

Election 2008

GOP wins majority in both state chambers

State Senate 19-14; State House 50-49

BY CAROLE GRAVES

TML Communications Director

It was a night for Democrats on the national scene, but in Tennessee, the GOP ruled.

Not only did the Republicans deliver 11 electoral votes to John McCain and re-elect U.S. Senator Lamar Alexander, but the Republicans picked up seats in the state Senate and House, giving the party the majority in both legislative chambers. This is the first time since Reconstruction that the Re-

publicans control both houses.

In the state Senate, the Republicans gained strength by winning three seats, taking the 16-16 split with one Independent to a clear 19-14 majority. In Senate District 4, Republican Mike Faulk beat out Independent Mike Williams. In District 12, Ken Yager (R) won a hard-fought battle against Becky Ruppe (D), which delivered the GOP a Senate seat that was previously held by Democrat Tommy Kilby, who elected not to run again. And in

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Alexander wins victory in U.S. Senate race

BY CAROLE GRAVES

U.S. Senator Lamar Alexander easily won his second term in the U.S. Senate, with 65.1 percent of the votes over Democrat Bob Tuke's 31.6 percent.

In his victory speech given in Nashville, he pledged to work in a non-partisan manner to get things done.

"I will do exactly what I pledged to do during the campaign: I will work across party lines to get results on the big issues facing our country – and there certainly are plenty of those – starting with the economy, energy independence and health insurance.

"With big issues will come big differences of opinion – but my differences will be based upon principle, not partisanship. Tennesseans are tired of petty, partisan, kinder-

garten politics. They want results – principled results, but results," said Alexander.

He will join freshman U.S. Senator Bob Corker, who was elected in 2006 to a six-year term, in representing Tennessee in Washington, D.C. The two Republicans are in the minority, with Democrats picking up at least six additional seats (57-40). At press time, election results in three states were still not final.

In the U.S. House, the Democrats have a commanding majority of 254 to 173.

Tennesseans voted to send seven of the state's incumbents back to the U.S. House. The only upset came in August, when Johnson City Mayor Phil Roe defeated U.S. Rep. David Davis in the 1st District.

U.S. House
District 1 – Phil Roe (R)



U.S. Sen. Lamar Alexander

District 2 – Jimmy Duncan (R)
District 3 – Zach Wamp (R)
District 4 – Lincoln Davis (D)
District 5 – Jim Cooper (D)
District 6 – Bart Gordon (D)
District 7 – Marsha Blackburn (R)
District 8 – John Tanner (D)
District 9 – Steven Cohen (D)



For the tenth consecutive month, state revenues have come in below projections. Economic conditions have deteriorated since Nov. 2007.

State revenue collections in 10-month decline

Future forecast described as "downright ugly"

BY CAROLE GRAVES

State finance officials believe they will have to tap into a \$750-million rainy day fund to get through this budget year.

Just two months into the fiscal year, departments have been asked to reduce spending by \$106 million against a current shortfall of \$140 million, according to Finance and Administration Commissioner Dave Goetz. Goetz says the shortfall could reach \$600 million by the end of the fiscal year.

"September is the second consecutive month in which sales taxes and corporate income taxes have shown negative growth rates," Goetz said. "We are disappointed, but we'll continue to monitor ex-

penditures very closely, as we are determined to keep the state's budget in balance for the duration of current national conditions."

"We've seen economic conditions deteriorate since November of 2007, as collections have come in under the budgeted estimate for the past 10 consecutive months," said Goetz.

Budgeted revenue estimates are based on the State Funding Board's recommendation and adopted by the General Assembly in May 2008. State officials say they were conservative in passing a budget that reflected only a 2.2 percent increase in sales tax revenue and flat business tax income.

According to information released from Finance and Administration, state revenue collections for September were \$976.7 million, or

See **REVENUES** on Page 6

UT- MTAS welcomes new assistant director

Melanie Purcell of Reno, Nev., has been named assistant director of the University of Tennessee's Municipal Technical Advisory Service (MTAS).

Purcell brings to MTAS the strength of financial management and more than 15 years of experience in city and county management.

Most recently, she served as budget manager of Washoe County, Nev., coordinating an \$887 million budget. Prior to that, she served in various city management positions in municipalities in Michigan, including the cities of Howell, Flint, Plymouth, and Ann Arbor.

Purcell has overseen downtown development authorities; supervised various city departments including Water, Building & Zon-



Melanie Purcell

ing, and Parks and Recreation; and directed tax and utility bill collection, fund investments, and debt management.

to be in compliance.

The Red Flags Rule was developed pursuant to the Fair and Accurate Credit Transactions (FACT) Act of 2003. Under the rule, financial institutions and creditors with covered accounts must have identity theft prevention programs to identify, detect, and respond to patterns, practices, or specific activities that could indicate identity theft.

The Rule applies to creditors and financial institutions. Federal

TDOT committee studies funding for future transportation needs

Infrastructure needs, projected revenues are miles apart

BY CAROLE GRAVES

How to cover a projected \$8 billion gap in transportation funding while planning for the state's future highway needs is the focus of a newly-formed study committee.

Created by the legislature in 2008, the Transportation Funding Special Joint Study Committee met for the first time last month to explore a number of new revenue options. Rep. Bill Harmon was appointed chairman of the 20-member committee. Dale Kelley, Huntington

mayor and former commissioner of the Tennessee Department of Transportation (TDOT), serves as the Tennessee Municipal League's representative on the committee.

State officials say the funding gap is in large part to a decline in federal funding, less gasoline tax revenues generated at the federal and state level, and an increase in construction and maintenance costs.

TDOT Commissioner Gerald Nicely reported that state revenues only increased by 0.5 percent a year and federal revenue by 1.4 percent while construction costs grew 15.9 percent annually.

Nearly 50 percent of TDOT's \$1.94 billion budget comes from

See **TDOT** on Page 5



Rep. Bill Harmon

FCC launches nationwide awareness initiative about digital TV transition



Photo by Victoria South

Paul Summers (right) partner with Waller, Lansden, Dortch & Davis LLP greets State Attorney General Robert Cooper as FCC Commissioner Deborah Tate looks on. The Nashville firm hosted Commissioner Tate and other broadcast officials at an informative town hall meeting to promote awareness about the nation's future transition to digital television.

BY VICTORIA SOUTH
TML Communications Coordinator

Are you ready for Feb. 17, 2009? Ninety percent of the nation is aware of the significance of that question. Now, the Federal Communications Commission (FCC) is pulling double duty to ensure the remaining 10 percent are informed about the impending transition from analog broadcast television to digital TV (DTV).

law defines a creditor to be: any entity that regularly extends, renews, or continues credit; any entity that regularly arranges for the extension, renewal, or continuation of credit; or any assignee of an original creditor who is involved in the decision to extend, renew, or continue credit. Accepting credit cards as a form of payment does not, in and of itself, make an entity a creditor.

Some examples of creditors are finance companies, automobile deal-

ers, mortgage brokers, utility companies, telecommunications companies, and non-profit and government entities that defer payment for goods or services. Financial institutions include entities that offer accounts that enable consumers to write checks or to make payments to third parties through other means, such as other negotiable instruments or telephone transfers.

The Commission staff launched outreach efforts last year to explain

for police, fire, and emergency rescue communications, allow broadcasters to offer programming with better picture and sound quality and more programming choices, and allow for advanced wireless service for consumers.

FCC Commissioner Deborah Tate, as part of the nationwide initiative, held a series of informative town hall meetings in Nashville, Chattanooga and Knoxville where

See **DTV** on Page 5

FTC grants six-month delay of enforcement of Red Flags rule

The Federal Trade Commission will suspend enforcement of the new "Red Flags Rule" until May 1, 2009, to give creditors and financial institutions additional time in which to develop and implement written identity theft prevention programs.

The announcement and the release of an Enforcement Policy Statement do not affect other federal agencies' enforcement of the original Nov. 1, 2008, deadline for institutions subject to their oversight

the rule to the many different types of entities that are covered by the rule. The agency published a general alert on what the rule requires, and, in particular, an explanation of what types of entities are covered by the rule – <http://www.ftc.gov/bcp/edu/pubs/business/alerts/alt050.shtm>. During the course of these efforts, Commission staff learned that some industries and entities within the FTC's jurisdiction

See **RED FLAGS** on Page 5

NEWS ACROSS TENNESSEE



BY TML STAFF REPORTS

ADAMSVILLE

A second layoff this year at a West Tennessee bath products plant has idled 32 people. Spokespersons for the Michigan-based Masco Corporation - Aqua Glass' corporate parent - cited the downturn in the U.S. housing market as the reason for the layoffs. Aqua Glass makes bathtubs, showers and other bath products for homebuilders and retail sales through home improvement stores. The company in Adamsville remains a major employer in rural McNairy County, despite this layoff and one earlier in the year in which more than 100 employees were idled.

BROWNSVILLE/HAYWOOD COUNTY

As economic development in West Tennessee pushes the demand for energy, the Tennessee Valley Authority is expanding its Haywood County facilities and adding 35 employees. TVA is currently constructing a combined cycle facility adjacent to its Lagoon Creek plant just outside of Adamsville in the Nut Bush community. The Lagoon Creek plant provides energy demands during peak periods while TVA's new facility in Haywood County will operate more frequently to supplement other TVA facilities in the area. Financial information regarding costs for the new plant is currently unavailable.

CHATTANOOGA

Two public schools are about a year away from implementing the first two International Baccalaureate programs in Hamilton County. Brown Academy hopes to become Tennessee's first IB elementary school in August 2009, and Signal Mountain Middle-High School should have its middle years program certified next fall, followed by the high school in 2011, administrators say. Although both Brown and Signal Mountain began the roughly three-year process of becoming IB schools before Volkswagen announced it was coming to town, Janet Brodsky, the middle-high school's IB coordinator, said the

timing is perfect. "Internationally, the IB would be the most recognizable program for people who live in foreign countries," she said.

COLLIERVILLE

The paperwork is disappearing for workers who need to purchase supplies for Collierville's town government. Computer software and e-mail are replacing paper forms, according to Derek Honeycutt, director of General Services. The computer software called "BuySpeed," sold by Periscope Holdings Inc. of Austin, Texas, routes purchase requests that may have taken two or three days to travel through office mail instantly. In addition, the paperless system is collecting data about purchases that will build a foundation for future budgeting.

