

New fee for cash bond forfeitures

BY REX BARTON
MTAS Police Consultant

The state legislature recently passed into a law a new fee to be collected by the city when a defendant posts a cash bond for a municipal traffic violation.

The new fee is to offset the impact of budget cuts to the Tennessee Bureau of Investigation's crime lab services. Without this new fee the TBI was planning to charge cities and counties for crime lab examination of evidence in criminal investigations.

The law, as established by Chapter 1019 of the Public Acts of 2010, creates a new fee of \$13.75 that city court clerks must collect

from traffic offenders who post a cash bond prior to court. Municipal courts currently collect a state litigation tax of \$13.75 for any case in which the defendant pleads guilty, is found guilty, or submits to a fine. The litigation tax is then submitted to the state each month. This has not changed.

Previously, the litigation tax was not collected when the defendant paid a "cash bond" prior to court. The cash bond was forfeited when the defendant did not appear in court on the appointed court date.

Under the new law, the court must collect a \$13.75 fee for every forfeiture of a cash bond.

The fee is not a litigation tax, even though the amount is exactly

the same. The new fee will be submitted to the Tennessee Bureau of Investigation to pay for crime lab services. The submittal process and the forms for submitting the fees to the TBI are still being developed.

The new law became effective July 1, 2010. Municipal court clerks should start collecting the new fee for any traffic citation issued on or after July 1.

MTAS will provide additional information about submitting the new fee to the state, as well as the pertinent forms, at the end of July.

The city will be able to keep a 5 percent commission of the new fee as compensation for collecting and remitting the new fee.

New Supreme Court ruling affects gun laws

BY JOSH JONES
MTAS Legal Consultant

Late last month the Supreme Court issued another momentous decision in its recent string of gun control cases. At issue in *McDonald v. Chicago* was whether the Second Amendment is incorporated into the Due Process Clause or the Privileges and Immunities Clause of the Fourteenth Amendment and thus applicable to the States. Amid the some two hundred pages of opinions and dissents, the majority held that the right to bear arms for self defense does guard against unreasonable state and local regulation.

McDonald is seen as a companion case to the recently decided District of *Columbia v. Heller*. That case, challenging an absolute ban on handguns in Washington D.C., was praised and derided for finding that the Second Amendment guaranteed a personal right to keep a firearm for the purposes of self-defense. The District of Columbia, however, is a federal district hence the Heller ruling was not applicable on the city of Chicago or any other state or local government. The McDonald ruling says that the personal right guaranteed by Heller is incorporated against the States and their political subdivisions through the Fourteenth Amendment's Due Process Clause.

While the Court in McDonald does apply the protections of the Second Amendment to state and local government regulation, it does not rule on the constitutionality of the specific Chicago ordinances. Rather, it remands that decision back to the lower courts. And while it seems certain that the Chicago ordinances will be stricken down, the same is not necessarily true for other state and local regulations. The Chicago ordi-



nances, among the most restrictive in the country, effectively amounted to an outright prohibition on handguns. More common are less stringent laws regulating the possession and use of handguns.

Binding state and local governments to the Second Amendment will undoubtedly lead to an increased number of legal challenges to nonfederal handgun regulation. And, due to the language of McDonald, the right at issue in these challenges, to bear arms for self protection, is a fundamental one. In legal parlance a fundamental right is one deserving of the utmost protections from government regulation, and when regulated, such a law is usually evaluated with strict scrutiny. McDonald, however, did not specify what standard of scrutiny the lower courts are to apply when adjudicating cases brought under this holding. We do know that some degree of reasonable regulation is still constitutional. Justice Alito, writing for the majority, specifically listed prohibi-

See GUN LAW on Page 6

State-shared revenues projections FY2011

BY DICK PHEBUS
MTAS Finance Consultant

The second session of the 106th Tennessee General Assembly adjourned "sine die" on June 9, 2010. Faced with substantial state revenue shortfalls in FY 2010 and a projected slow statewide economic recovery in FY 2011, the General Assembly made some significant cuts in budgeted appropriations for FY 2011.

These cuts did not affect the statutory basis of state shared revenues with municipalities; however, the growth in these revenues is projected to be slow for FY 2011.

Based on revenue projections for FY 2011, cities are expected to receive approximately \$104.02 per capita in state shared taxes for the fiscal year beginning July 1, 2010.

For those cities that are in the process of adopting a budget or have already approved one, financial personnel should review this information to determine if adjustments to the budget document are necessary. Also, there are:

- **The Hall Income Tax.** The statewide projected increase is 5.0 percent, but individual city amounts will fluctuate. Also, due to recent market volatility it would be prudent to be somewhat con-

servative in estimating your city's revenue.

- **The Corporate Excise Tax.** The statewide projected increase is 5.0 percent. This tax is based on bank profits and is distributed based on situs in lieu of intangible personal property taxes. Cities must levy a property tax in order to receive revenue from this tax.
- **The Mixed-Drink Tax.**

The statewide projected increase is 2.6 percent.

The State Appropriations Bill HB 3928/SB 3919 as adopted by the General Assembly maintained the firefighter salary-police officer salary supplement at \$600. Therefore, the public safety salary supplements for firefighters and police officers are to be funded at the same rate for FY 2010.

Upon completion of certain training requirements, police officers and firefighters are eligible for bonus salary supplements of \$600 each.

Thompson named new MTAS director

The UT Institute for Public Service (IPS) has named Steve Thompson as the new executive director for the UT Municipal Technical Advisory Service (MTAS). Thompson will join MTAS at the end of July.

Thompson comes to MTAS from Marco Island, Fla., where he has served as city manager since 2008. He has held city manager and assistant city manager roles in Deltona, Fla.; Virginia Beach, Va.; Greenville, S.C.; and Aiken, S.C.

"Steve Thompson has a sound understanding of city management and municipal operations in cities of different sizes and a range of cultures," said Dr. Mary Jinks, vice president of public service for UT. "His new perspective blended with the knowledge and experience of the existing MTAS staff and advisory board means a bright future for the agency and a continuation of its professional service to Tennessee's municipalities."

Thompson was hired from a pool of six candidates who went

through a rigorous interviewing process with representatives from the MTAS advisory board, the Tennessee Municipal League, IPS leadership team, UT Knoxville faculty, and MTAS staff.

"MTAS has a long history of professional service to the cities of Tennessee, and I'm both honored and looking forward to working with the professionals of MTAS and the institute to continue this service," Thompson said.

Thompson holds a bachelor's degree in political science from the College of Charleston (S.C.) and a master's in public administration from the University of South Carolina. He also has attended the Menninger Institute for Local Government Managers in Topeka, Kan., and the Senior Executive Institute at the University of Virginia. He is an International City Manager's Association Certified Local Government Manager, and he is a national board member of the Governmental Accounting Standards Advisory Com-



Steve Thompson

mittee.

