending environment for a nursery. Given the severity of this, where banks have been quite aggressive, even brutal in their response, people just can’t refinance.”

Ironically, in a seldom-used arrangement in some of the nation’s hardest-hit housing markets, home builders are going to work directly for the banks. Builders from California to Florida are starting to contract their services to lenders, many of whom have been left with the unfinished homes after the original builder jumped ship.

“Everything’s getting tight,” Rone observes. “Our city received bids recently on some water and sewer construction projects and you wouldn’t believe the number of people who submitted. We had at least 30 or 40 bids per project. That tells me people are hungry.”

Good Risk Management is just Good Management



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

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



RISK · MANAGEMENT · POOL

Your Partner in Risk Management since 1979.

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

Call Debbie Kluth-Yarborough

Consulting • Design • Project Management

Civil
Survey
Environmental
Planning

Solutions for the Future

3428 Bristol Highway
Johnson City, TN 37601

TYISINGER, HAMPTON & PARTNERS, INC.
(423) 282.2687 P (423) 282.1621 F
tthp@tysinger-engineering.com • www.tysinger-engineering.com

JOEL B. SPAULDING
& COMPANY, INC.

2402 WINFORD AVENUE
NASHVILLE, TENNESSEE 37217
PHONE (615) 255-7766
FAX (615) 255-7767

CONSULTING ENGINEERS

Engineering • Planning • Public Finance

Municipal
Commercial
Industrial
Residential

Water • Wastewater • Collection • Distribution
Treatment • Site Design • Land Planning • Roads
Storm Water • Erosion Control • General Civil
Solid Waste • Regulatory Compliance & Permitting
Planning • Public Finance • Grants

248 Bruce Street
Sevierville, Tennessee 37862
www.mcgillengrnters.com

ph 865.908.0575
fx 865.908.0110

ARCHITECTURE
ENGINEERING

HART FREELAND ROBERTS, INC.

Committed To Excellence Through
Client Satisfaction Since 1910

Brentwood, TN 615.370.8500
www.hfrdesign.com

Jackson, TN 731.660.1322

LAND PLANNERS • CIVIL ENGINEERS
LANDSCAPE ARCHITECTS • SURVEYORS

315 WOODLAND ST. P.O. BOX 60070
NASHVILLE, TN 37206
PHONE (615) 244-8591 FAX (615) 244-6739
WWW.RAGANSMITH.COM

Your Professional Employee Benefit Company

The Malone Company

124 North Main Avenue • P.O. Box 616
Fayetteville, TN 37334

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

Email: Jim_Malone@TheMaloneCompany.com

American
Traffic Solutions

Daniel S. Foglton
Senior Business
Development
Director

14861 N. Scottsdale Road
Suite 109
Scottsdale, Arizona 85254

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

Tennessee Municipal League
2009-2010 Officers and Directors

PRESIDENT

Tommy Pedigo
Mayor, Sparta

VICE PRESIDENTS

Dale Kelley
Mayor, Huntingdon

Kay Senter
Councilmember, Morristown

Ken Wilbur
Mayor, Portland

DIRECTORS

Jody Baltz
City Administrator, Tullahoma
President (TCMA)

Alan Barker (District 7)
Mayor, Humboldt

Angie Carrier
City Administrator, White House (District 5)

Betsy Crossley
Mayor, Brentwood (District 6)

Karl Dean
Mayor, Metro Nashville

Chris Dorsey
City Manager, Red Bank (District 3)

David Edwards
Councilman, Murfreesboro

David Gordon
Mayor, Covington

J.H. Graham III
Mayor, Crossville (District 4)

Bill Haslam
Mayor, Knoxville

Curtis Hayes
Mayor, Livingston

A.C. Wharton
Mayor, Memphis

Richard Hodges
Mayor, Millington

Dot LaMarche,
Vice Mayor, Farragut

Ron Littlefield
Mayor, Chattanooga

David May
Council, Cleveland

Keith McDonald (District 8)
Mayor, Bartlett

Cindy Cameron Ogle
City Manager, Gatlinburg (District 2)

Bo Perkinson
Vice Mayor, Athens

Johnny Piper
Mayor, Clarksville

Charles “Bones” Seivers
President-CEO, TN Municipal Bond Fund

Randy Trivette
City Recorder, Erwin (District 1)

PAST PRESIDENTS

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

Sam Tharpe (2001) Mayor, Paris

Dan Speer (1997) Mayor, Pulaski

TML AFFILIATED ORGANIZATIONS
(Ex-Officio Directors)

Tennessee Municipal Attorneys Assn.
Andy Wright, Lebanon

Tennessee Municipal Judges Conference
John T. Gwin, Mount Juliet

Tenn. Chapter, American Public Works
Jerry Collins, Memphis Light & Water

Tennessee Government Finance Officers
Mark S. Brown, Bartlett

Tenn. Assn. Housing & Redevel. Auth.
Art Cate, Knoxville

Tennessee Building Officials Assn.
Tim Ward, Oak Ridge

Tennessee Fire Chiefs Assn.
Jerry W. Crawford, Collierville

Tennessee Assn. of Air Carrier Airports
Larry Cox, Memphis

Tennessee Association of Chiefs of Police
Sterling Owen, Knoxville

Tennessee Water Quality Management
Jack Graham, Maryville

Tennessee Recreation and Parks Assn.
George Brogdon, Germantown

Tennessee Chapter, American Planning
Karen Hundt, Chattanooga

Tennessee Personnel Management Assn.
Steve Adams, Metro Development & Housing Agency