COOKEVILLE/PUTNAM COUNTY

The city and county are seeking a certificate of public purpose and necessity from the state Building Finance Committee of the Tennessee Board of Economic Growth in order to apply for state and federal grants to help offset the cost of development of the Highlands Business Park. The land, purchased in a cooperative effort with both governments sharing the cost of development, needs infrastructure including water lines, sewer capacity and roads. The certificate is required before the city or county could issue bonds to finance the project.

FRANKLIN

New York Alpha Media Group, the company that produces *Maxim* and *Blender* magazines, is moving its back-office operations from New York City to Franklin. The company would bring about 40 positions, many of which could be filled by Middle Tennesseans. Alpha's finance, manufacturing, distribution, office services and digital technology divisions will move into a floor at the Dover Center on Seaboard Lane in December. The company wants to have the transition completed by the end of March. Print, sales, marketing and most of the magazine group's creative team will remain in

New York. *Maxim* is among the most successful young men's lifestyle magazines in the country, reaching more than 12.5 million readers each month.

JACKSON

On the heels of Madison County's eighth largest employer, Whirlpool's announcement that 511 workers could be losing their jobs by the end of 2009, the Delta Faucet plant will lay off about 45 full-time workers. Delta Faucet is Madison County's second largest manufacturer based on employees. The plant employs about 610 workers.

JAMESTOWN

Cities and towns along the Upper Cumberland are struggling to find road salt. The ones that can find salt are paying a steep price for it. The Salt Institute, a non-partisan industry group, says the problem stems from last year's heavy snowfall, which flooded the Upper Mississippi making it harder for salt barges to deliver the wintertime staple. State officials, meanwhile, say they do have enough road salt. But that only covers state highways, not the 35 miles of city roads in Jamestown.

JOHNSON CITY

U.S. Sen. Bob Corker visited Johnson City's Iris Glen Convenience Center, lauding the city's gas-to-energy project as an example of how local government can take the lead in helping to overcome the country's current economic woes. Corker, on the Senate Energy Committee, said the committee is always looking throughout the world for new innovations and energy solutions such as Iris Glen. The project, the product of a partnership between the city and Energy Systems Group, uses methane gas created by decomposing garbage to create usable energy that is sold to users such as the Veterans Affairs Medical Center, Mountain Home.

JOHNSON CITY

A local spa manufacturer, Infinity Spas, has sold its operations to a Florida company that will close facilities in Johnson City and Elizabethton, resulting in 150 layoffs. Infinity, which opened in 2005, said severe reductions in demand had hit companies hard since the spring.



The groundbreaking for Tennessee's first of its kind pilot-scale cellulosic ethanol refinery was celebrated with an official ceremony at the site of the future plant at the Niles Ferry Industrial Park.

KINGSPORT

Construction is underway on a training facility for highly skilled manufacturing jobs in Kingsport. Two of the city's most prominent companies, chemical, fiber and plastic manufacturer Eastman Chemical and specialty paper producer Domtar, have partnered with Northeast State Technical College to build the Regional Center for Advanced Manufacturing to train the local workforce for future jobs.

MEMPHIS/SHELBY COUNTY

Memphis will receive \$11.5 million and Shelby County will receive \$2.7 million in U.S. Department of Housing and Urban Development grants to forestall the impact of high levels of foreclosure. The grants, by HUD's Neighborhood Stabilization Program, can be used by local governments to acquire land, demolish or rehabilitate abandoned property or to offer down payment or closing cost assistance to low- and moderate-income home buyers. The grants can also be used to create land banks to assemble and manage vacant housing in an effort to stabilize neighborhoods.

LORETTO

Lenco Laboratories LLC., based in Warren, R. I., has chosen Loretto for its new manufacturing facility, where it will do business as Lenco Liquids and create an anticipated 60 new jobs with an average production wage of \$14 per hour. The company will invest nearly \$4 million over the next 3 years in this facility. Lenco Liquids is a manufacturing company that specializes in design, development, testing and production of a large array of personal care products such as liquids, gels and soap bars. Initially, the company will produce liquid soap, gels and shampoos in the new Loretto facility.

MURFREESBORO

City Manager Roger Haley recommended almost a \$1 million freeze in the city's spending because of "escalating fuel prices and electric costs." The proposed freeze would extend to numerous unfilled and new positions within city government, most notably 18 new police positions. Haley identified expenditure freeze targets for each department, including \$749,357 to the general fund, \$80,000 in parks/recreation, \$5,000 in the senior center and \$59,547 for solid waste.

NASHVILLE

Nashville-based Amsino Medical USA says it plans to add about 100 new workers over the next two years and invest \$3.5 million on new equipment for its manufacturing plant in Davidson County. The new hires will more than double the company's Nashville-area workforce. Officials cite the city's reputation as a health care hub as reason for the expansion. The pre-filled syringe maker will receive tax and training incentives, low-interest loans and energy credits from the

state and Tennessee Valley Authority.

PIKEVILLE/BLED SOE CO.

State officials are calling for public input on the long-delayed, multimillion-dollar expansion of the Southeastern Tennessee State Regional Correctional Facility in Bledsoe County. The project is moving forward, according to state Rep. Bill Harmon, chairman of the Corrections Oversight Committee in the General Assembly. A public hearing is set for Nov. 13 and according to sources, the project should take 18 months and be completed in 2011.

SMYRNA

The Tennessee Chapter of the American Planning Association (TAPA) recently awarded the Town of Smyrna with the Outstanding Planning Award for cities whose population is under 100,000. The Committee selected this comprehensive plan because it addresses a high rate of growth and anticipated trends. Elements of the plan include: future land plan use, a major thoroughfare plan, parks & recreation, gateways and implementation strategies.

SPRINGHILL

Gov. Phil Bredesen and ECD Commissioner Matt Kisber joined officials of General Motors to celebrate the production launch of their all-new 2009 crossover, the Chevrolet Traverse, at the company's retooled manufacturing facility in Spring Hill. Since GM announced the \$600 million investment in 2007, major construction and rebuild of the plant production areas have been underway in preparation for this recent milestone.

TULLAHOMA

Tullahoma has once again been named the No. 1 micropolitan area in the state and is in the top eight percent nationwide, according to Policom, a nationwide economic development organization. This is the third year in a row Tullahoma has achieved the No. 1 ranking, which measures an area's economic strengths. There are 577 micropolitan areas in the United States. Each area must consist of at least one county and have a city with a population of between 10,000 and 50,000 to be considered as micropolitan. The Tullahoma area includes Coffee, Franklin and Moore counties and is ranked 45th out of the 577 micropolitan areas nationwide.

VONORE

The groundbreaking for the state's first of its kind pilot-scale cellulosic ethanol refinery was celebrated with an official ceremony at the site of the future plant at the Niles Ferry Industrial Park. Instead of the traditional ribbon-wrapped shovel, a local farmer, David Richesin, joined by Gov. Bredesen, used a tractor and planter to initiate the biorefinery's construction.

NATIONAL BRIEFS



The Bush administration is moving to adopt rules that would loosen pollution controls on power plants, by judging the plants on their hourly rate of emissions rather than their total annual output, according to news sources. Under current policy, power plants that make upgrades to operate longer and increase emissions must install pollution-control equipment. The proposed rules, which seek to make it easier for older power plants to extend their life span and upgrade without installing costly new equipment, are tied to an hourly rate of emissions. As long as a power plant's hourly emissions stay at or below the plant's historical maximum, the plant would be treated as if it were running more cleanly, even if its total annual emissions increased as plant operators stepped up operations.

The number of illegal immigrants entering the United States has slowed significantly the past few years, falling below the number of those entering the country legally, according to the report by the Pew Hispanic Center, a Washington think tank. The report estimates there were 11.9 million illegal immigrants in the U.S. as of March. That

would be a decline of 500,000 from the center's estimate a year ago.

Researchers found that more than 3 percent of U.S. children and adolescents are uninsured or underinsured at some point during any given year — despite having at least one parent with health insurance. This translates into almost 3 million U.S. children with no medical care at all and no access to prescription drugs over a full year. Slightly more than half of that number qualify for public coverage but aren't enrolled. Overall, more than 9 million U.S. children are uninsured; some 18 million have a coverage gap at one time or another, according to the study.

Economists are concerned that shriveling tax revenues may signal the onset of a historic fiscal crisis for state governments. Pared-down spending plans crafted just months ago may have been just the start. The moribund economy is drying up tax revenues more dramatically than expected, forcing 22 states to confront growing budget gaps. Some states have already eliminated jobs and services — and more cuts are likely. The new shortfalls, totaling at least \$11.2 billion,

come just months after numerous states enacted belt-tightening measures while writing their yearly budgets.

Governments from California to Ohio are beginning to pass new laws to protect a quiet victim of the nationwide economic slide: renters getting blindsided by foreclosures against their landlords. Governments have been taking notice and are starting to pass and consider laws to protect renters who have no idea their landlords have defaulted on their mortgages.

One in four students quits high school, a grim rate that will have to improve under new federal rules. Schools and states will now have to track and lift the graduation rates for all students, including minorities and students with disabilities, under new regulations announced by the U.S. Education Secretary. Among black and Hispanic kids, one in three drops out of school. The new rules put pressure on schools to improve and are an attempt to extend the No Child Left Behind education law to the high school grades until they receive an eviction notice.

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ELECTION ROUNDUP

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District 26, Republican Delores Gresham won over Democrat Randy Camp to fill the seat vacated by former Lt. Gov. John Wilder (D).

The biggest surprise of the night, however, came when the GOP gained four seats in the House, giving them a slim majority of 50-49. Democrats Nathan Vaughn and Bob Bibb lost their seats to Republicans Tony Shipley and Joshua Evans, respectively. Democrats also lost seats in District 40 previously held by Frank Buck (D) and won by Terri Weaver (R); District 48 previously held by John Hood (D) and won by Joe Carr (R); and District 71 previously held by Randy Rinks (D) and won by Vance Dennis (R). Reps. Buck, Hood and Rinks all opted not to run for re-election.

One bright spot for Democrats was in House District 64, where Ty Cobb (D) won over incumbent Tom DuBois (R).

With Republicans in the majority in both houses, it means new leadership positions, committee chairs, and possibly new constitutional officers. All three are up for re-election and are voted on by the entire General Assembly. Both parties are scheduled to caucus over the next two months to elect their leadership positions prior to January 13, when the 106th Tennessee General Assembly convenes.