MTAS Assistant Director Melanie Purcell is serving as interim executive director and will continue to do so until Thompson fills the role later in July.

Reprinted courtesy of the UT Exchange.

Chattanooga launches education forum on hate crimes

BY VICTORIA SOUTH
Communications Coordinator

For those who perpetrate hate crimes, variety is never the spice of life, and for victims, it can be downright deadly, according to a report by the Tennessee Bureau of Investigation. Three hundred and fifty-nine hate crimes reported in Tennessee in 2009 represents a 14.1 percent decrease from the 515 hate crimes reported in 2008, yet the category of "Unknown Bias" continues to soar. Unknown bias involves a crime that has the traits of a hate crime but an investigation has not determined a specific bias motivation.

"We have more than 81 countries represented in Chattanooga and each brings their own perspective as far as cultural mores and values," said Beverly Cosley, director of Chattanooga's Office of Multi-Cultural Affairs. "We need to understand those values. How they may differ from ours, and how we have most of those things that matter the

most in common."

The city became the first to adopt a hate crimes policy following several random acts of hate in various neighborhoods. "Nooses were found at a large construction site and a minority owned business in a residential area had racial graffiti," Cosley said. "A Koran was also desecrated outside a church."

"We thought it would be good if we had a policy we could use in instances such as hate crimes or biases that could occur," said Cosley.

While the resolution is not an ordinance, it is the first of its kind. Tendered by Chattanooga's Human Relations committee, it was approved Jan 26, 2010. "It is the first time the city has taken such a stand," said Cosley.

The Office of Multi-Cultural Affairs and the University of Tennessee at Chattanooga Criminal Justice Department held a forum recently on hate crime at UTC's Fine Arts Center, which was free and open to the public. Panelists spoke on vari-

ous topics related to statutes of the hate crime law and prosecution. Speakers included Greg Sullivan, first assistant US attorney, Steve Neff, supervising US attorney, Chattanooga office, Richard Lambert, special agent in charge, FBI Knoxville Division, and Walter Atkinson, Senior Coalition specialist for Community Relations Service, US Dept of Justice, Atlanta.

The forum is the result of a network formed by the Multi-Cultural Center, the Hate Crimes Network, consisting of about 40 organizations within the city of Chattanooga.

"We call upon them to assist in providing certain services or educational forums in regard to a hate crime incident whether alleged or actual," said Cosley. "We started within our own department, the Multi-Cultural Affairs Board, and branched out to the network. We have also been working with the US Department of Justice Community Relations Service in order to get the community more knowledgeable.



Chattanooga's Office of Multi-Cultural Affairs and the University of Tennessee at Chattanooga Criminal Justice Department recently held a public forum on hate crime at UTC's Fine Arts Center.

Now, we're on the second, third and fourth wave of this, which is to bring educational forums to the community."

Following the next public forum, the network plans to move to an inner city location in order to elicit

See HATE CRIME on Page 6

NEWS
ACROSS
TENNESSEE



BY TML STAFF REPORTS

BROWNSVILLE

The State Building Commission approved Chattanooga-based Signal Energy as the contractor for a solar farm in Haywood County in West Tennessee. The proposed 5 megawatt, 30-acre power generation facility is part of Gov. Phil Bredesen's Volunteer State Solar Initiative, funded by the American Recovery and Reinvestment Act, and will be one of the largest solar installations in the Southeast. Signal, a subsidiary of EMJ Corp., was picked following a competitive request-for-proposal process. It's a full service contractor providing engineering, procurement and construction services for renewable energy projects.

CHATTANOOGA

Gov. Bredesen and ECD Commissioner Matt Kisber attended the inauguration ceremony of Alstom's new production facility in Chattanooga on June 24. The Chattanooga plant will produce steam turbines, gas turbines, large turbo-generators

and related equipment for the North American fossil fuel and nuclear power generation market and retrofit existing steam turbines with leading edge technology. The new facility results from an investment of approximately \$300 million and will create around 350 jobs.

GATLINBURG

Gatlinburg officials are beginning the long process of finding money for 14 miles of greenways and obtaining the rights of way. The project passed its third and final public hearing. Consulting engineer Steve Fritts said the greenways would have to be built in segments. The \$14 million project is a connected and paved trail along streams, beside roads and through some wooded areas of the city.

GOODLETTSVILLE

More than 200 elected officials, civic and business leaders, local residents and train enthusiasts attended the grand opening of Amqui Station. L&N built the station in 1910. At the height of its opera-

tions, as many as 40 to 50 trains stopped there every day. Amqui Station and Visitors Center will include a museum that explores the connection between railroads and American music. One section of the museum will spotlight the legacy of Johnny and June Carter Cash. A covered pavilion next to Amqui Station will host community events and concerts. For more information about Amqui Station and Visitors Center, visit discovermadison.tn.com.

HENDERSONVILLE

A FEMA grant for lifesaving equipment could benefit hundreds of Sumner County residents. Officials with Sumner County Emergency Medical Services will receive a grant of \$124,000 for the purchase of 10 AutoPulse machines that offer a noninvasive chest compression system that helps improve blood flow during a heart attack. Manual chest compressions provide patients with a maximum of 20 percent of normal blood flow to the heart and 40 percent to the brain. The AutoPulse machines, which are battery-operated, have been shown to triple patient survival rates and allow paramedics to focus their attention on additional life-saving measures.

KINGSPORT

More than 180 local and out-of-town volunteers are hard at work improving a dozen homes in and around Kingsport under a program that unites public resources with private manpower. "A couple of years ago, we put in place the Kingsport Alliance for Home Revitalization (KAHR) that really set the stage to help those who need a hand improving the livability of their homes," Mayor Dennis Phillips said. KAHR is a city umbrella group that provides funding and materials for housing rehabilitation programs carried out by the Kingsport Housing and Redevelopment Authority, the Carpenter's Helpers program at First Broad Street United Methodist and Appalachia Service Project.

KINGSTON

The city has received more than \$3.9 million in federal funding for water and sewer system improvements. The announcement involves U.S. Department of Agriculture Rural Development low-interest infrastructure loans totaling more than \$3 million and grants of \$906,700 to help fund three projects. Homes and businesses along Gallaher Road that rely on septic systems will be hooked into the sewer system through 3.5 miles of new sewer lines, 64 access points and a lift station. Kingston and Rockwood water supplies will be linked through Roane Central Utility District by the construction of four miles of water lines. Federal funding also will assist in the installation of more than 3,700 automated water meters that help reduce waste from leaks and control customer costs.