Tenn. Assn. Municipal Clerks & Records
Shirley Dancy, Gates

Tennessee Assn. of Public Purchasing
Rex Gaither, Smyrna

TN Section, Institute of Transportation Engineers
Kevin Cole, Knoxville

Tennessee Public Transportation Assoc.
Rebecca Harris, Cookeville

Tennessee Fire Safety Inspectors
Tommy White, Sevierville

Assn. of Independent and Municipal Schools
Reecha Black, Alamo

TML ASSOCIATE PARTICIPANTS

GOLD LEVEL MEMBERSHIP

Bank of New York Trust Company, N.A.

SILVER LEVEL MEMBERSHIP

AT&T

ING Financial Advisers, LLC

Sensus Metering Systems

BRONZE LEVEL MEMBERSHIP

Alexander Thompson Arnold, PLLC

Alliance Water Resources

BlueCross BlueShield of Tennessee

Collier Engineering Co., Inc.

Johnson Controls

McGill Associates, P.A.

One Source Document Solutions, Inc.

Rare Element, Inc.

Sophicity

Thompson Engineering

CORPORATE LEVEL MEMBERSHIP

A To Z MUNI-DOT Company

Askew Hargraves Harcourt & Assoc., LLC

Barge, Waggoner, Sumner & Cannon, Inc.

Click2Enter, Inc.

CMI Equipment Sales, Inc.

Comcast Cable Communications

Concrete Paving Assoc. of Tennessee

DBS & Associates Engineering

Desktop Risk Manager

Education Networks of America

Employee Benefit Specialists, Inc.

Florence & Hutcheson, Inc.

Goodwyn, Mills & Cawood, Inc.

J.R. Wauford & Co. Consulting Engineers,Inc.

LaserCraft, Inc.

Local Govt. Corporation

Mattern & Craig, Consulting Engineers, Inc

Nashville Tractor & Equipment, Inc.

OHM(Orchard, Hiltz, & McCliment, Inc.

Pavement Restorations, Inc.

Smith Seckman Reid, Inc.

Statewide Insurance Group of America

Stowers Machinery

Tennessee Cable Telecommunications Assn.

Tennessee Energy Acquisition Corporation

Tennessee Fiber Optic Communities

Thompson & Litton, Inc.

Thompson Machinery

Third Rock Consultants,LLC

TLM Associates, Inc.

Tri Green Equipment, LLC

URS Corporation

Utility Service Co., Inc.

Vaughn & Melton

Volkert & Associates

Waste Management

Wiser Company, LLC

States ask is it ‘raining’ hard enough?

BY PAMELA M. PRAH
Stateline.org Staff Writer

Like a married couple arguing about dipping into savings to pay off their credit card bills, some governors and legislatures are fighting over whether it’s “raining” hard enough in their states to drain rainy day funds.

Faced with historic revenue drops, states have tapped their rainy day funds in fiscal 2009 and 2010 at levels not seen since the 2001 recession to help close budget gaps totaling some \$290 billion. The decision to go to these funds has renewed the debate about how much states should be setting aside in these reserves and when to use the money. A few states, meanwhile, have been able to leave their funds intact. Texas, for example, is sitting on \$8 billion in its fund and has relied instead on federal stimulus money to balance its budget.

It’s a common perception that rainy day funds are like the couple’s savings account and can be spent in emergencies. But they actually are more like 401(k) or other accounts that put constraints on the funds.

“States have different restrictions on when and how the money can be taken out of the rainy day fund,” explains Scott Pattison, executive director of the National Association of State Budget Officers.

In some places, governors have the power to transfer funds from these accounts to deal with shortfalls. In more than a dozen states, however, only a supermajority of the legislature can approve withdrawals.

But a handful of states haven’t gone that route at all and can boast that their rainy day funds remain essentially untouched. Texas has so much set aside that its \$8 billion and Alaska’s reserves of \$6.9 billion are badly skewing the national average of what states hold in their rainy day fund and ending balances in their budgets. Figuring the two states in, the average comes to 4.8 percent of states’ annual expenditures. Without them, it’s a paltry 2.7 percent, according to NASBO. That’s far below the 5 percent that many budget experts and bond rating agencies typically recommend states hold in reserves.

In Indiana, Governor Mitch Daniels has refused to spend his rainy day fund, estimated at more than \$1 billion, and some aren’t happy. He recently was greeted in Bloomington by protestors with umbrellas and signs that read “It’s raining, Mitch” and “Fund Education.”

“We will be using our carefully built reserves to get us through this next year and a half,” Daniels told lawmakers last month. “Any reserves most other states had have long since disappeared,” the Republican governor said in his state of the state address.

Indiana is still reaping benefits from its controversial \$3.8 billion deal for a 75-year lease of its toll road in 2006, while states like Texas and Wyoming are rich in natural resources, which have helped them boost their reserves and weather the recession better than other states.