State Senate

- District 2 - Ron Ramsey (R)
- District 4 - Mike Faulk (R)
- District 6 - Jamie Woodson (R)
- District 8 - Doug Overbey (R)
- District 10 - Andy Berke (D)
- District 12 - Ken Yager (R)
- District 14 - Eric Stewart (D)
- District 16 - Jim Tracy (R)
- District 18 - Diane Black (R)
- District 20 - Joe Haynes (D)
- District 22 - Rosalind Kurita (D)
- District 24 - Roy Herron (D)
- District 26 - Delores Gresham (R)
- District 28 - Jim Kyle (D)
- District 30 - Beverly Marrero (D)
- District 32 - Mark Norris (R)

State House

- District 1 - Jon Lundberg (R)
- District 2 - Tony Shipley (R)
- District 3 - Jason Mumpower (R)
- District 4 - Kent Williams (R)
- District 5 - David Hawk (R)
- District 6 - Dale Ford (R)
- District 7 - Matthew Hill (R)
- District 8 - Joe McCord (R)
- District 9 - Mike Harrison (R)
- District 10 - John Litz (D)
- District 11 - Eddie Yoley (D)
- District 12 - Richard Montgomery (R)
- District 13 - Harry Tindell (D)
- District 14 - Ryan Haynes (R)
- District 15 - Joe Armstrong (D)
- District 16 - Bill Dunn (R)
- District 17 - Frank Niceley (R)
- District 18 - Stacey Campfield (R)
- District 19 - Harry Brooks (D)
- District 20 - Bob Ramsey (R)
- District 21 - Jimmy Matlock (R)
- District 22 - Eric Watson (R)
- District 23 - Mike Bell (R)
- District 24 - Kevin Brooks (R)
- District 25 - Eric Swafford (R)
- District 26 - Gerald McCormick (R)
- District 27 - Richard Floyd (R)
- District 28 - Tommie Brown (D)
- District 29 - Joanne Favors (D)
- District 30 - Vince Dean (R)
- District 31 - Jim Cobb (R)
- District 32 - Dennis Ferguson (D)
- District 33 - Jim Hackworth (D)
- District 34 - Donna Rowland (R)



- District 35 - Dennis Roach (R)
- District 36 - Chad Faulkner (R)
- District 37 - Bill Harmon (D)
- District 38 - Les Winningham (D)
- District 39 - George Fraley (D)
- District 40 - Terri Weaver (R)
- District 41 - John Mark Windle (D)
- District 42 - Henry Fincher (D)
- District 43 - Charles Curtiss (D)
- District 44 - Mike McDonald (D)
- District 45 - Debra Maggart (R)
- District 46 - Straton Bone (D)
- District 47 - Judd Matheny (R)
- District 48 - Joe Carr (R)
- District 49 - Kent Coleman (D)
- District 50 - Gary Moore (D)
- District 51 - Mike Turner (D)
- District 52 - Mike Stewart (D)
- District 53 - Janis Sontany (D)
- District 54 - Brenda Gilmore (D)
- District 55 - Gary Odom (D)
- District 56 - Beth Harwell (R)
- District 57 - Susan Lynn (R)
- District 58 - Mary Pruitt (D)
- District 59 - Sherry Jones (D)
- District 60 - Ben West (D)
- District 61 - Charles Sargent (R)
- District 62 - Curt Cobb (D)
- District 63 - Glen Casada (R)
- District 64 - Ty Cobb (D)
- District 65 - Eddie Bass (D)
- District 66 - Joshua Evans (R)
- District 67 - Joe Pitts (D)
- District 68 - Curtis Johnson (R)
- District 69 - David Shepard (D)
- District 70 - Joey Hensley (R)
- District 71 - Vance Dennis (R)
- District 72 - Steve McDaniel (R)
- District 73 - Jimmy Eldridge (R)
- District 74 - John Tidwell (D)
- District 75 - Butch Borchert (D)
- District 76 - Mark Maddox (D)
- District 77 - Judy Barker (D)
- District 78 - Philip Johnson (R)
- District 79 - Curtis Halford (R)
- District 80 - Johnny Shaw (D)
- District 81 - Jimmy Naifeh (D)
- District 82 - Craig Fitzhugh (D)
- District 83 - Brian Kelsey (R)
- District 84 - Joe Towns (D)
- District 85 - Larry Turner (D)
- District 86 - Barbara Cooper (D)
- District 87 - Karen Camper (D)
- District 88 - Larry Miller (D)
- District 89 - Jeanne Richardson (D)
- District 90 - John DeBerry (D)
- District 91 - Lois DeBerry (D)
- District 92 - G.A. Hardaway (D)
- District 93 - Mike Kernell (D)
- District 94 - Barrett Rich (R)
- District 95 - Curry Todd (R)
- District 96 - Steve McManus (R)
- District 97 - Jim Coley (R)
- District 98 - Ulysses Jones (D)
- District 99 - Ron Lollar (R)

TACIR launches forum on state's future

The Forum on Tennessee's Future, a group of ten public and private sector leaders convened by the Tennessee Advisory Commission on Intergovernmental Relations (TACIR), met in Nashville on Oct. 22, to discuss the challenges Tennessee faces as policy makers look to improve the state's competitive edge and enhance the quality of life for all current and future residents.

The group was selected to represent a wide range of perspectives and experience. They were asked by TACIR to name the ten greatest challenges confronting the state and to produce a set of policy papers for publication in January.

The challenges identified by the group are to:

- Bring Tennesseans together to plan for a future that both reflects and makes the most of the richness and diversity of our state, its people and its places;
- Provide all students equal access to adequate education and evaluation so that they may succeed in their professional, personal, civic, and community lives;
- Manage an increasingly diverse society—tapping its productive and creative potential while minimizing its negative effects;
- Ensure access to affordable health care for all Tennesseans, reduce costs, eliminate health care disparities, and foster healthy lifestyles;
- Reform the administration of justice, including the prison system, so that it is more affordable and effective;
- Create a business environment that is both conducive to economic growth and development and consistent with our cultural and environmental values—to make our state the preferred choice for business that Tennesseans want;
- Use energy wisely and efficiently, leveraging the research assets of our universities and industry to develop new, clean, and renewable sources that will support, improve and sustain our economy and quality of life;
- Use land and other natural resources wisely, consistent with environmental and quality of life standards and with economic development goals, to promote and sustain a sense of community and a relationship to the

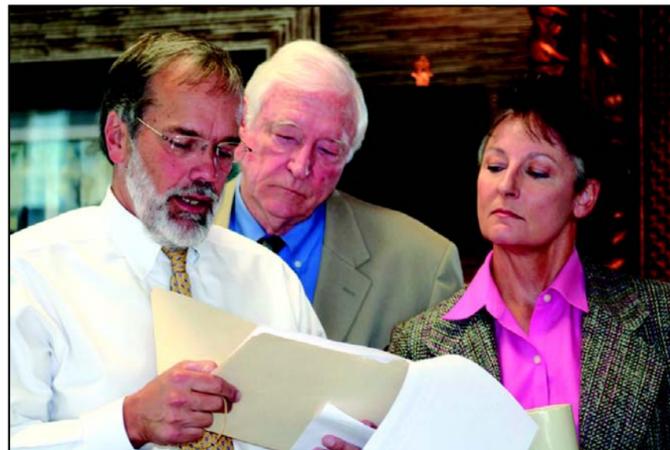


Photo by Victoria South

State Comptroller John Morgan, Dr. Harry Green, TACIR executive director and Lynnisie Roehrich-Patrick, TACIR assistant executive director examine collective data submitted during *The Forum on Tennessee's Future*.

- great outdoors;
- Improve the delivery and efficiency of government services at the state and local levels and provide for their long-term fiscal sustainability; and
- Foster a political environment and process that will support the broad public debate and accommodate the longer view necessary to design a better future for our state.

The members of the Forum came to consensus on these issues after trading ideas through an anonymous email process that began in September and then continuing their discussion in a daylong meeting in Nashville.

TACIR's goal for the Forum is to bring attention to the ten most significant trends that policy makers must address to ensure a vibrant future for our state. The group's focus is on enhancing Tennessee's economic competitiveness while preserving the qualities that make our state an attractive place to live, work and play.

Each member of the Forum will write an opinion piece for TACIR on one of these topics. Dr. Harry A. Green, executive director of the commission, will add his own thoughts and publish the ten policy papers around the first of the year.

Members of TACIR's Forum on Tennessee's Future are:

Martha L. Perine Beard, vice president and senior branch execu-

tive, Memphis Branch of the Federal Reserve Bank of St. Louis; **Richard Chestene**, Ph.D., professor of political science, University of Tennessee (Martin) **Nick Dunagan**, Ed.D., Chancellor Emeritus, University of Tennessee, Martin; **Ruth E. Johnson**, attorney; Associate Vice President for Advancement, Meharry Medical College; **Boyce C. Magli**, owner and founder, Magli Realty Company; **John G. Morgan**, Tennessee Comptroller of the Treasury; **Matthew N. (Matt) Murray**, Ph.D., economist; Associate Director, University of Tennessee Center for Business and Economic Research; **Lyle Reid**, attorney; former Chief Justice, Tennessee Supreme Court; former Deputy Commissioner of Commerce and Insurance, State of Tennessee; **William B. (Bill) Sansom**, Pres. & CEO, The H.T. Hackney Company; Chair, Tennessee Valley Authority; former Commissioner of Finance and Administration and of Transportation, State of Tennessee; **Greer Tidwell, Jr.**, Director of Environmental Mgmt., Bridgestone/Firestone.

For more information about TACIR's Forum on Tennessee's Future, please visit our website at www.state.tn.us/tacir or contact Lynnisie Roehrich-Patrick at 615-253-4239 or by email at tacir@state.tn.us.

TACIR report measures demographic, economic strength

A new report by the Tennessee Advisory Commission on Intergovernmental Relations (TACIR), states that several key measures of demographic and economic strength that have long been concentrated in a small number of Tennessee's counties are becoming even more concentrated.

As regions have spread across the landscape, subsuming once separate cities, towns, and rural ar-

reas, they have become larger and more important social and economic entities.

Regions are not only becoming bigger by spreading geographically, certain regions are also becoming larger by capturing a larger share of growth in population, income, jobs, and economic strength.

Specifically, *Growth Concentration in Tennessee Regions* shows that most growth in Tennessee dur-

ing the current decade has been concentrated in the Nashville, Knoxville, and the Clarksville regions.

The research group notes that a number of policy directions could be affected by the growing disparity between the counties in regions that are gaining in relative strength and the counties outside of those regions.

Additionally, the report points out that as business leaders are placing greater emphasis on regional markets and their connections to global markets, the competitiveness of Tennessee's regions is becoming a more critical factor for the state's continued success. The report states that identifying this concentration is an important part of better understanding opportunities to address policy issues at a regional level, and assists in the discussion of the different challenges faced by rapidly and slowly growing communities—environmental sustainability, fiscal pressures, economic development, and quality of life issues.