KNOXVILLE

East Tennesseans driving electric cars will soon be able to charge up their vehicles at a network of 350 stations throughout the Knoxville area. The publicly accessible electric vehicle (EV) charging stations will begin to open in September. The project is being supported by the city of Knoxville, Knox County, Oak Ridge National Laboratory, Knoxville Utilities Board and the Tennessee Valley Authority. The partners are part of an EV project involving ECotality, Nissan North America and General Motors/Chevrolet that calls for the deployment of more than 8,000 new Nissan LEAF and Chevy Volt electric vehicles and about 15,000 charging stations across the nation. Through the EV project, Knoxville, Nashville and Chattanooga are all test markets for the Nissan LEAF and the charging sta-



Pictured at the grand opening of historic Amqui Station and Visitors Center in Madison are: Goodlettsville Mayor John Finch; Joanne Cash Yates, sister of country music legend Johnny Cash; Nashville Mayor Karl Dean; special guest Mayor Gaetan Ruest, mayor of Amqui, Quebec, Canada; Debbie Pace, executive director of the Madison-Rivergate Area Chamber of Commerce; and Nathan Massey, president of Discover Madison, Inc.

tions. ECotality is a nonprofit renewable energy company that won a \$115 million grant from the U.S. Department of Energy to support the EV program.

MARYVILLE

First Tennessee Bank is bringing some of its technology operations back in-house, and creating dozens of new jobs. The bank will bring 65 information-technology jobs to a data center in the Blount Industrial Park. Workers at the facility will manage servers, mainframes and other technology infrastructure for the Memphis-based company. The work had been outsourced, performed at a variety of sites, primarily in Chicago. Meanwhile, 45 of the bank's Knoxville employees who work in technology purchasing and remote check capture will be relocated to the Maryville site. First Tennessee's parent company notes that bringing the IT operation back in-house will allow the company to respond more quickly to the needs of customers.

MURFREESBORO

Murfreesboro's housing market has been listed as one of the most affordable in the country by *Money Magazine*. The 101,000-resident town ranked No. 20 in the most affordable homes category of Money's 2010 Best Places to Live list for the nation's small cities. Murfreesboro had a median home price of \$141,000 and median family income per year of \$68,620. Murfreesboro was the only Tennessee city to make the list of 25 U.S. cities with a population of 50,000 to 300,000.

NASHVILLE

A new program unveiled by Mayor Karl Dean will seek to fill in the financial gap thousands of Nashville flood victims are staring at even after receiving federal aid to repair their homes. The initiative, dubbed "We

Are Home," will be led by The Housing Fund, a Nashville-based nonprofit that's been working with the mayor's flood recovery team. The plan is to build a pool of \$50 million, created partly by the flood donations of private citizens, to help a projected 2,000 Nashvillians in the form of low-interest loans and grants. Officials say they have no timetable on the life span of the program. Flood victims began meeting with officials July 7 to discuss the level of assistance available to them under the program.

SELMER

A West Tennessee airport is using a federal grant to build a hangar and living quarters for an air ambulance base. The Memphis-based Hospital Wing plans to open the new facility this fall at the Robert Sibley Airport. A \$480,000 federal grant and another \$8,200 grant will be used to build the new facility, scheduled to be complete by September. Staffing for the base will be about 12 to 15 people, pilots, medical staff and maintenance workers and flight staff.

TULLAHOMA

Sixty plus boys and girls between the ages of eight and 17 revved up to compete for a berth in the 73rd All-American Soap Box Derby held in Akron, OH in July. The winners of the Tullahoma race: Courtney Harshman (Masters Division), Jacob Blair (Super Stock Division) and Carson Strite (Stock Division) will vie for top honors with an international title. The city will help with travel expenses, fine tuning and delivering their cars to Akron. This year, the Tullahoma competition added a special segment - the Super Kids Division - that allowed children with disabilities to experience the Soap Box race firsthand. The race is sponsored annually by the Parks and Recreation Department.

Columbia receives green light for Duck River Walk project

Columbia has received notice from the Tennessee Department of Transportation (TDOT) to proceed with the construction phase of the Duck River Walk project. This will allow the city to put the project out for bids and proceed with construction which is anticipated to start sometime in September 2010.

The project planning and design started in 2005 when the city received a \$6.4 million Federal Transportation grant. A 20 percent match from the city was required as a stipulation of the agreement. The Federal funding was allotted in 20 percent increments.

Approximately 270 miles in length, the Duck is the longest river contained entirely within Tennessee's borders and meanders through the downtown area of the city. The river features more than 500 documented species including aquatic plants, fish and invertebrates and 39 mussel and 84 fish species; more species of fish than in all of Europe.

From its origin in the Eastern Highland Rim, the Duck crosses the Central Basin and continues west across the Western Highland Rim before flowing into the Tennessee River.



In Tullahoma, sixty boys and girls between the ages of eight and 17 competed for a berth in the 73rd All-American Soap Box Derby to be held in Akron, OH. Pictured: former 2004 Tullahoma champion and Akron, OH International Soap Box Derby Stock division winner Haylee Beitel drives the tandem car with "Super Kid" passenger Jaydon Sullenger.

PEOPLE

BY TML STAFF REPORTS

Gov. Bredesen re-appointed **Mark Gwyn** as the director of the Tennessee Bureau of Investigation. Bredesen appointed Gwyn to his first six-year term as the agency's director in 2004. As director, Gwyn oversees 420 TBI employees in the agency's five major divisions: Criminal Investigation, Drug Investigation, Forensic Services, Information Systems and Administrative Services.



Gwyn

Westmoreland Vice Mayor **Cynthia Templeton** will serve as mayor until the November 2 city election following the sudden death of the city's mayor, **Ricky Woodard** on June 19. Woodard, 55, had been Mayor of Westmoreland since 2002 and was re-elected in 2006. He leaves behind a wife of more than 30 years, a daughter, and granddaughter.



Templeton

Chief **Bobby Dodd** has been selected as Chattanooga's new Police Chief. A Chattanooga native, Dodd is a 22-year employee with the Chattanooga Police Department, having served since 2007 as Assistant Chief under former Chief Freeman Cooper and most recently interim Chief Mark Rawlston.

Ohio native, **Pam Russell**, has joined the city of Murfreesboro as assistant human resources director. Russell has 12 years experience in human resources management and most recently served as Human Resources Manager for Haru Holdings, a subsidiary of Nissan, where she managed employee relations, staffing and benefits administration for multi-site operations and managed safety training within two facilities.



Russell

Larry Talbert, 62, a battalion chief with the Bristol Fire Department, is retiring after 39 years. He began his firefighting career in 1971 when he was just 22. Talbert has been Battalion Chief since 2001.