Daniels is right that several

states have tapped their accounts dry to balance their current budgets, including Alabama, Arizona, California, Connecticut, Maine, New Jersey, Ohio, Oklahoma and Pennsylvania. At least 16 states relied on their reserves to help eliminate 2010 budget deficits, NASBO said in its latest survey. Sixteen may not sound like a lot, but that number is on top of the 25 states that had already done so the previous year. Plus, states at that time were receiving billions of stimulus dollars, which will shrivel this year and mostly end by 2012.

Mississippi Governor Haley Barbour, a Republican, wants to stretch the state’s rainy day fund over three years and has agreed, begrudgingly, to spend one-third of it this year, or about \$78 million. Barbour calls a plan that the Democrat-controlled House passed in January “irresponsible” because it would empty almost half of the rainy day fund in a single year. “Draining the rainy day fund too soon will put Mississippi in a worse position as this recession slices deeper into our budget,” he said.

In Tennessee, term-limited Governor Phil Bredesen, a Democrat, wants to give his successor “breathing room at the beginning of his or her term” by using \$200 million from the \$900 million in reserve funds to cover key programs for two years, rather than one, he told lawmakers. Some members of the Tennessee Legislature, however, have more ambitious plans. House Speaker Kent Williams, a Republican, has said he is willing to spend half the fund.

Likewise in Oklahoma, Democratic Governor Brad Henry wants to spend about 80 percent of the state’s nearly \$600 million rainy day fund to patch holes in the current budget, while key Republicans who control the legislature don’t want to tap more than \$223 million for the current year, saving the rest for the coming fiscal year.

Even in resource-rich Wyoming, which was one of the last states to enter the recession, some are eyeing the states’ reserves, estimated at \$800 million to \$1 billion, to pay the bills, rather than cutting spending again, which the state had to do for the first time in 20 years last year. “While we all want to be optimistic, and I am optimistic about the long-term future of this state, I am not prepared to bet our financial future and to dip into those reserves,” Democratic Governor Dave Freudenthal told the Republican controlled legislature. “I think we need to hold onto them.”

Some politicians are reluctant to take too much from their rainy day funds for fear of hurting their states’ bond ratings, which then makes it more costly for a state to borrow. But experts say that concern is unfounded. “We are frequently asked if the use of the reserve leads to a downgrade,” says Robin Prunty who tracks state and local governments’ finances as a senior director in the Public Finance Ratings Group at Standard and Poor’s Ratings Services in New York. “Our feeling is that the reserves are established exactly to manage volatility, and I think the expectation is that they are utilized during difficult economic

periods.”

Liz McNichol, a senior fellow at the Center on Budget and Policy Priorities, a group that tracks government spending on low-income families, says states acted prudently between the last recession and the current one to build up reserves. She calls drawing down these funds “appropriate” to help avoid deep cuts to public services when the services and programs are needed most.

But the concern now is that states continue to drain these funds with predictions of at least two more years of tight budgets. The debate is whether to “tap the last vestiges of the funds and/or increase caps to rebuild the funds,” Sujit Canaga-Retna, senior fiscal analyst at the Council of State Governments.

Several states, including Georgia, Oklahoma and South Carolina, are mulling whether to rethink these caps that at least 38 of them have on how much money can accumulate in their rainy day funds. McNichol, who has written several papers on rainy day funds, says states should get rid of the caps or, at the very least, raise them, preferably to 15 percent of the budget, rather than the 5 percent most bond-rating agencies prefer.

Meanwhile, the debate about how to use these reserves leaves behind a handful of states that don’t have rainy day funds at all. But in Kansas, talk has turned to creating one. Governor Mark Parkinson, a Democrat, wants the Republican-controlled legislature to approve a bipartisan proposal from two state senators asking for an emergency fund. Voters would need to approve amending the state constitution.

“It is time that we take steps to make sure that the state never again finds itself facing this kind of fiscal challenge,” Parkinson said, calling the \$1 billion in budget cuts last year brutal. “There are many reasons for the budget problems that we have. One is that we came into last year without an emergency fund. This is unacceptable.” Arkansas and Montana also do not have rainy day funds, and some budget analysts do not consider Illinois’s “Budget Stabilization Fund” a traditional rainy day fund because any withdrawals are supposed to be paid back by the end of the fiscal year.



TENNESSEE FESTIVALS

March 19-21: Townsend Smoky Mountain Fiber Arts Festival
A free three-day festival of fiber arts held at the Townsend Visitors Center and Townsend Elementary School. Sheep-to-Shawl demonstrations, sheep herding, fashion show and BBQ dinner, hands-on instructional classes in spinning, weaving, quilting, felting and vendors with a wide array of fiber arts products and supplies. For a full program and schedule of events, visit www.smfaf.org.

April 2- May 30: Knoxville Dogwood Arts Festival
For the month of April, the festival’s 50th anniversary will feature a vibrant mix of blooming flowers and trees, fine art, crafts, theater, dance, Americana music, film and literary arts. For a schedule of events, visit www.dogwoodarts.com.

April 8-11: Columbia Mule Day
An annual celebration of all things related to mules in the “Mule Capital” of the world. Traditional Appalachian food, music, dancing, and crafts. “Mule Day Parade” held on Saturday. The annual mule pull contest. For more information, visit www.muleday.com or call 931-381-9557.