Compliance update with Internet posting of municipal charters

BY JOSH JONES

MTAS Legal Consultant

Early in the 2008 legislative session, the Tennessee General Assembly passed Public Chapter No. 808, which requires every Tennessee city to post its charter of incorporation on its Web site.

For cities that do not have or maintain a Web site, the bill allows

for posting on a Web site maintained by the secretary of state.

Even before the passage of this bill, the Municipal Technical Advisory Service (MTAS) was posting municipal charters on its Web site.

As the MTAS site meets the spirit, if not the letter, of the law, the secretary of state has opted to link to the MTAS site in lieu of reposting municipal charters on their Web site.

Cities with a current copy of their charter posted on the MTAS Web site need not submit an electronic copy of their charter to the secretary of state.

Cities can verify their charter is posted on MTAS's Web site, by visiting www.mtas.tennessee.edu.

If you have any questions or concerns, please contact your MTAS management consultant.

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STATE BRIEFS

BY TML STAFF REPORTS

The National Governors Association has selected Tennessee for a multi-state public-private partnership effort to establish more retail ethanol pumps across the state. Tennessee is one of 10 states that will work with GM to enhance access to high ethanol content fuels, such as E85 (85 percent ethanol; 15 percent gasoline). Under the terms of the partnership, GM will provide technical assistance to help states assess optimal locations for E85 infrastructure. GM will work with top ethanol producers and fuel infrastructure experts to optimize E85 supply to states and will leverage its network of dealers, plants and offices and its extended ethanol related network to promote and advocate E85 usage.

TIA named Tennessee as one of the 10 most visited states from 2006 to 2007. A recent Travel Industry Association report indicates the rise in gas prices has increased local tourism but hurt the national tourism industry. The tourism has resulted in a \$14.2 billion economic impact for the state. Tennessee attracted more than 50 million visitors in 2007 and 40 percent of tourists were Tennessee residents. Knox County had the highest tourism growth of any Tennessee county from 2006 to 2007, and \$18.8 million in local tax revenue last year creating more than 184,700 tourism jobs.

Tennessee is moving in the right direction on a high-profile economic development list. The Volunteer State ranked second in the country in Site Selection magazine's list of states with the best business climate in 2008. North Carolina was No. 1 for the fourth year in a row, but Tennessee moved up from sixth place last year. Two factors contribute equally to the rankings - a survey of "corporate site seekers," including consultants who help corporations that are expanding or moving; and a state's performance in a "new plant database" that tracks new and expanded business facility activity.

Tennessee communities awarded CDGB grants

Gov. Phil Bredesen and Economic and Community Development Commissioner Matt Kisber recently approved more than \$23 million in Community Development Block Grants (CDBG) to assist with infrastructure improvements.

"Community Development Block Grants are fundamental to the growth of communities across Tennessee," Bredesen said. "The projects funded by these grants result in necessary improvements that bolster growth and development at the most fundamental level."

The funds were allocated under a procedure authorized by the Tennessee General Assembly.

"The building blocks for economic development are simple infrastructure necessities like water systems and road improvements, and CDBG grants help communities meet those basic needs," Kisber said. "ECD is proud to support such a critical program for our state's communities."

Allocation of CDBG funds is based on priorities set at local levels where community needs are best known. The CDBG program is administered in Tennessee by the Department of Economic and Community Development.

Below is a list of cities who were awarded grants:

Housing	
Greeneville:	\$300,000
Winchester:	\$365,000

Most local government agencies lack written policies for protecting Social Security numbers from inadvertent release, and state law doesn't clearly direct local governments on how to treat Social Security numbers in agency records, according to a state report. The report from State Comptroller John Morgan made a series of recommendations to the General Assembly for safeguarding Social Security numbers, including requiring written policies in local government and prohibiting local officials from publicly disclosing them. The report, based on surveys of state and local government agencies, was aimed at unauthorized releases and uses of Social Security numbers.

A new study released by the Robert Wood Johnson Foundation ranks Tennessee 50th when comparing infant mortality to a mother's education. The study says Tennessee has the highest rate of uneducated mothers whose babies die before their first birthday. According to Dr. Kimberlee Wyche-Etheridge, Interim Chief Medical Director for the Metro Public Health Department, key social factors, like income and education, correspond with children's health. More education is linked to better health while people with the least education are sicker, suffer more chronic diseases, and have a lower life expectancy. In addition, Dr. Wyche-Etheridge said those with more education tend to be in a higher income bracket and have health insurance, thus able to make better decisions.

An IRS spokesman said 92,000 Tennessee retirees and disabled veterans stand to forfeit economic stimulus payments. The agency said getting the payments required filing a tax return by Oct. 15. The money received through the stimulus check generally would have no impact on eligibility for Medicaid, Medicare or other government benefits. The IRS also said the payment generally will not be counted as income or require the recipients to file future income tax returns.

Community Livability

Viola:	\$218,400
Tusculum:	\$300,000
Alamo:	\$182,910
Michie:	\$94,176
Moscow:	\$139,230
Mosheim:	\$135,900

Sewer Systems

Obion:	\$365,728
Sparta:	\$500,000
LaFollette:	\$500,000
Harriman:	\$500,000
Lafayette:	\$500,000
Lewisburg:	\$450,275
Englewood:	\$263,340
Milan:	\$500,000
Lake City:	\$500,000
Martin:	\$500,000
McKenzie:	\$500,000

Sewer Lines

Sweetwater:	\$318,713
Decatur:	\$220,000

Water Lines

Auburntown:	\$400,000
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Water Systems

Celina:	\$500,000
Maynardville:	\$500,000
Elizabethton:	\$500,000
Oliver Springs:	\$500,000
Spencer:	\$500,000
Gallaway:	\$300,000
Collinwood:	\$370,944
Jasper:	\$500,000
Greysville:	\$479,400
New Johnsonville:	\$205,000
Mason:	\$500,000

UT President John Petersen announced that the state has told him to cut \$17 million from the system's already dwindling budget. "Coming on top of the \$21.1 million reduction previously enacted, this of course, is a serious concern for the University," Petersen said in an e-mail message that was sent to all faculty and staff. Petersen said UT must submit a general plan to the state and leadership for all campuses and institutes had been working on contingency plans which will enable the University to respond in a strategic manner. "The serious economic circumstances facing the state of Tennessee and its residents are well-documented, and expectations are that these conditions will persist for at least another year or more," the message said.

Tennessee will get \$80.5 million of a \$5.1 billion federal program to help low-income residents pay their energy bills. Tennessee's share of the Low Income Energy Assistance Program is \$50 million more than the state received last year. The U.S. Department of Health and Human Services manages the federally funded program. Nineteen community agencies will administer the program across Tennessee's 95 counties. Eligibility for benefits is based on established federal poverty guidelines. Tennesseans are eligible if their household income does not exceed 125 percent of federal poverty guidelines, or \$26,500 per year for a family of four. The assistance does not go directly to the client. Instead, a payment is made to the utility company or home energy provider. More than 80,000 Tennessee families are assisted each year through the program.

After hosting the second presidential debate, Belmont University is taking stock of the event's effects. Belmont spent about 4 million hosting the debate, which more than 62.3 million households tuned in to watch, besting the first debate by 10 million homes. University officials said the broadcast coverage was worth an estimated \$21 million of publicity for the school. The official Belmont debate Web site was visited 30,000 times on debate day alone and more than 100,000 times since its launch in May. In addition, the university's Web site saw a 42 percent increase in visitors from



Photo by Victoria South

The C-SPAN bus, the American cable television network airing non-stop coverage of government proceedings and public affairs programming, parks in front of TML offices on Capitol Blvd. in Downtown Nashville prior to the second 2008 Presidential debate at Belmont College. The Hometown debate, viewed by 62.3 million households, was estimated to have garnered \$21 million in publicity for the school.

Oct. 1-16, compared to the same time period last year, and the number of page views nearly doubled.

A clerical mix-up in late 2005 cost Tennessee taxpayers more than a half-million dollars in federal penalties, which the state is now demanding that the U.S. government return. Last summer, the state filed suit in U.S. District Court over the \$544,000 in penalties it paid to the Internal Revenue Service, a result of filing withholding taxes four days late. The Department of Finance and Administration claims that it made a clerical error when it assumed that a state bank holiday on Dec. 29, 2005, was also a federal bank holiday, and then filed withholding taxes on the next business day, Jan. 3, 2006, which was four days after the taxes were due. The IRS notification failed to reject the deposits as late accepting the deposits and issuing confirmations. U.S. Department of Justice Tax Attorney Michael Martineau wrote that the state didn't prove its case, and that Tennessee is not entitled to a refund. The state has asked for a jury trial, which has not been scheduled. Magistrate Judge Juliet Griffin wrote in an order that the case could be ruled on before it goes to trial.

The Tennessee Valley Authority will offer its free home energy audits for another year to encourage customers to limit their electricity consumption. In the past year, more than 41,000 residents in the seven-state TVA region completed either an online or mailed-in version of a home energy audit and received a free starter kit and per-

sonalized profile of ways to cut power usage. A new survey by TVA found that 75 percent of those who took the survey already have made changes in their electricity use.

A federal appeals court has upheld Tennessee's ban on direct wine shipments. According to the opinion issued by the U.S. Court of Appeals, states can choose whether to allow consumers to have wine sent directly to their homes from wineries or online companies, as long as the rule applies to in-state and out-of-state wineries equally. Currently, no wine can be shipped anywhere inside Tennessee without the involvement of a distributor and retailer. The court also found no problem with the state's use of the three-tier system, which dictates that manufacturers make the wine, distributors ship it and retailers sell it. What will likely change are the rules governing local wineries, called the Tennessee Grape and Wine Law. Currently, state law says anyone applying for a winery license to be a Tennessee resident for at least two years.

The Tennessee Department of Transportation (TDOT) is now using blue logo signs to inform motorists about the availability of E85 and/or biodiesel along interstate highways. For participating stations, TDOT will install a highly visible BIOFUEL marker above mainline Gas logo boards and off-ramp signs at the interchange. To qualify, sites must meet location requirements of the logo sign program.



PEOPLE IN THE NEWS

BY TML STAFF REPORTS

Hiroshi Sato, Japan's deputy consul general, began his job on Oct. 10 as consul general of Japan's new consulate office in Nashville. Along with Tennessee, Sato will cover the states of Arkansas, Kentucky, Louisiana and Mississippi. Tennessee has 155 Japanese affiliate companies employing more than 14,000 people in the state.