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Nashville, Millington mayors testify before Congress about flood

Nashville Mayor Karl Dean and Millington Mayor Richard Hodges are among a host of local and state officials who will testify before the Senate Energy and Water Appropriations Subcommittee to examine how federal agencies responded to the historic Tennessee flood.

U.S. Sen. Lamar Alexander, who is a member of the subcommittee, requested the hearing to focus specifically on how the Army Corps of Engineers and the National Weather Service communicated with other agencies and the public about rising waters.

“The goal of the hearing is to determine what actions can be taken to improve those communications to prevent loss of life and property in future floods,” said Alexander.

Following the flood, concerns were raised about the Corps’ actions during the flood and the way water was released from dams on the Cumberland River, as well as the quality of forecasting, communication, and flood warnings.

Alexander said he expects the Corps will present its findings from its After Action Report (AAR) on the flood, which will include lessons learned.

The public hearing will be held July 22 at 9:30 a.m. in the Senate Appropriations hearing room of the Dirksen Senate Office Building in Washington, D.C.

Others invited to testify include:

- Members of the Tennessee Congressional delegation
- General John Peabody, Commander of the Great Lakes and Ohio River Division, U.S. Army Corps of Engineers



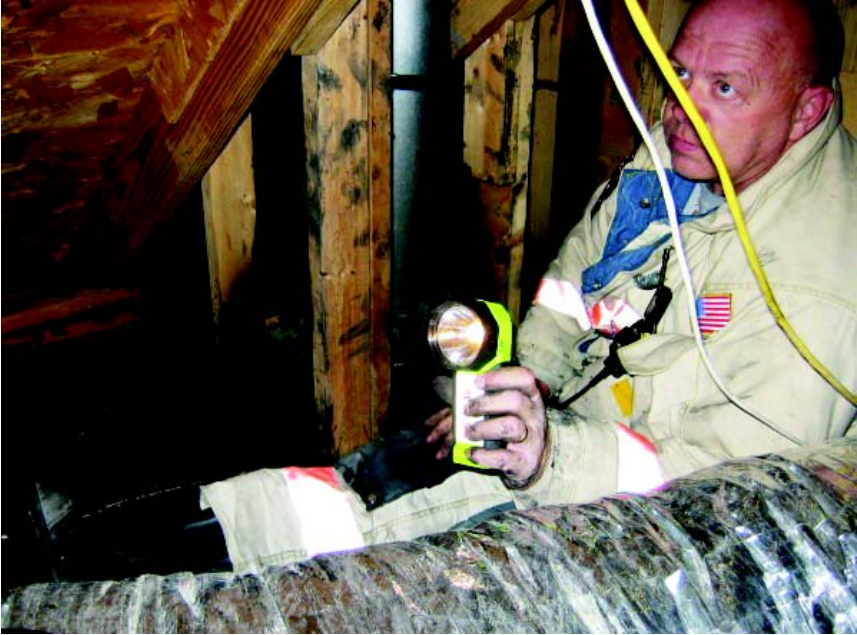
Nashville Mayor Karl Dean



Millington Mayor Richard Hodges

- Dr. Jack Hayes, Director of the National Weather Service
- James Bassham, Director of the Tennessee Emergency Management Agency
- Whit Adamson, President of the Tennessee Association of Broadcasters
- Bert Matthews, Chairman of the Board of Directors of the Nashville Chamber of Commerce

New bulding codes go into effect 1-2 family homes



The State Fire Marshal’s Office will issue residential building permits using a system similar to the electrical inspection program that it presently operates.

Enforcement to begin in October

The Tennessee Clean Energy Future Act provisions regarding adoption and enforcement of a residential building code to one-and two-family residences across the state have taken effect. The State Fire Marshal Office’s code enforcement program will begin in October. In the interim, the state will contract with code inspectors, establish a network of issuing agents where the construction permits can be obtained and finalize the process for payments.

“Enforcing building codes will make new homes safe and more energy-efficient, and will help assure the quality of residential construction meets minimum standards,” said State Fire Marshal and Department of Commerce and Insurance Commissioner Leslie A. Newman.

New State Fire Marshal’s Office regulations adopt the 2009 International Residential Code and the 2006 International Energy Code. These building codes will only apply to new construction of residential structures. Nonresidential structures, such as out buildings and unattached garages, are not covered. Renovation of existing structures, no matter how extensive, is also not covered. Sprinkler requirements have not been adopted, although a city or county is free to adopt a sprinkler requirement.

Effective Oct. 1, the State Fire Marshal’s Office will issue residential building permits using a system similar to the electrical inspection program that it presently operates.

MTAS is offering an online training course for local government officials on the “Tennessee Clean Energy Future Act of 2009.” The class will cover a wide variety of changes that will occur with the implementation of this Act. For more information, go to, http://www.mtas.tennessee.edu/Training/online/energy_training_2010.pdf

Brownsville’s Webb Banks, Joe Taylor, Ann Banks retire after combined 76 years service

BY VICTORIA SOUTH
TML Communications Coordinator

In these difficult financial times, Brownsville in Haywood County, is one of the few cities in Tennessee that can claim substantial reserves, a debt free status and a bevy of new industries. But, the community with the can do spirit took a hit to the heart on July 13 when it lost three of its most valuable resources. Mayor Webb Banks, Alderman Joe Taylor and Community Development Director Ann Banks have retired leaving behind hundreds of friends, scores of successes, and sweet memories.

Webb Banks

In 1994, Brownsville native Webb Banks was scouting for a new challenge. Following a 21.5 year stint in the U.S. Air Force, (1955-1977), where he received the rank of Lt. Colonel and numerous decorations, including the Bronze Star, the Air Commendation Medal and Legion of Merit, Banks’ military resume’ was impressive. He served as Chief of Logistics with the Air Force Special Investigation Team in Washington, D.C.; Chief Negotiator for Wartime Agreements between the U.S. and six European nations and appeared before numerous congressional committees. The list goes on.

With his remarkable gift for gab and 1000-watt smile, Banks was widely known for his furniture store, Banks Railroad Salvage Furniture and Appliance, where he offered his customers revolving credit. And for 16 years, he hosted a daily radio talk show with an acquaintance, Paul Jackson.

After selling the store and with virtually no municipal government experience, he decided to throw his mayoral hat into the ring with five other candidates. Banks won 68 percent of the vote riding on the platform of new industry....and he planned to do the job in four years.

“I really didn’t have any perception of what city government was supposed to be like,” Banks, 79, reflects on the role that would become his passion for 16 years. “This town had gone 17 years with no new industry, and I thought ‘If I can get industry, everything else will take care of itself.’ I was going to get five (industries) the first year, but two years and \$50,000 later, we were broke.”