April 15-17: Clarksville The Rivers & Spires Festival
Downtown Clarksville. The Charlie Daniels Band is featured musical headliner. Activities include: Jazz n’ Wine, International Streetfest, quilts, Kidz Zone, teen area and Green Zone. For a full schedule of activities and events, visit <http://www.riversandspires.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*

Edna Holland, Government Relations, TML/RMP

John Holloway, Government Relations

Debbie Kluth-Yarbrough, 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 monalawrence@TML1.org. Fax advertising copy to *TT&C*: Attention Debbie Kluth-Yarbrough 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.

TMBF

TENNESSEE MUNICIPAL BOND FUND

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

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

No loan is too large or too small

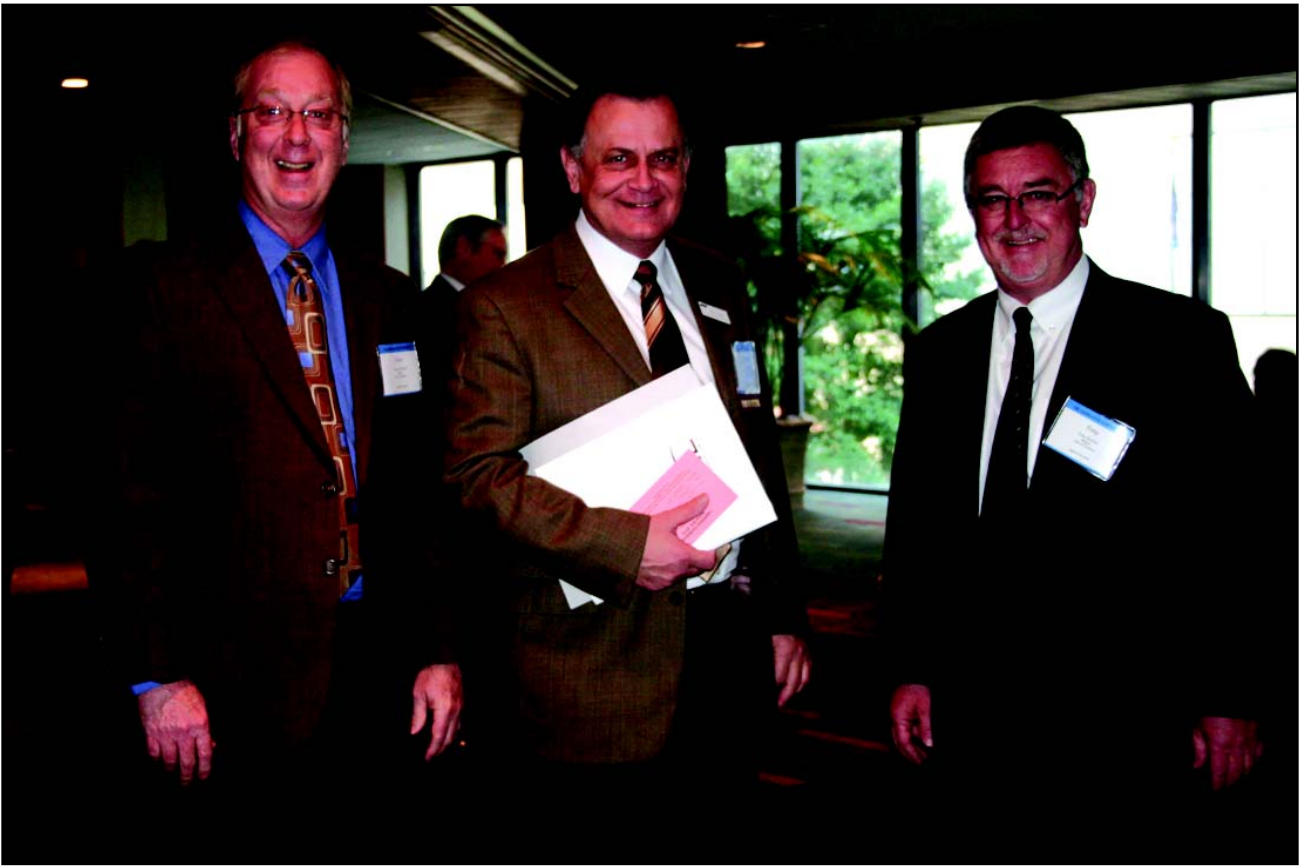
See us for your special projects needs. (615) 255-1561

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

Tennessee Municipal League 2010 Legislative Conference



Tommy Pedigo, Sparta mayor and TML president



Vance Coleman, Medina mayor; Allen Barker, Humboldt mayor; and Tony Burriss, Trenton mayor