Jimmy Cheek, senior vice president for agriculture and natural resources at the University of Florida, has been selected by The University of Tennessee Board of Trustees as the new UT-Knoxville campus chancellor, following President John Petersen's recommendation. Cheek replaces former Chancellor Loren Crabtree, who resigned last January.



Gov. Phil Bredesen has received this year's National Humanitarian Award for his conservation efforts in Tennessee.



The National Recreation and Park Association cited Bredesen's creation of the Heritage Conservation Trust Fund, as well as a project to protect 127-thousand-acres of the Cumberland Plateau. Last year the NRPA rated Tennessee's State Park System the best in the nation.

East Tennessee State University President Paul Stanton has withdrawn his retirement and will stay on as president at ETSU. The difficult financial circumstances facing the state and the impact on ETSU, plus the urging of many, were listed among Stanton's reasons for staying.



After three decades, state wildlife Chief Gary Myers announced he will step down March 1 from the agency that polices hunting and fishing, and controls large swaths of public land in Tennessee. Myers, in his early 70s, is the longest serving state wildlife director in the country, and helped shape national wildlife policy during his tenure, according to Mike Butler, executive director of the Tennessee Wildlife Federation.



Former vice president Al Gore was among three persons receiving a 2008 Freedom Award from the National Civil Rights Museum. Gore in a ceremony at the Cook Convention Center in Memphis.



Mike Price, mayor of Tracy City, passed away recently from an apparent heart attack. Mayor Price, age 56, was in his third term of office.

Farragut Community Development Director Ruth Hawk has been named "Planner of the Year" by the Tennessee Chapter of the American Planning Association (TAPA). Hawk previously held positions with the Knoxville-Knox County Metropolitan Planning Commission, the Tennessee Local Planning Assistance Office and the City of Oak Ridge.

Amy V. Hollars of Livingston has been appointed to serve as special circuit court judge for the 13th Judicial District. The 13th Judicial District includes Clay, Cumberland, DeKalb, Overton, Pickett, Putnam and White Counties.

Beverly J. Cosley has been chosen as the new Director of the Chattanooga Office of Multicultural Affairs (OMA). Cosley has served as manager of BlueCross BlueShield's Tennessee Health Foundation for the past 4.5 years and as a Governor's appointee to the Tennessee Commission on Children and Youth.

Tom Bowman, Kingsport leisure services and Bays Mountain Park director retired in October, to return, following a 30 day sabbatical, under a part-time contract managing Bays Mountain Park.

Allyson McGill, of Friendsville and Diane Shelton, Dickson, have been congratulated by the International Institute of Municipal Clerks (IIMC) for receiving Certified Municipal Clerk designation.

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TDOT committee studies transportation funding

TDOT from Page 1

which includes revenues generated by federal gas taxes — 18.4 cents a gallon on gasoline and 24.4 cents a gallon on diesel — and is redistributed to the states. Since December 2005, the federal government has rescinded more than \$237.7 million in funds. And had Congress not recently voted to plug a massive \$8 billion deficit in the Highway Trust Fund, Tennessee could have lost an additional \$235.5 million.

TDOT also receives funding through state revenue measures, including state gas taxes — 21.4 cents a gallon on gasoline (split with the state general fund and cities and counties) and 18.4 cents a gallon on diesel.

But with gas prices hitting the \$4 mark and above this summer, motorists are driving less. Less consumption means less revenue for transportation operations. Commissioner Nicely told the committee that Tennessee experienced a reduction in vehicle miles traveled during the first six months of 2008, replicating a national trend of Americans who are driving significantly less miles when compared to the same time period last year.

Advances in higher fuel-efficiency vehicles and alternative fuels also make the gas tax an even less sustainable funding source, prompting transportation officials nationwide to explore new revenue options.

TDOT projects that over the course of the next 10 years, the department will need an extra \$8 billion to cover infrastructure needs. These funds support core programs such as highway maintenance, bridge repair, road building, congestion mitigation and air quality improvements, and transportation enhancements.

Some funding alternatives currently being explored are:

- indexing of the state fuel tax to a standard measure of inflation (like the Consumer Price Index);
- increase title and registration fees;
- a tax on car rentals;
- congestion pricing in major metropolitan areas;
- authorization of public-private partnerships to fund transportation improvements;
- hotel/motel fees;
- creation of an infrastructure bank;
- borrowing money through bond issues;
- replacement of the per gallon gas and diesel tax with a sales tax on these products;
- a vehicle miles traveled fee (VMT), or
- expansion of the Tollway Act of 2007 beyond the two pilots currently authorized.

Roughly 26 states have toll facilities that represent more 5,100 miles of roadways that are tolled. A handful of states have also implemented High Occupancy Toll (HOT) lanes that require single occupant vehicles to pay a toll while multiple occupant vehicles travel for free.

With a vehicle miles traveled (VMT) fee, drivers pay a fee when they refuel their vehicle for every mile driven, which means those who drive more would pay more. The funding source is already being tested in Oregon, with six other states considering it as well.

The next meeting of the Transportation Funding Committee will be held Thursday, Nov. 20 at the Legislative Plaza in Nashville. The study committee is to submit their findings and recommendations to the General Assembly in February.

“There is no magic solution,” said Nicely. “It’s going to take some hard work and no doubt, some of the answers will be difficult to make. But we are going to have to deal with this.”

FCC launches nationwide awareness initiative about digital TV transition

DTV From Page 1

she urged the audience of government and broadcast officials and members of the media to diligently promote DTV transition awareness.

Target venues for DTV outreach suggested by Tate include civic organizations and faith institutions, with strong focus on seniors and non-English speaking citizens.

“I don’t know if you’re aware, but Nashville has the largest Kurdish population in the United States,” said Tate, noting that literature on the transition has been translated into 20 languages.

As the DTV transition will only affect consumers who have analog television sets not hooked up to a video service provider such as cable or satellite, preparation for the end of analog broadcasting can be completed by purchasing and connecting a digital-to-analog converter box to each TV set and antenna.

Government-issued \$40 converter box coupons are available until March 31, 2009, by calling 1-888-DTV-2009 or visiting www.dtv2009.gov.

Each household is eligible for two coupons to be used toward approved converter boxes. A list of approved boxes will be sent along with the coupons, which must be used in 90 days.

Demonstrations on how to connect the converter boxes may be viewed by visiting: <http://energycommerce.house.gov/digitalTV/DTV/Demo.shtml> Or <http://www.dtvtransition.org/downloads/converterqsg.pdf>

Other options for DTV preparation outside of a converter box include: Buying a new digital TV or subscribing to cable or another video service provider.

According to an article by David Lieberman, *USA Today*, digital technology is not far behind in the portable TV market as well, where virtually seven million battery-operated analog sets will become useless after Feb. 17.

“Some models will be unveiled in January at the annual Consumer Electronics Show and will appear on store shelves,” according to Lieberman’s sources.

The National Association of Broadcasters (NAB) offers a convenient tool kit designed to help



Photo by Victoria South

FCC Commissioner Deborah Tate displays a DTV converter box at a town hall meeting in Nashville. The FCC has launched a nationwide initiative to help raise awareness and educate consumers in the final days leading up to the DTV transition.

Helpful DTV Links

The Digital Television Coalition: Comprised of business, trade, and industry groups as well as grassroots and membership organizations. Visit www.dtvtransition.org

The Federal Communication Commission (FCC): An independent U.S. government agency charged with the successful implementation of the Broadcast Digital Television Transition. Visit www.fcc.gov or call 1-888-225-5322.

The U.S. Department of Commerce’s National Telecommunications and Information

Administration (NTIA) is part of the U.S. Department of Commerce and the agency in charge of administering the TV Converter Box Coupon Program. For more information, visit www.ntiadtv.gov or www.dtv2009.gov or call 866-296-1107.

The U.S. Cable Television Industry’s DTV Website: www.getreadyfordigitaltv.com or call 202-222-2300

The National Association of Broadcasters’ DTV Website: www.dtvanswers.com or call 202-429-5300

municipal governments explain the DTV transition to their communities.

“As local officials, mayors have a unique platform to help inform and educate constituents about the DTV transition,” said David K. Rehr, PhD., NAB president & CEO.

“While consumers have much to gain, including more free channels and the crystal clear pictures and sound of digital, 309,740 Tennessee households that receive television through antennas risk losing television reception unless they take the easy steps to upgrade.”

The NAB kit includes:

- A PowerPoint presentation;
- A newsletter insert in English and Spanish;
- A DTV handbill in English and Spanish;
- A consumer resource guide in English and Spanish;
- A sample press release in English and Spanish;
- A sample Op Ed on the DTV transition;
- Key points on DTV;
- Banner ads that may be linked to DTVanswers.com Web site;
- A sample speech on DTV; and
- A DTV background sheet.

Red Flags rule delayed six months

RED FLAGS from Page 1

were uncertain about their coverage under the rule. These entities indicated that they were not aware that they were engaged in activities that would cause them to fall under the FACT Act’s definition of creditor or financial institution.

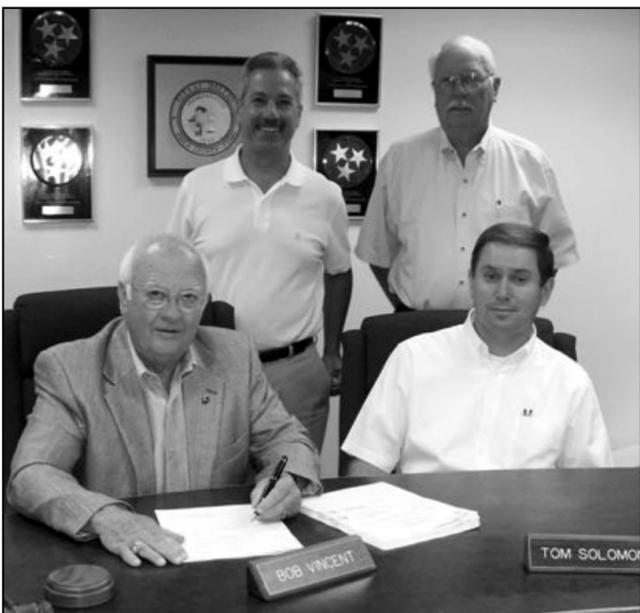
Many entities also made note that because they generally are not required to comply with FTC rules in other contexts, they had not followed or even been aware of the

rulemaking, and therefore learned of the rule’s requirements too late to be able to come into compliance by Nov. 1, 2008. The Commission’s delay of enforcement will enable these entities sufficient time to establish and implement appropriate identity theft prevention programs, in compliance with the rule.