So, Banks set to work on a different plan, disbanding the old industrial board, pursuing economic and

Smith along with his own staff, whom he considers to be his family. “Franklin Smith and I work really well together on everything,” he said. “We have for 16 years. And you wouldn’t believe how my staff takes care of me. I meet once a week with them and we set goals. I really think a lot of it is letting them do their own jobs and always giving them an answer. The word is: don’t ask Webb Banks for a decision if you don’t want one.”

In 2003, Banks was appointed to the state’s independent Tax Structure Study Commission by House Speaker Jimmy Naifeh and in 2006 he became Tennessee Municipal League Mayor of the Year.

While Banks is proud of the city’s accomplishments, he never stops reaching. “I can say I’m very satisfied with the industry we’ve brought in. It is very gratifying. You gotta have jobs and you’ve gotta have money, but, now I realize you also need retail and houses along with it. We’ve hired someone who is working on retail development and bringing housing, and our sales tax is beginning to pick up.”

Banks gets excited when he considers the possibility of 10,000 future jobs in the area. “The end result is that the state conferred \$34 million to land a 3,000-acre megasite in Haywood County,” he said. “I don’t believe this would have ever happened without our regional component.” Spending more time with his wife Steva, the former airman might be open to future missions. “I’m going to play it by ear,” he said. “I’ve had some job offers. I’m on the bank board, but mostly people just want me to tell them how to get outside money.”

Ann Banks

Thirty two years ago, Ann Banks, was just finishing her degree at Tennessee Business College and scouting for a job, which her mother casually mentioned to a co-worker, the wife of Brownsville City Clerk Jerry Taylor. In the meanwhile, she reluctantly accepted a two-year stint conducting a special census.

“The city had a three-year housing and urban development grant, but was not having much luck working with the neighborhood because of the nature and the income level of the projects,” Banks reminisces. “The houses were situated mostly in African American communities and Jerry Taylor, being Caucasian, was telling



Mayor Webb Banks, who has served the city of Brownsville for 16 years, retired July 13.



Ann Banks, Brownsville community development director, also serves as executive assistant to Mayor Banks.



Alderman and vice mayor, Joe Taylor has served for 28 years.

my first proposal and said ‘You can do anything you want to do.’ That’s how it all started, in 1982, and I’ve been doing it ever since.”

A graduate of the Weststar Leadership Program, where she serves on the board of trustees, Banks also works with the Delta Leadership Institute; Delta Regional Authority; served on the state’s former Judicial Selection Committee and Three-star Advisory Committee along with the Civil Rights Title Six Committee and serves as Deputy Director of an at-risk children’s community resource center.

Yet, when all is said and done, Banks’ biggest thrill has been helping others achieve their dreams. “So many people’s lives have been enhanced by the projects that we’ve been able to bring in here by way of jobs, housing rehabilitation and homeownership,” she notes. “I wrote a lot of those proposals and even if I didn’t, somehow I was connected with those. I could not have asked for more.”

With the job offers flooding in, Banks is going to do something completely uncharacteristic of herself; rest and go on a vacation with her husband Willie. “I’m going to assess what I want to do,” she said. “I will certainly continue to run the children’s center, but, I may decide to do something completely different. I am so fulfilled. I love this city.”

Joe Taylor

Eighty-three years young, Joe Taylor retired after serving 32 years as an educator before he went to work on his second career as Brownsville vice mayor and city alderman. “I certainly didn’t want to go home and sit down,” the former Junior High School principal and special education supervisor stressed. “I needed some other obligation, some other way to help the people of this city. So, I decided to try for it and I was elected.” It’s where he remained for the next 28 years.

In 2010, Taylor couldn’t be prouder of the city’s industry and services. “Right now we have purchased more land for industry and we’re expecting the megasite to bring great improvements and opportunity to the Brownsville area,” he said. “When I first became alderman, our sanitation operation was rather crude,” he chuckles. “Collection could take a whole month. It’s very different now.”

In retrospect, Taylor says he finds municipal government to be a *See BROWNSVILLE on Page 6*



Brownsville Mayor Webb Banks chats with Gov. Phil Bredesen at TML’s Legislative Conference in Nashville.

community development opportunities and creating a diverse recruitment team, while all the while accumulating \$42 million in grant projects, distributing 90 percent of the labor, such as waste management, in house, and developing a unique and lasting partnership with nearby cities and the county.

“We brought in 13 new industries and had two major expansions, added 1,226 jobs in our factories with a payroll of about \$40 million,” he enthuses like a kid on Christmas morning. “We practically doubled our payroll!” Hopelessly hooked on municipal government, Banks ran three more times throughout the years and succeeded, as Brownsville’s victories continued to roll.

“We have just developed a new 500-acre industrial park that cost \$2 million,” said Banks. “It is a city/county project we bought together. We are as close to a metro government as you’re ever going to see and probably the only city/county in the state with a joint bank account.” In 1993, with more than \$4 million in reserve funding under its belt, the city became debt free.

Banks cherishes his cordial relationship with county Mayor Franklin

the people ‘We have this grant money and want to do \$10,000 worth of work on your house.’ It was 1978, and he just wasn’t getting anywhere. There wasn’t an element of trust. The people thought ‘Who’s going to come in and do \$10,000 worth of work on my house for nothing?’

That’s when Taylor made Banks a job offer she couldn’t refuse. “I started working with him,” said Banks. “I had to go out and gain their trust. When Jerry left for awhile in 1982, I took over as Director of Community Development, and as they say, the rest is history.”

Born and raised in Brownsville, Banks has been described as a powerhouse, serving on several boards throughout the state and with non-profit organizations. She also became administrative assistant to Mayor Banks in 1994. “I am all over the place,” Banks agrees. “You name it, I’ve done it.”

Ironically, as a grants administrator and writer, Banks admits she was more than a little apprehensive when she first began, but found a mentor in former city planner, David Carnes. “I give David all the credit for me being where I am today,” she said. “He was such an encouraging person to me. He walked me through

STATE BRIEFS

BY TML STAFF REPORTS

Tennessee is leading a group of states in competing for another \$50 million in stimulus money from the federal government. This time, the state’s online school, E4TN, is heading up the Investing in Innovation grant proposal. The idea is to combine the strengths of the state’s already developed virtual schools into a multistate program and give more students access to the courses while also conducting research on what makes an effective online teacher. Since 2005, the number of students participating in online learning has grown by 800 percent in Tennessee. Winners for the federal money should be chosen late this summer.

A new economic report card gives Tennessee a “B” average for its manufacturing and logistics industries, placing the state in the top third nationally for each category. The study by Ball State University’s Center for Business and Economic Research, and done for Conexus Indiana, explored the manufacturing and logistics industries and elements that underlie those sectors, such as tax climate. The center’s director, Michael Hicks, said states with low tax rates and wide diversity of manufacturing are well-positioned to experience an economic rebound in the next one to two years. Tennessee received its highest grade, an “A” for economic diversification, ranking among the nation’s top five states in that category. It received a “B+” in both logistics health and global reach and a “B” in manufacturing. On the lower end, it scored a “C-” in venture capital, tax climate and productivity and innovation.