Kevin Parsons, Mountain City mayor, and Johnny Lynch, Unicoi mayor



Jerry Loveday and Barry Gibbs, Sevierville aldermen



Jean Pruitt, Shelbyville councilmember, and Curtis Hayes, Livingston mayor



Tom Beehan, Oak Ridge mayor, and Tommy Bragg, Murfreesboro mayor

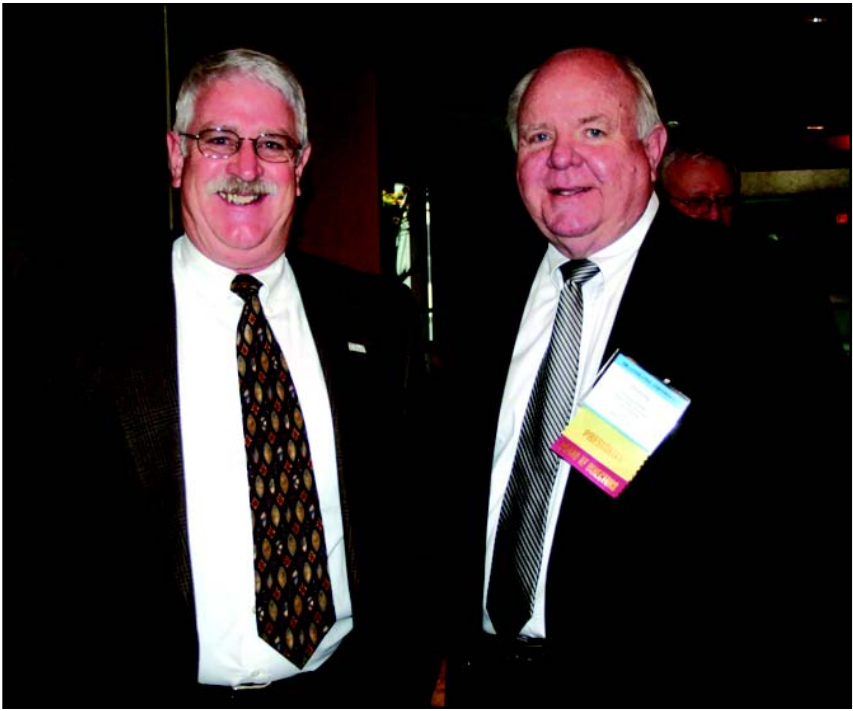


Kay Senter and Robert Garrett, Morristown councilmembers



Bo Perkinson, Athens vice mayor, and Dot LaMarche, Farragut vice mayor

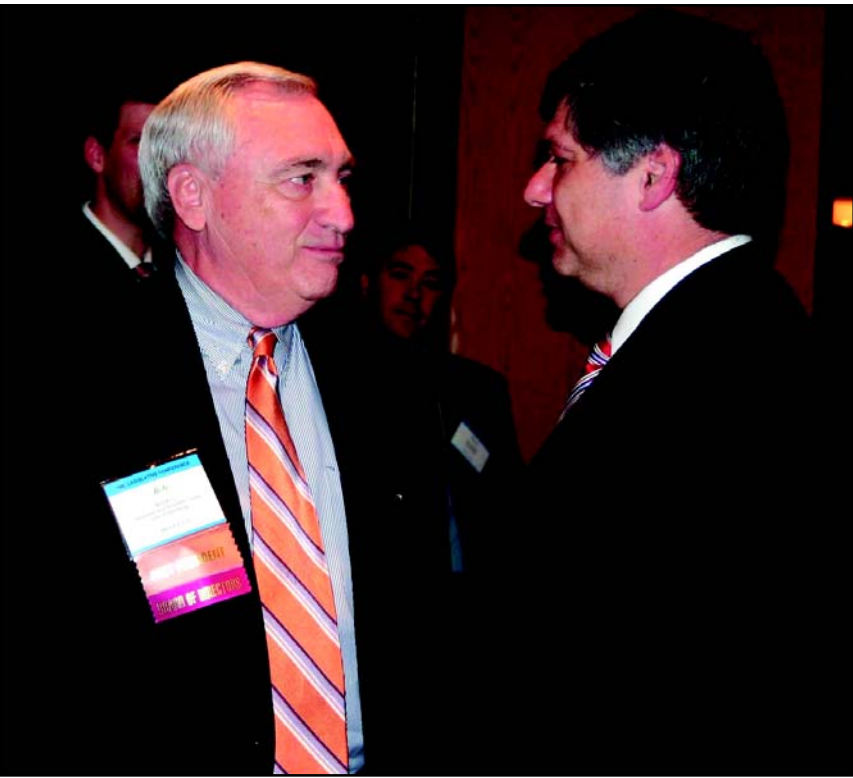
City leaders face today’s challenges through learning, networking



Mitch Moore, Athens city manager, and Tommy Pedigo, Sparta mayor and TML president



Leon King, Brownsville alderman; Carolyn Flagg, Brownsville alderman; Ann Banks, Brownsville director Community Development; Brownsville Mayor Webb Banks and John Simmons, Brownsville alderman



Bob Kirk, Dyersburg alderman, greets ECD Commissioner Matt Kisber.