The Federal Trade Commission works for consumers to prevent fraudulent, deceptive, and unfair business practices and to provide

information to help spot, stop, and avoid them. To file a complaint, visit the FTC’s online Complaint Assistant or call 1-877-382-4357.

The FTC enters complaints into Consumer Sentinel, a secure, online database available to more than 1,500 civil and criminal law enforcement agencies in the U.S. and abroad. The FTC’s Web site provides free information on a variety of consumer topics.



The city of Dayton closed a \$3 million loan with the Tennessee Municipal Bond Fund to be used for utility construction. Seated are Mayor Bobby Vincent and City Recorder Thomas Soloman. Standing are TMBF Representative Joe Muscatello and City Manager Frank Welch.

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- 18,960 municipal vehicles with total insurable values of some \$350 million for liability coverage; and provides
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Future forecast described as "downright ugly"

REVENUES from Page 1

8.2 percent below September 2007 collections.

September collections were \$85.5 million less than the budgeted estimate. The general fund was under collected by \$78.1 million and the four other funds were under collected by \$7.4 million.

Sales tax collections were \$29.1 million less than the estimate for September. The September growth rate was negative 3.42 percent.

Franchise and excise taxes combined were \$44.9 million below the September budgeted estimate of \$288.4 million. The September growth rate was negative 17.35 percent.

Gasoline and motor fuel collections for September decreased by 11.79 percent and they were \$7 million below the budgeted estimate of \$75.8 million.

And according to a report just released by the UT's Center for Business and Economic (CBER) Research, the economic news doesn't get any better. Economists with CBER are projecting sales tax revenues to be down in both 2008 and 2009.

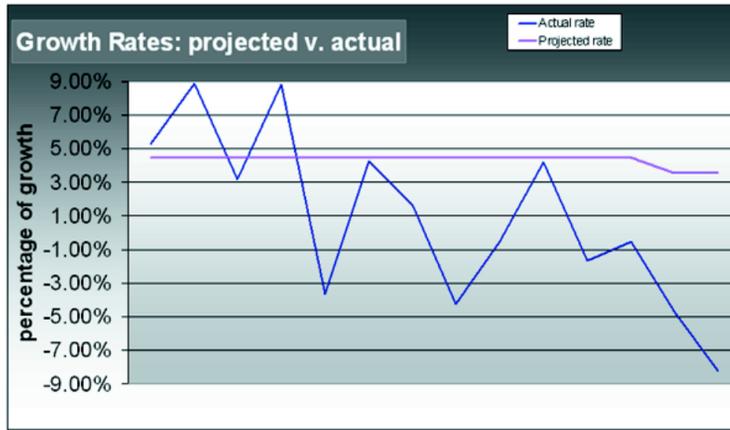
"The path forward for the national and state economies will be nothing other than downright

ugly. There is simply nothing on the short-term horizon that can offer a significant boost and forestall further economic decline... There is no upside potential for growth through 2009, only downside risk," stated the UT report, which is published in the fall as an update to last February's annual economic report to the governor.

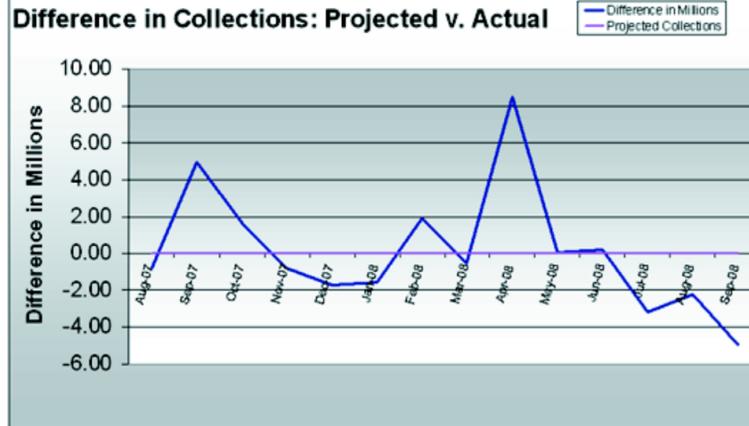
The report said that taxable sales have already slowed appreciably and a reduction is expected going forward. "Following a modest growth of 4.1 percent in 2007, sales will be down 0.5 percent in both 2008 and 2009. On a fiscal year basis, expect taxable sales to decline 2.0 percent in 2008/09 and then rebound with 2.3 percent growth in the following fiscal year."

The fiscal situation confronting state and local governments in Tennessee and elsewhere "is getting grimmer and grimmer," and that growth in all major revenue sources has been trending down since the middle of 2005.

"The property tax is the mainstay of local finance in Tennessee



The Tennessee legislature passed a conservative budget in May 2008 that reflected only a 2.2 percent increase in sales tax revenues. The first two months into the current fiscal year reflect negative growth rates. The August growth rate was negative 1.27%. The September growth rate was negative 3.42%.



Aside from an uptick in Feb. 2008 and April 2008 – most likely caused by holiday sales and a spring sales tax holiday – state revenue collections have consistently underperformed in projections. State officials are bracing for a \$300 to \$600 million shortfall in the current budget.

and other states, and it has generally weathered the storm of an economic downturn reasonably well," the report said. "This cycle may reveal a different path for property tax revenue given the rising number of mortgage delinquencies and the increasing number of business bankruptcies."

Tennessee's unemployment rate rose to 7.2 percent in September, well above the U.S. rate of 6.1 percent for the nation, the report said. The state's biggest job losses were seen in transportation and utilities, financial activities, professional and business services, and leisure and hospitality services.

The unemployment rate in Tennessee is expected to reach 8.3 per-

cent by the third quarter of 2009, which would be the highest since the recession in 1982, the report said.

"The current cycle will displace large numbers of workers who will find it difficult to secure employment in the slow expansion," according to the report.

The state's automobile sector is almost as bad as the housing sector in part because fewer people are able to get car loans. The report cites Automotive News' prediction that more than 700 dealerships will close this year. Layoffs are expected to increase, and the global auto market likely will see huge declines in 2009. Another problem for consumers is at the grocery store, with food prices seeing no relief.

TML requests E-mail addresses

The quickest way to keep city officials apprised of legislative happenings is through e-mail or fax. Please send any changes in your contact information to Mona Lawrence, by fax at 615-255-4752, by e-mail to mlawrence@TML1.org, or call 615-255-6416.

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Nov. 15: Manchester-Coffee County Wine Festival

Manchester-Coffee County Conference Center. Sample award-winning wines from wineries across the state. Be treated to an assortment of musical guests and a fine arts show. Sample Tennessee products honey, jams, jellies, and cheeses. For more information, call Cheetah Fletcher at 931-728-7635.

Nov. 18-Jan. 1: Celebration Christmas

Shelbyville. A festival of light designed to be the Christmas gift to the community and region. Bigger and better than ever with nearly 100 set pieces and more than 150,000 lights. For more information, call 931-684-5915.

Nov. 21-23: The 29th Christmas in the Country

Lawrenceburg. A gift village with antiques, crafts, quilts, stained glass, stitchery, gifts, folk art, handmade dolls, baskets, Christmas toys, fried pies and Christmas breads and candies. For more information, call 931-762-4911.

Dec 6: Christmas in Downtown

Dayton. Christmas critters, horse & carriage parade, Santa photos, caroling, juried art show. For more information, call 423-775-0361.



Nov. 12-14: Tennessee Public Risk Management Association 2008 TnPRIMA Annual Conference at the Holiday Inn Select Nashville Opryland/Airport. Public entity risk professionals, public safety administrators and officials, human resources professionals, governmental administrators, and anyone interested in providing public services more safely and effectively should attend. For more information, visit www.tnprima.org.

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CITY MANAGER

OAK HILL. The city seeks applications for the position of City Manager. Excellent benefits package. Commission-Manager form of government with manager reporting to the mayor and Board of Commissioners. The city manager will lead and direct all departments including administration, safety, planning and code enforcement, streets and public services. Require BA/BS in public or business administration, political science, public policy or related field. Prefer some municipal experience as manager or assistant manager in local government. Salary: DOQ/E. Position open until filled. The required city application is available from the assistant city manager. The application, with resume, cover letter, references and salary history should be submitted to: City of Oak Hill, 5548 Franklin Road, Suite 102, Nashville, TN 37220. The assistant city manager may be contacted by phone at 615-371-8291.

CITY RECORDER

SPRINGFIELD. The city is accepting applications for a City Recorder beginning Nov. 10 through Dec. 10, 2008. Essential responsibilities include performing complex professional and difficult administrative work in planning, organizing and directing the financial and official record keeping activities of the City. A minimum of a bachelor's degree from an accredited four-year college or university with a major in accounting, finance, business administration or a related field; ten (10) years experience in public financial administration, at least five (5) of which must be in a responsible supervisory position. Salary is \$55,889-\$76,252. Applications must be postmarked by December 10, 2008, or may be received in person at the City of Springfield Personnel Office, 405 North Main Street and returned no later than 4:30 p.m. on the date specified above. When applying for this vacancy announcement, please reference the announcement number FIN-019, City of Springfield Personnel Department, P.O. Box 788, Springfield, TN 37172. Affirmative Action/EOE

ENGINEERING ASSISTANT

PORTLAND. The city is searching for a qualified Engineering Assistant. This person will report to the City Engineer/Public Works Director. The employee performs general work in the design, construction, inspection, and maintenance of a variety of public facilities and utilities. Applicants must have graduated from an accredited college or university with a Bachelor's degree in Civil Engineering or Civil Engineering Technology. Salary range is \$34,075-\$47,705. For more information, contact Mary Lou Thomp-

son, Human Resources Manager, at 615-325-6776. Applications www.cityofportlandtn.gov. Send resumes and applications to: Human Resources, City of Portland, 100 S. Russell St., Portland, TN 37148. Position open until filled.

FINANCE ANALYST

PORTLAND. The city is seeking applications for the position of Finance Analyst. Graduate from an accredited, post-secondary college or university, with a bachelor's degree in Accounting or Finance is required. This is an entry-level position requiring a minimum of one year experience in the accounting field with a broad based knowledge of GL/AP/AR, purchasing and payroll. Candidate must be well versed in financial accounting software. This person reports to the City Recorder. Knowledge of governmental account preferred. Salary range is \$34,075-\$47,705. For more information please contact Mary Lou Thompson, human resources manager or Karen Johnson, city recorder at 615-325-6776. For application visit the [website](http://www.cityofportlandtn.gov) at www.cityofportlandtn.gov. Send resumes and application to Human Resources, City of Portland, 100 S. Russell Street, Portland, TN 37148. Open until filled.