A new law may protect volunteer workers from being fired for responding to an emergency but employers can charge against the worker’s regular pay. “I’ve been very sensitive to the fact of working to make sure that employers are reasonably accommodating when it comes to the need to do these kinds of things. It’s not an issue in a Nashville or Knoxville or something like that but it’s an issue in a lot of rural communities,” said Gov. Bredesen. The law states that the employer has a right to request a written statement from a supervisor that lists the time and date of an emergency. It also says that the employees who double as rescue squad workers should make an effort to notify their employer of their tardiness.

The U.S. Army Corps of Engineers will conduct a more extensive investigation into the May 1-2 flooding in Tennessee. The Corps’ Nashville district commander, Lt. Col. Anthony Mitchell, said the Corps is required to complete a “post-flood report” on such a large disaster. Such a report was done after the 1975 Nashville floods. The after-action review report is expected to be released next month. The post-flood report could take six months or more.

Mass layoffs remained high last month in Tennessee but dropped slightly compared to a year ago, according to a report issued by the U.S. Bureau of Labor Statistics. Tennessee had 31 mass layoffs in May — defined as a layoff of 50 or more people by a single company. That compares to just 18 in April and 6 in March but 37 in May 2009. During the month, 2,560 people made initial claims for unemployment insurance, compared with 1,823 the prior month and 3,424 a year ago. Nationally, there were

1,412 mass layoffs in May affecting 135,789 workers. That was 444 fewer events than in April. The number of initial claims for unemployment benefits fell by 65,081.

The deadline for flood victims to apply for federal assistance has been extended by a month. The deadline to apply to the Federal Emergency Management Agency and the Small Business Administration, which provides loans to homeowners as well as businesses, has been extended to Aug. 5. It had been July 6. The deadline applies to 46 Tennessee counties eligible for federal money after the devastating floods in early May. There are 63,633 people who have applied for FEMA money, but far fewer people have applied for U.S. Small Business Administration loans, a key part of the process.

One in five Tennesseans affected by May’s flooding is retirement age and beyond, according to new figures from the Federal Emergency Management Agency. Of the 64,000 applicants for FEMA assistance, more than 12,000 are over 60. Agencies are concerned elderly homeowners may need someone to walk them through the paperwork. According to AARP, FEMA agents are in the process of calling each flood victim over 60 to make sure they’re getting the help they need. Even those who are of able mind may not be of able body.

Census workers will visit some Tennessee neighborhoods this summer looking for residents who returned incomplete or blank questionnaires and to make sure there are no inaccurate addresses. Residents can expect to field questions similar to the ones that were on the original short-form census mailed in March. Those questions primarily focused on the number of people in a household, their gender and their race. In Tennessee 74 percent of households mailed their census forms back to the government on time. That’s up from the 65 percent to 67 percent who responded by mail 10 years ago. Still, some residents are reluctant to answer census questions.

Gov. Bredesen signed into law a controversial bill that requires Tennessee jailers to notify federal authorities of the arrest of any person found to be in the U.S. illegally or whose status cannot be determined. The bill, HB 670, was the focus of a year-long fight in the state legislature. The American Civil Liberties Union and immigrant-advocacy groups had appealed to the governor to veto the bill, which goes into affect Jan. 1. The bill requires the Tennessee Peace Officer Standards and Training Commission to develop a standardized procedure for verifying the citizenship status of individuals arrested, booked or confined for any period in a jail. It requires city or county jails in Tennessee to report to U.S. Immigration and Customs En-

forcement all persons “who may be in violation” of U.S. immigration laws “or if such status cannot be determined.

MidSouth earthquake experts are keeping an eye on a just released study that says the New Madrid could awaken and produce a devastating trembler affecting parts of Tennessee, Missouri, Arkansas, and Mississippi. “Realistically, we’d expect something in the range of a 6.5 range and that will have a multi-state, multi-regional impact. It won’t be just isolated to just one city,” said Jim Wilkinson, executive director of the Central U.S. Earthquake Consortium. Much like the devastation in Haiti and Chile, the University of Illinois study says a potentially major quake could leave 3,500 people dead, more than 80,000 people hurt, and possibly more than 7 million homeless.

Tennessee was named the second most obese state in the nation, according to a new report, *F as in Fat: How Obesity Threatens America’s Future*. A 2010 study from the Trust for America’s Health and the Robert Wood Johnson Foundation said the Volunteer State’s adult obesity rate was 31.6 percent, tied with Alabama and second only to Mississippi’s 33.8 percent rate. Tennessee’s childhood obesity rate was 20.6 percent, ranking sixth in the country. Tennessee is one of eight states with adult obesity rates higher than 30 percent and one of eight with childhood obesity rates higher than 20 percent. In 1991, no state had an adult obesity rate above 20 percent.

Long stretches of wire cable were installed beside some Tennessee interstates and highways to stop head-on traffic deaths. Three years later, the cables appear to be saving lives. The barriers, meant to grab and cradle cars that collide with them, were erected along 302 miles of roadway in 13 counties to prevent cross-median crashes. The barriers are up in Davidson County, Rutherford, Sumner, Wilson and Williamson counties, and more are on the way.

Tennessee has made the most gains of any state in high school graduation rates, jumping 13 percentage points between 2002 and 2007. The state also is making measurable gains against other key education benchmarks. State ACT scores have increased from 19.9 in 1999 to 20.6 in 2009. Standards for school principals make the state a regional leader, and new high school graduates in Tennessee are enrolling in college at a higher rate than their U.S. peers. But the increasing number of children growing up in poverty threatens improvements, according to a Challenge to Lead report released by the Southern Regional Education Board. In 2009, 55 percent of Tennessee youngsters came from homes where family incomes made them eligible for free school lunches (up to \$40,793 for a family of four), a 14 percent increase in 10 years.

The U.S. Bureau of Labor Statistics reports that average weekly



Long stretches of wire cable were installed beside some Tennessee interstates and highways to stop head-on traffic deaths.

wages rose in Middle Tennessee’s biggest counties in 2009, even as the number of jobs shrank. The total number of jobs was down 4 percent in Davidson County, 2.9 percent in Williamson County and 4.6 percent in Rutherford County. At the same time, the average weekly wage grew 2.2 percent in Davidson, to \$996; by 3 percent in Williamson, to \$1,012; and by 0.4 percent in Rutherford, to \$846. Tennessee statewide lost 4.5 percent of its jobs and employed 2.57 million at the end of 2009. Average weekly pay statewide was \$849.