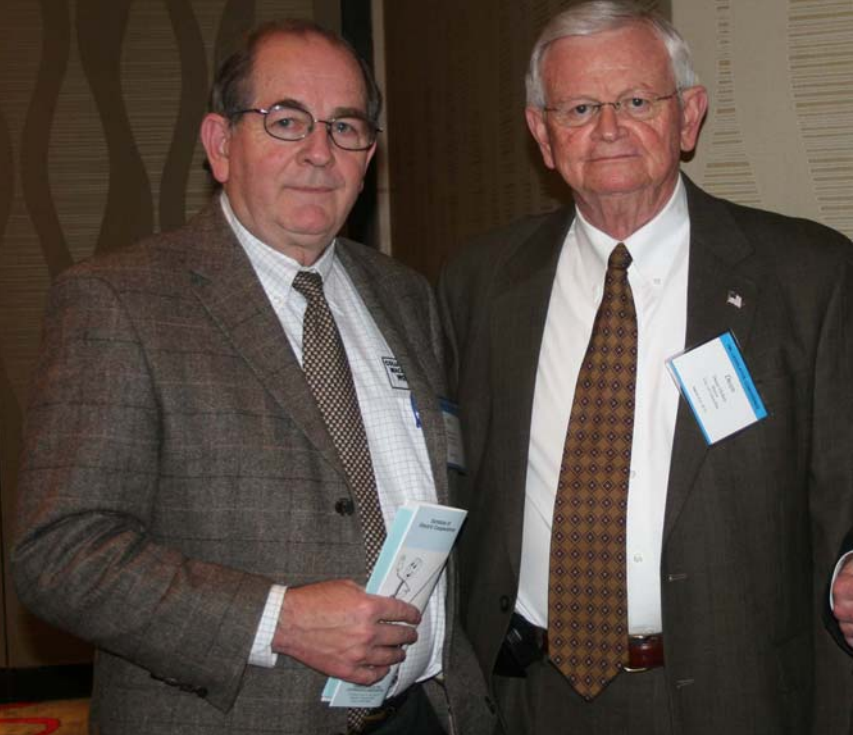
Barbara Brock, Tracy City mayor; Lura Faye Gross, Tracy City alderwoman; Susan Robertson, Signal Mountain vice mayor; and Honna Rogers, Signal Mountain town manager



Betsy Crossley, Brentwood mayor, and Paul Webb, Brentwood councilmember



Don White, Kingston councilmember, and Teresa Ferguson, Kingston vice mayor



Mike Green, Columbia councilmember, and Dean Dickey, Columbia mayor



Above: Glen Tilson, Erwin vice mayor; Lester Bailey, Erwin alderman; Gary Chandler, Erwin alderman; and William Lewis, Erwin mayor



At left: Hansford Hatmaker and Joe Bolinger, LaFollette councilmembers

Cities get down to the business of television

BY VICTORIA SOUTH
TML Communications Coordinator

Whoever coined the phrase “There’s no business like show business,” probably wasn’t thinking of local governments. But in 2010, municipalities are navigating the wide world of television and finding success through city cable T.V. channels—also known as public, education, government (PEG) channels.

A hot item for cities nationwide, broadcasting original programming on PEG channels affords local officials the ability to foster communication, market communities creatively and disseminate public information in ways unimagined by their predecessors.

While cities most frequently use the channels to televise work sessions and live council meetings, some municipalities in Tennessee are producing original programs and developing an appreciative audience beyond their wildest dreams.

“No one can tell our story better than we can,” said Franklin Mayor John Schroer, lauding the city’s cable channel, Franklin TV, which began airing in 2001 on Channel 10. “One of the things I’ve stressed is that we should communicate the

Bureau can use this as a tool to promote the positive aspects of the city,” remarks Shuford. “I have people say ‘I was flipping through the channels and came across the city’s channel 10 and I got hooked.’ It generates conversation and sometimes it generates a phone call.”

“It has been fun getting out and interviewing employees and our citizens who our doing unique things,” said Monique McCullough, Franklin’s public outreach specialist. Reporting on “The City Insider” expands McCullough’s earlier role filming five or 10 minute spots with Franklin’s employees.

“One great benefit is that when we’re shooting segments whether for parks, public works or other departments, they can take the segments and put them on their own websites or use them for training purposes,” said Reierson.

Soon, the TV crew will be incorporating Franklin’s rich Civil War history into a new segment discussing historic artifacts and the funeral of an unknown soldier whose remains were discovered at the Franklin Battlefield site.

Another original program on Franklin TV features a unique partnership between the city and a local Hispanic radio station, La Ley, call

television programming,” said Alan Bozeman, Murfreesboro’s Cable Television coordinator.

Among various programs, the channel features three foreign language shows in Laotian, Japanese, and Spanish and children delight to the madcap adventures of Murptry, the confused rabbit, on the “The Adventures of Murphy’s Burrow.”

According to Bozeman, the channel was used extensively as an “emergency information channel” during the Good Friday tornado that passed through Murfreesboro last year providing coverage of city press conferences, live views of the city from traffic cameras, and airing previously produced videos detailing the city’s emergency plan.

Funded solely through cable television/video franchising fees, the station has come a long way since 1993, when the city created the cable television department and hired staff to oversee the City Channel and cable television franchises.

A 2003 customer satisfaction survey found that 38 percent, nearly four in 10 Murfreesboro cable customers consider Channel 3 to be very important, trailing only CNN in terms of very important scores.

“The biggest challenge in producing local video programming is the amount of time it takes from beginning to end,” said Bozeman. “A 30-minute program can take numerous hours to shoot and edit together and is more time consuming than people realize.”

According to Bozeman, the most important component for cities interested in starting a local government channel is hiring the right person who has both a background in audio/video equipment and video production.