HUMAN RESOURCE DIRECTOR

JOHNSON CITY. The city is seeking a progressive and experienced human resources director to lead and direct the services and programs provided by the Human Resources Department. Minimum qualifications include the equivalent of a Bachelor's degree in business, management, or public administration with seven years of progressively responsible experience in human resources and health insurance administration. Responsible for planning, organizing, directing and coordinating the personnel activities of the City's 890 FTE employee workforce, including organizational training. Looking for an enthusiastic, responsive team-oriented individual with good management and organization skills, self-starter. Excellent interpersonal and communication skills are required. The hiring range is anticipated in the \$60k - \$75k range, with a very competitive benefits package. Visit the city's website at www.johnson-citytn.org for a detailed description of the position and how to apply. Open until filled. EEO/AA

INVITATION TO BID FIRE RESCUE TRUCK

ORLINDA. The city will receive sealed bids for a Ford F-550 or equivalent make and model Fire Rescue Truck until 2:00 p.m. on Tuesday, December 2, at which time they will be publicly opened and read aloud. Bids should be addressed to the City Manager and delivered to the City of Orinda, City Hall, P.O. Box 95, Orinda, TN 37141. The Fire Rescue Truck shall be a Ford F-550 or equivalent 4-door crew cab with all specified equipment and attach-

ments in place, including an approximate 6.4 liter diesel engine, automatic transmission, 4 wheel-drive, approximately 18 HP pump with 375 gpm with pump and roll capability and a 300 gallon or larger poly tank. Detailed specs are available upon request. Bids shall be clearly identified on the exterior of the sealed envelope as "ORLINDA FIRE RESCUE TRUCK BID" with all the information required by law, including the bidder's name and address. Each bidder, by submission of bid, agrees to have vehicle fully functional and ready for delivery within 90 days of the awarding of bid. No bonds shall be required. Payment shall be for the full amount of awarded bid and shall be made within 30 days of delivery. Detailed specifications and other bidding information may be obtained from City Manager Kevin Breeding at Orinda City Hall, P.O. Box 95, Orinda, TN 37141. Phone 615-654-3366.

MUNICIPAL POLICE CHIEF

ERWIN. The town is accepting qualified applications for the position of Municipal Police Chief. This employee is responsible for the planning, organizing and directing of all activities of the Police Department, overseeing 10 full-time police officers and 1 full-time investigator. The employee is under the general supervision of the City Recorder and Mayor. Qualifications include: Graduation from an accredited high school or equivalent, preferably graduation from a college or university with major course experience in police administration or related field. Must possess a valid Tennessee driver's license. Must have five years experience in law enforcement administration. Must be POST certified. Salary DOQ plus excellent benefits. Application is a public record. Send resumes, obtain application or receive more information from: Town of Erwin, P.O. Box 59 211 North Main Ave., Erwin, TN. 37650. Phone: 423-743-623. EOE

POLICE CHIEF

LIVINGSTON. The town is accepting qualified applications for the position of Police Chief. This employee is responsible for the planning, organizing and directing of all activities of the Livingston Police Department, overseeing full time police officers and dispatchers. The Police Chief is under the general supervision of the Mayor. Qualifications include: graduation from an accredited high school or equivalent, preferably graduation from a college or university with major course experience in police administration or related field. Must possess a valid Tennessee driver's license. Must have five (5) years in law enforcement administration. Must be post certified. Salary DOQ plus excellent benefits. Application is a public record. Send resumes, obtain application or receive more information from Mayor William Curtis Hayes, Jr., 301 McHenry Circle, Livingston, TN 38570. Phone: 931-823-1269. Applications must be received by noon on November 19, 2008. EOE

Summary of 2008's Public Acts that affect municipalities

BY JOSH JONES
MTAS Legal Consultant

EDUCATION

Public Chapter No. 1054 (HB3268) Administration of anti-seizure medication by volunteer personnel: Amends T.C.A. Title 49, Chapter 5, by allowing volunteer school personnel with proper training to administer anti-seizure medications to a student in an emergency situation in accordance with the student's individual health plan. Training must be administered by a registered nurse employed or contracted by the LEA. If a nurse is available, on site and able to reach the student within the same time limit for administration, then the nurse must administer the drug. Department of education will promulgate guidelines for these procedures. Volunteers must receive annual training in administration of anti-seizure medication and CPR. Parental consent required before administration. *Effective July 1, 2008.*

Public Chapter No. 1063 (SB2609) Special education restraint and isolation: Amends T.C.A. Title 49, Chapter 10, by enacting the Special Education Isolation and Restraint Modernization and Positive Behavioral Supports Act. Authorizes the restraining or isolation of a student receiving special education services if the restraint or isolation is part of the student's individual education program (IEP). Also allows for restraint or isolation in emergency situations if necessary to ensure the physical safety of students or others nearby. Same-day notification of parents or guardians required. Use of restraint or isolation must be documented by the school. Chemical restraint is prohibited except where administered for therapeutic purposes under the direction of a physician with parental consent. Also authorizes school resource officers, who are fully compensated by a law enforcement agency, to, upon witnessing an offense, take a student into custody. *Effective for rulemaking purposes May 28, 2008. Effective for all other purposes January 1, 2009.*

Public Chapter No. 1080 (SB2807) Criminal background checks for contracted employees on school grounds: Amends T.C.A. Title 49, Chapter 5, Part 4, by clarifying that a person, corporation or other entity who enters into or renews a contract, or contracts with any person, corporation or entity who enters into or renews a contract with a school, local board of education or child care program is required to obtain criminal background checks on all employees who go on school grounds. The following are exempted from this section's requirements: government personnel engaged in law enforcement; medical or emergency services; utility personnel; delivery or pick-up service providers; a person whose contract is for the performance of a service at a school sponsored event at which school officials or employees are present when the service is performed and where the activity is conducted under the su-

pervision of school officials or employees. *Effective May 30, 2008.*

Public Chapter No. 1096 (SB2008) Virtual Public Schools Act: Amends T.C.A. Title 49 by enacting the Virtual Public Schools Act. Requires the board of education to promulgate rules and regulations to enhance educational opportunities by utilizing existing resources through technology. *Effective June 5, 2008.*

Public Chapter No. 1097 (SB2162) Promotion of parental involvement: Amends T.C.A. § 49-2-305. Specifies that LEA parent involvement plans include the following opportunities for parents: organizing fundraising initiatives, volunteering as a field trip chaperone, assisting in library, computer lab or playground, offering after school clubs, and recycling clothes. *Effective July 1, 2008.*

Public Chapter No. 1102 (SB3409) LEA personnel reports: Amends T.C.A. § 49-1-201 by requiring each LEA's director of schools to submit to the department of education an annual personnel report including all non-certified personnel, part-time or full-time, employed by the LEA. *Effective July 1, 2008.*

Public Chapter No. 1133 (SB3401) Charter school eligibility: Amends T.C.A. Title 49, Chapter 13, Part 1. Adds students in grades K-3 who are eligible for free or reduced-price lunch to the list of prospective students at public charter schools. Students must be enrolled no later than August 1 of each school year. Additionally, these students receive second priority. *Effective June 13, 2008.*

Public Chapter No. 1154 (HB3146) School asthma plans: Amends Titles 49, 68, and 71 by requiring the department of health, in cooperation with the department of education, to develop a comprehensive asthma plan to be implemented in schools. *Effective June 13, 2008.*

Public Chapter No. 1156 (HB3278) School Support Organizational Financial Accountability Act: Amends T.C.A. Title 49 by amending various provisions of the School Support Organization Financial Accountability Act. *Effective July 1, 2008.*

Public Chapter No. 1175 (SB2809) Lottery monies for after school programs: Amends T.C.A. Title 4, Chapter 51, Part 1, and Title 49, Chapter 6, Part 7, by creating the lottery for education after school programs grant fund. *Effective July 1, 2008.*

Public Chapter No. 1180 (SB3285) Criminal background checks of students entering teacher training programs: Amends T.C.A. § 49-5-5610. Requires students entering teacher training programs to supply a fingerprint sample and submit to a TBI/FBI background check. Results are sent to the training program. Costs paid by the applicant. *Effective July 2, 2008.*

Public Chapter No. 1188 (SB4039) Energy Efficient Schools Initiative: Amends T.C.A. Titles 4 and 49 by enacting the Energy Efficient Schools Initiative. Creates a twelve-member council to establish guidelines for energy efficient schools and to award grants and loans to school systems to enact energy use objectives. *Effective July 1, 2008.*

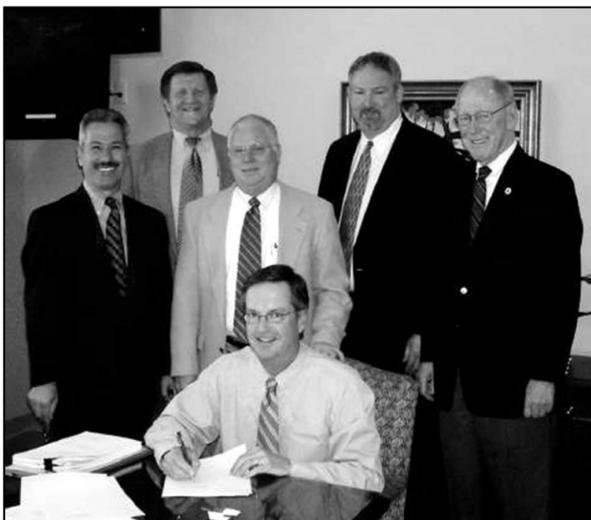
Public Chapter No. 786 (HB4119) Reckless burning and burning without a permit: Amends T.C.A. Title 39, Chapter 14, Part 3, relative to the offenses of reckless burning, violating burning bans and burning without a permit. Authorizes the Commissioner of Agriculture, in consultation with the State Forester and the county mayors of impacted counties, to issue a burning ban prohibiting all open air fires in any area of the state. A knowing violation of the ban would be considered reckless burning, a Class A misdemeanor. The offense of reckless burning is also amended to include violating a burning ban issued pursuant to the provision allowing the governor, during periods of extreme drought, to ban any open air and unconfined fire on or near woodlands where dangerous fire hazards exist. *Effective April 21, 2008.*



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



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

Tracing The Trail of Tears: new routes revise TN history

BY VICTORIA SOUTH
Communications Coordinator

Swath of land trampled down by heartbreak and disease, forced from home, miles to roam far from Tennessee

Take that path of senseless wrath sown throughout the years, and if you listen long, you'll hear their song along the Trail of Tears

Those proud tribes sent to die in 1838, to try their hand in no man's land, found bigotry and hate

Here's the path of senseless wrath sown throughout the years, and if you ponder why, you'll hear the cry along the Trail of Tears – Victoria South

The harsh trail of suffering, disease and death trekked by 16,000 Cherokee men, women and children driven from their homelands at gunpoint in 1838 has evolved into a pathway of enlightenment with The Trail of Tears Documentation Act, HR 5335, championed by U.S. Congressman Zack Wamp.