Tennessee has once again ranked among the best in economic development by *Area Development*, a leading executive magazine covering corporate site selection and facility planning. The Volunteer State was named the winner of the magazine’s Silver Shovel Award, presented annually to states who have demonstrated much success and progress with job creation and economic impact. The Annual Shovel Awards recognize state economic development agencies that drive significant job creation through innovative policies, infrastructure improvements, processes and pro-

motions that attract new employers as well as investments in expanded facilities. Only economic development projects announced in 2009 were considered for the award.

TDOT will not build the \$1 billion Knoxville Parkway Project, also known as State Route 475 and the Orange Route. Commissioner Gerald Nicely cited recent traffic studies and cost as reasons behind the decision to select the “no build” option. The “no build” option is included in all environmental studies conducted under the National Environmental Policy Act.

Crime in Tennessee’s schools has steadily decreased over the past three years. Even when violent crimes are committed, it’s relatively rare that anyone is seriously hurt, according to a report released by the Tennessee Bureau of Investigation. The report, which spans the years 2007-2009, shows that about 13,500 instances of simple, or misdemeanor, assault took place on elementary, middle and high school campuses. Those types of assaults, which generally do not involve weapons or serious injury, were the most commonly reported crimes.

Memphis to host NBC-LEO Conference

The city of Memphis will host the NBC-LEO Annual Summer Conference, slated for Aug 11-14. With a theme of Strong Leadership During Challenging Times, the conference will focus on education reform, renewable energy and economic development opportunities, rebuilding partnerships with other state and national organization, and effective and dynamic leadership.

“Municipal leaders will have an opportunity to share information and leadership strategies that continue to make communities across the nation safe, healthy, and enjoyable places to live,” said Myron Lowery Memphis councilmember and NBC- Leo board member.

“You should come to this year’s conference to experience the dynamic speakers, classes and networking opportunities to get a fresh look at challenges that all communities face and share viable solutions to handle them,” said Barbara Swearengen Ware, Memphis councilmember and NBC-Leo Chaplain.

The conference will be held at The Peabody Memphis in downtown. Room space is limited, so it is wise to make your reservations as soon as possible! For reservations, contact The Peabody Memphis by calling toll free at 1-800-PEABODY. Make your reservations using the group code, National League of Cities.

For more information, call NBC-LEO staff at NLC at (202) 626-3169. Also provided below is the web page link to the registration brochure. http://www.nlc.org/inside_nlc/constituency_groups/nbc_leo/822.aspx

The National Black Caucus of Local Elected Officials (NBC-LEO) was created in 1970 to represent the interests of African American elected officials. NBC-LEO’s objectives include increasing African American participation on the NLC’s steering and policy committees to ensure that policy and program recommendations reflect African American concerns and benefit their communities.

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Maryville opens Pistol Creek Wetland Center

BY PAM ARNETT
Maryville Public
Information Officer

BY TML STAFF REPORTS

States and local governments are slashing spending on schools, roads, offices and other construction projects so fast that federal stimulus money hasn't filled in the gap. Investment in infrastructure is on pace to drop almost 7 percent this year to \$269 billion, according to an analysis of federal data. That would be the first decline in state and local construction spending since the Census Bureau started tracking in 1993. The cuts are driven by several factors, including voters' reluctance to take on more debt, falling building costs and fewer new residential subdivisions that require roads and other infrastructure. The stimulus program has helped soften the blow. It will pump \$135 billion into state and local construction projects over several years. The types of spending favored in the stimulus bill are booming. Airport spending is up 12 percent. Mass transit work is up 17 percent. But the core of infrastructure spending — on schools, sewers, water plants, prisons, fire stations — has experienced sharp drops in nearly every category.

Buy those Forever stamps now. The cost of mailing a letter is going up again. Fighting to survive a deepening financial crisis, the Postal Service said that it wants to increase the price of first-class stamps by 2 cents — to 46 cents — starting in January. Other postage costs would rise as well. The agency's persisting problem: ever-declining mail volume as people and businesses shift to the Internet and the declining economy reduces advertising mail. The post office lost \$3.8 billion last year, despite cutting 40,000 full-time positions and making other reductions, and it is facing a \$7 billion loss for this year and the same for fiscal 2011, which begins in October.

The city of Maryville cut the ribbon to officially open the Pistol Creek Wetland Center, an educational area for students, children, and adults.

The concept of developing a wetland began in the late 90's. The city acquired the land, previously part of a farm off of Montvale Station Road in order to preserve it and applied for a grant that would focus on educational usage. The Environmental Protection Agency (EPA) awarded the grant in 2006 that completely funded the project with no matching funds needed from the city.

The next stage was to design the components of the project. A boardwalk, pavilion, and parking area were the major items of the construction phase with an emphasis on "green". The materials that make up the boardwalk, the use of rain barrels around the pavilion, and the pervious pavement in the parking lot all provide visitors with additional educational opportunities as they walk through Pistol Creek Wetland Center.

Maryville College and students played an active role in the project as well. Maryville College has been using the Pistol Creek Wetland site for educational purposes for several years. Professors take biology students out to the site to collect a variety of insects, watch birds, and find amphibians or reptiles. When the project was announced, the college showed an interest in working with the city.

Two professors have contributed educational material, time, and advice to the construction of the boardwalk. Two senior students were involved in creating educational materials along the boardwalk and developing materials for the public and the school board to use while at the site. They will continue to be an important part by performing tests, identifying species, and work-

ing with area schools.

Mayor Tom Taylor said, "The partnership between all three agencies made this facility possible and to all those involved in the development of the Pistol Creek Wetland Center, we say 'thank you' for your time and support. This will be a great educational facility for families, schools, and many other organizations and the tour can be done at your own pace with lots of information all along the walkway."

The pavilion can be reserved for educational activities only.

Pictured: The "green" pavilion, boardwalk and parking area are major items of Pistol Creek Wetland Center. Below: Maryville College and its students have played an active role in the project by creating educational materials and utilizing the facility for educational studies.



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BUSINESS/FINANCE OFFICER

HARROGATE. The city is now accepting applications for the position of business/finance officer. Duties include accounting, payroll, budgeting, correspondence, purchasing, compiling reports, customer service, and clerical responsibilities. Position reports to the mayor. Starting pay range is between \$25,000 and \$30,000 depending on education and experience. High school diploma or GED required, but associate degree in accounting preferred. Must be able to obtain municipal finance officer certification within two years. Prefer 3-5 years of accounting experience, particularly governmental accounting. Also prefer 2 years experience with QuickBooks and Microsoft Office

products. If you like to be challenged, have excellent customer service and accounting skills, please submit a letter of interest and a resume to Rose Kiser, City of Harrogate, P.O. Box 979, Harrogate, TN 37752 by July 20, 2010. For a full job description including educational and experience requirements, please refer to the city's website: www.harrogate-tn.com or contact city hall at 423- 869-0211.