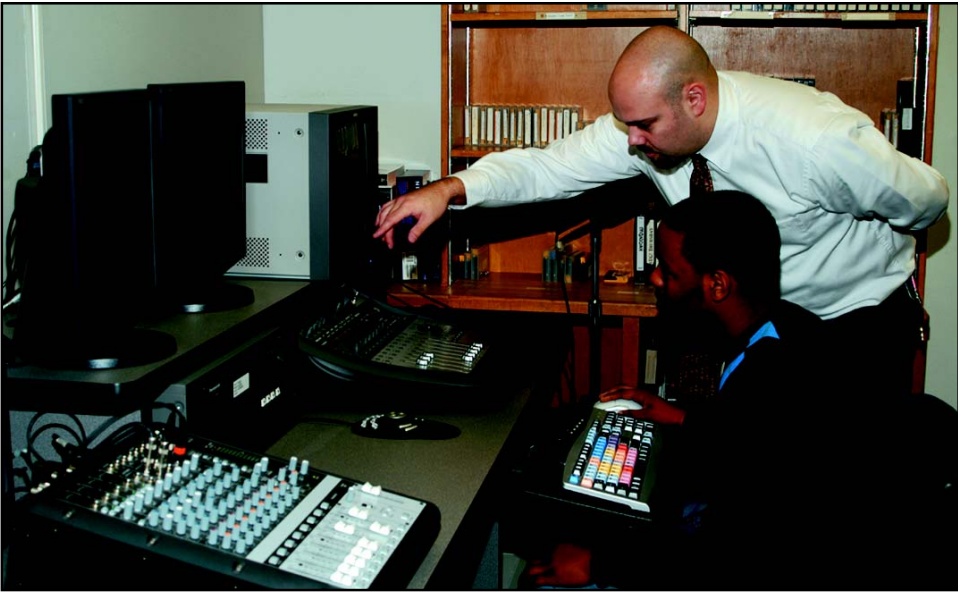
The person can recommend equipment to be purchased and used and also help produce original programming for the city. A production company could also be contracted out on a limited basis to produce some original programming providing their own equipment, but some city equipment is still necessary.

Bozeman also recommends NATOA and ACM, as excellent resources for local governments, where individuals who oversee and program local government channels as well as public and educational channels, can provide a plethora of information on how to start up local channels and provide advice. For more information, visit the websites at <http://natoa.org/> and <http://www.alliancecm.org/>

A schedule of Murfreesboro’s City Channel programs can be found by visiting the city website at www.murfreesborotn.gov.

Germantown

A partnership between city leaders and Germantown High School, “The Access Together Project,” has produced sweet success in local government programming. The station, GHS-TV, on Comcast’s Channel 17, is located right on the campus of the school and has become a nationally recognized model as well as Emmy award winning student program. The class



Winner of Best PEG Access Channel in the USA Award, given by ACM, GHS-TV allows community programmers to train Germantown High School students to produce their own shows.

generates graduates who frequently go on to work in high-profile positions in the entertainment industry.

The school system agreed to fund several staff positions to help manage the station and to help provide the city with 11 local 30-minute shows along with a host of local, regional and national programming 24/7, 365 days a year.

The studio functions like a well run business, staffed by employees of Shelby County schools who are trained in media related services and operated in large part by a team of highly trained students.

The arrangement also calls for the cable company to provide a \$145,000 stipend annually in exchange for not having to provide a separate studio for PEG programming. Additional financial help

on Germantown.” The program features two interviews on different topics plus several short features.

“We’re adding live video streaming soon via a contract with Granicus,” Goldsworthy continues. “The city will provide up to 200 hours per month of web videos and although city staff will use a camera and be able to edit, we’ll rely on our partnership with GHS-TV for student assistance to help with the streaming of the board and commission meetings.”

The video streaming will also serve as an addition to the city’s newly reconstructed website, www.Germantown-tn.gov.

“The most rewarding aspect, I think, is the fact that we are able to train students thoroughly in video production and offer incredible



Franklin Police Officer and contributing reporter Charles Warner spotlights community safety issues on taped segments of “The City Insider,” an original program written and produced in Franklin and aired on the city’s government Channel 10.

best way we can. I want to explore every option to put the city in a good light, and we had this free tool we weren’t using for 24 hours a day.”

Still on Channel 10 with Comcast, Franklin TV can also be viewed on Channel 99 throughout middle Tennessee, since the city’s recent addition of AT&T. According to Public Chapter 932, AT&T as well as any other new market entrant pays a franchise fee equal to five percent of its gross revenues generated within a municipality. In addition, PEG costs not currently borne by a municipality are paid by the provider.

“Cost is not an issue,” said Schroer. “We didn’t add any staff and the great thing is we are finding out that a lot of our people have some great skills. We’ve even got some employees that are good on camera and do a little acting.”

As a local businessman and salesperson at heart, Schroer is glad to pitch Franklin’s amenities to a wider audience, and one program that is helping to achieve this goal is “The City Insider,” a spin off of Franklin’s newsletter by the same name, written, hosted and produced by Communications Manager Milissa Reierson. Contributing segments come from city staff reporters all across the community.