Approved by the U.S. House of Representatives, the legislation to adopt 1,500 undocumented miles to the historic trail will not only transform history, but provide more opportunities for regions to commemorate the history, culture and experiences of those who sojourned and lost their lives there.

After being forced from their homes, the Cherokee people were herded into internment camps in southeast Tennessee to make the journey through a maze of land routes and rivers to Indian Territory in the state of Oklahoma. Historians report that 4,000 died from disease and adverse conditions during the Fall of 1838 and the winter of 1839.

Designated a National Historic Trail by Congress in 1987, the Trail of Tears encompasses three primary routes:

The Commemorative Auto Tour: starts at Red Clay State Park and follows SR 60 through Cleveland to Dayton, follows SR 30 through Pikeville, SR 284 through Fall Creek Falls State Park, to SR 111 to SR 8 to McMinnville. Following US 70S through Woodbury and Murfreesboro, then US 41 to Nashville, US 431 to SR 76 to Port Royal State park and then SR 238 to Kentucky;

The Northern Route: Crossing central Tennessee, southwestern Kentucky, and southern Illinois.

The Water Route, Starts at Ross' Landing in Chattanooga and follows the Tennessee River through Alabama and back through Tennessee to the Ohio River, then down the Ohio to the Mississippi River and up the Arkansas River to Fort Smith, AK.

The round-up routes from removal forts in North Carolina, Georgia, Tennessee and Alabama, as well as the Bell and Bengé routes were not as well documented and excluded from the Historic Trail.

Completed feasibility studies by The National Park Service (NPS), National Scenic and Historic Trails (NSHT) office and approval by the House leaves only Senate approval at the final legislative session November 2008 to incorporate the two routes along with some other routes, into the Trail.

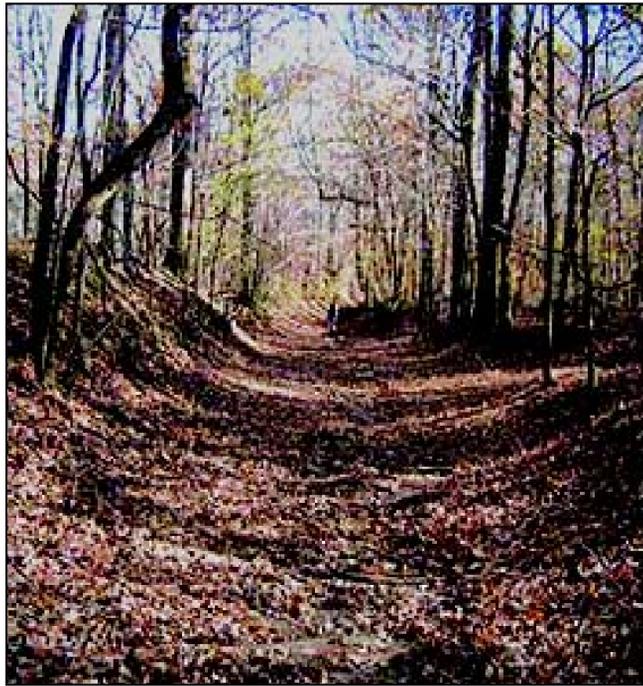
"The Cherokee removal is only one tribe's story of the Indian Removal Act of 1830, but it is the most visible in American history," said Congressman Wamp. "It is not just an Arkansas and Oklahoma story; it started in North Carolina, Tennessee, Georgia and Alabama. These distinct routes and campgrounds proposed in the Trail of Tears Documentation Act more fully reflect this tragic saga of a proud people's forced removal."

According to Bob Richards, Tennessee Department of Environment and Conservation (TDEC) Greenways and Trails coordinator, the additional routes will facilitate more TOT sites across Tennessee as TDEC works with NPS to certify sites on public lands, especially in state parks.

"There will be many possible sites that could be certified in Tennessee," said Richards.

"The new routes have the potential for impacting 30-plus counties across the state with as many as 14 state parks that could become certified TOT locations."

Tennessee currently has 10 certified National Historic Trail sites



Courtesy of NPS

The Bell Route through Village Creek State Park in Arkansas is under consideration by the U.S. Senate to become an addition to the Trail of Tears National Historic Trail.



Photo by Victoria South

Seven stainless steel figures are mounted on the front wall of "The Passage" at Ross' Landing in Chattanooga depicting Cherokee Indians engaged in a game of stickball called "The little brother of war."

along with tourist sites, such as "The Passage" at Ross' Landing in Chattanooga, the most significant public art installation of contemporary Southeastern Native American Art in the U.S.

Anyone who owns or manages sites, visitor centers, museums, or trail segments having a direct association with the Trail of Tears can request that their properties be designated as officially certified National Historic Trail sites. The process entails a voluntary partnership with NPS to help preserve, interpret, and make the property available for public access.

TOT sites draw visitors to the regions, and are usually bustling with commemorative activities and educational programs for all ages.

"We have nine tours scheduled before Thanksgiving," said Chattanooga Regional History Museum curator Daryl Black.

Undergoing radical changes, the museum, a certified site, is currently operating as a museum without walls, conducting TOT tours for school groups and others by land and boat at Ross's Landing, the future site of the museum's new building, according to Black.

"It is an immersive kind of learning program, or what we call "dangerous learning," said Black, about the tour, where middle and high school students arrive in groups

of friends, and are separated by boat, similar to the Cherokee experience in 1838.

"We discuss history and culture and use cards with different colors with actual Cherokee names and towns appearing on the 1835 census," Black said. "It really gives students a feel for the Trail of Tears."

In 2007, First Lady Andrea Conte's interest led to an arranged meeting with TDEC representatives, the National Park Service, and the National Trail of Tears Association.

Conte, toured some of the original TOT route in Van Buren County at the Rocky River crossing and that same year, a Memorandum of Understanding (MOU) was signed by the State of Tennessee and the National Park Service for cooperative efforts on the TOT.

"I am grateful to have had the opportunity to introduce The Trail of Tears Documentation Act," Wamp said. "Of all the legislation that is routinely moved through Congress, completing the story of the Cherokee removal is one that holds particular significance and meaning. It is personal for me because of my own Cherokee heritage."

"Our greatness as a nation is our ability to look at our own history objectively and in proper perspective, being mindful of the errors of the past in order not to repeat them."



Brown's Tavern in Chattanooga is a TOT historic site. The tavern was built in 1803. According to local tradition, the Union army used the tavern as a commissary depot following the seizure of Lookout Valley. Brown's Tavern is on private property, but visitors may take photos from the road.



Photos by Bob Richards TDEC

Bill Jones, Tennessee Chapter TOT president and First Lady Andrea Conte visit three Trail of Tears sites in Van Buren County.



Meigs County Mayor Ken Jones stands upon a full scale replica of a Trail of Tears map at the dedication ceremony of the Cherokee Removal Memorial Park. The park is the site of Blythe Ferry, the ferry that shuttled thousands of Cherokees forced to leave their homelands across the Tennessee River toward designated Indian Territory in the State of Oklahoma.



Red Clay State Historic Park Visitor's Center exhibits day-to-day Cherokee life in the early 1800s and the Cherokee removal. A video about the Trail of Tears is shown along with prehistoric artifacts.

Certified National Historic Trail sites in Tennessee



Greenways and Trails Coordinator Robert Richards is currently coordinating a public input process for the development of a TOT Comprehensive Master Plan for the Tennessee portion of the Trail of Tears National Historic Trail.

A public input form is available by visiting <http://state.tn.us/environment/recreation/plan/TrailofTearsForm.pdf>.

The deadline to receive comments is November 30, 2008.

The following are certified TOT sites in Tennessee:

Audobon Acres, 900 North Sanctuary Road in East Brainerd. Aka the Elise Chapin Wildlife Sanctuary, visitors can learn about the typical agricultural life and level of acculturation experienced by the Cherokee at the time of removal.

Brainerd Misson Cemetery, located off Brainerd Road and Eastgate Loop Road near the Brainerd Village Shopping Center. Originally developed as a mission within the Cherokee nation.

Brown's Ferry Tavern, 703 Browns Ferry Road, west of Chattanooga.

Chattanooga Regional History Museum, exhibits closed, currently operating tours as a Museum Without Walls.

The Hermitage, Andrew Jackson's longtime home, 4580 Rachel's Lane Hermitage.

James Brown Cherokee Plantation, 9521 Ooltewah-Georgetown Road northeast of Ooltewah, Hamilton County. The property is linked to tribal leader James Brown, one of the 13 detachment leaders who moved a group of 850 Cherokees to Indian Territory.

Port Royal State Park, 3300 Old Clarksville Highway, Adams. Located in eastern Montgomery County. A stopover point to rest, grind corn, and prepare for the rest of the TOT journey. Port Royal is the second Tennessee State Park to be named an official TOT site.

Red Clay State Historic Park, 1140 Red Clay Park Road SW, near Cleveland in Bradley County.

Sequoyah Birthplace Museum, 576 State Highway 360, 1 mile east of Vonore. Museum exhibits trace

American Indian history beginning with the Paleo-Indian period. A video presentation, map, and pictorial display tell the TOT story. Artifacts related to the TOT, Cherokee history, and southeastern Indian history are displayed. An Appalachian and American Indian arts and crafts festival is held on the grounds each September.

Tennessee River Museum, 495 Main St. Savannah. The museum interprets the length and breadth of the Tennessee River's history: from Muscle Shoals to Paducah, from dinosaurs to the Tennessee Valley Authority. Contains exhibits about the TOT along with related historic and prehistoric themes.

For more information about the Trail of Tears, visit the following websites: The National Park Service: www.nps.gov; the National TOT Association: <http://www.nationaltot.org/> or the Tennessee TOT Association: <http://www.tntota.com/>.