“Franklin has a story to tell, and we have some great story tellers as well as some interesting things to see and learn about,” said Reierson, a former San Diego news anchor. Reierson says the city itself serves as the stage that brings Franklin’s stories to life. All filming is done on location by Franklin cable television coordinator Ray Foglia, a former New York T.V. studio professional.

“Shooting this program has been a new challenge and great to get out of the boardroom and onto the streets of Franklin to take viewers inside the city,” says Foglia.

In one segment, entitled “Everyday Heroes,” Reierson tags along with solid waste workers picking up trash and touring the city’s solid waste facility to show the public where the refuse goes. Another show features Parks and Recreation Program Coordinator Anna Shuford interviewing a member of the prominent Harlinsdale family about a new park on the grounds of the family’s historic farm.

“The Convention & Visitors

letters (WHEW). The program helps inform Franklin’s Hispanic citizens about municipal issues and events. The city videotapes the radio show interviews and replays them on Franklin T.V. as an educational service to the entire community.

“We’ve met several times with Hispanic community leaders to identify the needs of non-English speaking residents,” said Charles Warner, Franklin police officer and contributing reporter. “They may not know, for example, that when they are on vacation or an extended absence away from their homes that the police department offers a free check of the home while they’re away. Unless we tell them this in Spanish, they may never know. We hope they come to enjoy the same level of service that English speaking residents enjoy.”

One of the station’s first guests is Mayor Schroer discussing issues pertinent to the community. “Lately the Hispanic community has been pushing for everyone to be involved in the Census and they’re doing their best to get the word out,” said Schroer. “We have also established a new website and are going to have it translated into Spanish so that Hispanic residents can utilize the city website.”

“We’re also looking at options for streaming the channel 24/7,” adds Reierson. “It’s time we reach out and let the community know about our great services.”

For a look at some of the original videos and programming and a schedule for Franklin TV, visit www.franklintv.gov and click on Franklin TV.

Murfreesboro

In Murfreesboro, home of Middle Tennessee State University and the \$15 million Bragg Mass Communication Complex, the station to watch is The City Channel, Channel 3 on Comcast and 99 on AT&T. Original programming is produced weekly right at the studio inside city hall.

“The city has won numerous national awards through the years from The National Association of Telecommunications Officers and Advisors (NATOA) and the Alliance for Community Media (ACM) for various locally produced government videos and programs as well as overall excellence in local government



Franklin Mayor John Schroer is a guest at La Ley, a local Hispanic Radio Station. The shows are rebroadcast on Franklin TV. Pictured are: Mary Ann Buentello, executive assistant to the mayor and translator, Schroer and Salvador Guzman, La Ley Radio.

comes from the city as well as the community. The station has relationships with other student-run outlets throughout the world including video programs in Russia, Germany, Austria and the Republic of Georgia.

“Unquestionably, the greatest benefit from the city’s arrangement with GHS-TV is the live telecasting of our twice monthly board of mayor and aldermen meetings and the monthly planning commission meeting,” said Germantown Mayor Sharon Goldsworthy. “Interested citizens can observe our proceedings and our decision making process without having to travel to city hall. It also offers exposure to all our actions, not just those that might be reported by the local newspaper.”

Goldsworthy hosts a monthly show on GHS-TV called “Spotlight

training in leadership and management skills, while at the same time provide the community a top notch local interest television station,” said Frank Bluestein, GHS-TV executive producer. “Everyone wins in this. It is most gratifying to see the students go on into professional film and television careers and for so many to come back to the community in media related jobs.”

Germantown High School is so proud of the program, that Bluestein offers to help train other cities interested in a similar arrangement.

“I would absolutely recommend this arrangement to other communities,” he said. “We are glad to host and consult others who would like to see our station in action.”

For more information visit the GHS-TV website at www.ghstv.org.

Setting Up a Basic Government Access channel

BY RAY FOGLIA

In these tough economic times, it may be difficult for a local government to set up an access channel. One must remember, from a quality standpoint, that the local government access channel is always going to be compared with the many other channels available on cable TV. Therefore, the government access channel, quality-wise, needs to look like the competition. If the budget allows, the following would be the basic setup:

Three or four cameras for the Board Room – in Franklin, we have two robotically controlled cameras and two manned cameras on tripods, which are operated by college student interns.

There should be TV monitors in the control room to be able to monitor each camera. A video switcher (to switch the different cameras) is important to have.

Several microphones for all the

commissioners and mayor, as well as an audio mixer to input all the microphone feeds.

A character generator (titler) is important to superimpose names of councilmen, etc. and to date the meeting.

A recording device (VCR, DVR, etc.) is necessary to record the meeting/program.

If the budget allows, a video server for automated playback of programming would be extremely helpful. If the budget does not allow it, manual cueing and playback of programming works okay, but is very labor intensive.

Also, a means to play an information billboard slide show when not airing live or recorded programming is very important. Many government channels use PowerPoint, but there are better, more professional (for video) products available.

If recording other kinds of shows in



Franklin Cable TV Coordinator Ray Foglia and Communications Manager Milissa Reierson.

the field is important to the city, a portable video camera might be necessary, if the two manned board room cameras cannot be taken into the field.

A non-linear computer editing system is recommended to compile the field footage into a program; a recorder is needed to capture the entire program.

Remember, this is just a basic list of equipment needed. There are many other items that could be included to have a complete television facility.