FIRE TRUCK FOR SALE

ORLINDA. The city is offering a 1996 GMC 3500 4x4 5.7 motor rescue mini-pumper truck for sale. 5-speed with overdrive, anti-lock brakes, dual fuel tanks, wheel simulators, automatic front hubs, 300 gallon tank w/ booster reel & 100' hose, side and top & rear 1 1/2 and 3" pre-connects. Darley 250 gpm pump & roll, with drafting capabilities. Truck has a 10,000 # Ramsey bumper and winch, comes with code 3 warning lights and siren with side scene lights. Large bins for equipment and top of bed is made for 3" layout hose. 29,850 miles

TDEC accepting applications for Local Parks and Recreation Fund grants

The Tennessee Department of Environment and Conservation is now accepting applications for Local Parks and Recreation Fund grants to help communities create and expand parks and recreation services. The application deadline is Aug. 13.

"Gov. Bredesen proposed and the General Assembly approved restoring the funds for this program that are provided by the Real Estate Transfer Tax to help local communities purchase lands for parks, natural areas, greenways and recreational facilities," said TDEC Commissioner Jim Fyke. "I'm pleased these grants are available to help local communities improve their parks and green spaces for Tennessee citizens."

Local Parks and Recreation Fund grants may also be used for trail development and capital projects in parks, natural areas and greenways. The Fiscal Year 2010-2011 budget appropriates \$3.7 million for this program.

LPRF grants require a 50 percent match, with a maximum pos-



sible award of \$200,000. By statute, at least 60 percent of the funds allocated for these grants will be awarded to municipal governments.

Each county government and incorporated municipality is allowed to submit one grant application per cycle. Cities and counties may apply jointly for one project in addition to applying for one city or county project. Governments with open LPRF projects from a previous

year are not eligible to reapply until the open project is completed. Grant recipients are expected to be announced this fall.


For more information about the application requirements for LPRF grants, or about other parks and recreation grants administered by the Department of Environment and Conservation, visit the website at <http://tn.gov/environment/recreation/grants.shtml>.



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July 21 – 23: Tenn. Association of Flood Plain Management Annual Conference ECD’s Local Planning office has worked with the newly formed Tennessee Association of Flood Plain Management in the development of its first state conference. The conference will be held at Montgomery Bell State Park in Burns, Tenn. Directed toward local community floodplain administrators, but anyone interested in floodplain management is invited to attend. In addition to presentations from FEMA, there will be technical sessions involving private consultants, TDOT, TDEC and ECD. Information concerning registration or the conference agenda can be found online at www.TNAFPM.com.

August 15-17: Tennessee Alternative Fuels and Bioenergy Conference held at Montgomery Bell State Park. A program focused on alternative energy and sustainability. Experts from varying industries presenting on important topics including: Agriculture’s Role in our Energy Future; Emerging Technologies; A Bio Based Economy and Alternative Fuels. For registration and more information visit the website: <http://bit.ly/energyconference>

Sept.16-17: 57th Annual Governor’s Conference on Economic & Community Development in the Nashville Convention Center in Downtown Nashville. Hundreds of community leaders, economic development professionals, elected officials and business owners will convene to participate in informative sessions on high potential industries and positioning your community to attract development. Information regarding keynote speakers, session topics, online registration and room rates at the adjoining Renaissance Hotel will be coming soon. Look for the latest updates on the official Governor’s Conference website. For more information, call 615-253-1950 or e-mail ecd.communications.office@tn.gov.

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

Requirements for non-metered water usage

BY ALAN MAJOR
MTAS Finance Consultant

Water loss in municipal water systems is not new and is, in fact, a common problem faced by most Tennessee cities that operate a water utility. Cities, as a general rule, purchase or treat more water than they sell to customers through metered billing. The difference between the purchased/treated amount and the amount billed to customers is water loss or more accurately described as non-metered water usage.

Recent changes in state law have mandated that all city-owned water systems that experience water loss must measure this difference and account for it by predetermined categories. Additionally, this non-metered usage must be reported in the municipality’s external audit, in a format proscribed by the Comptroller of the Treasury, Division of Municipal Audit.

Non-metered water usage is not the same thing as water loss. Some valid city functions use water that is not metered (street cleaning, fire fighting, etc.). It is only after considering these valid non-metered water uses that a city can arrive at the accurate water loss.

The unaccounted for water that is computed according to the Division of Municipal Audit guidelines and reported in the annual external audit will be used by the Water and Wastewater Finance Board (WWFB) in the future. The WWFB will set a limit on the acceptable water loss, or percentage of water loss versus purchased and treated. City water systems with an unaccounted for water loss percentage greater than that deemed acceptable to the WWFB will have to develop a plan, approved by the WWFB that would reduce this water loss to an acceptable level.

The actual water loss percentage that will be acceptable has not yet been set by the WWFB. However,

MTAS understands that the WWFB will first set a reasonable limit and gradually tighten or reduce the acceptable water loss in the future.

The format provided by the Division of Municipal Audit must be used. Municipal finance staff can find the schedule on the comptroller’s website: www.tn.gov/comptroller/lf/pdf/waterlossschedule.pdf.

The following definitions provided by the state must be used in reporting information on the schedule:

Item B — Water pumped: This is the amount of water that has been treated at your utility treatment facility and has been pumped to the distribution system.

Item C — Water purchased: This is the amount of water purchased from your supplier. If you have more than one supplier, add the numbers together.

Item F — Water sold: This is the amount of water sold (billed or unbilled) to all your customers via a water meter.

Item G — Water metered (in house usage): This is the amount of water that is used by the utility at the water plant, wastewater plant, lift stations, lavatory, lab, etc. (backwashing filters, testing, etc.) This water should be metered for accurate accountability. This is not the water used at city facilities, ball parks, etc. Those amounts are to be metered and billed to the respective user (General fund, Parks, etc.) and accounted for in the water sold category.

Item H — Fire department: This is the amount of water reported to the utility as being used by any fire departments for firefighting. A representative from the fire department (chief) must document, estimate, and attest in writing the amount of water used by the fire department.

Item I — Flushing: This is the amount of water that is used to flush the system through fire hydrants, blow off valves, etc. The amount



A representative from the fire department must document, estimate, and attest in writing the amount of water used by the fire department.

should be accurately measured.

Item J — Tank cleaning/filling: This is the amount of water that is used to fill tanks after required cleaning. This also is water added to lines that are new to the system. This water should be measured by some method — either by meter or a calculation based on the size of the tank or line.

Item K — Street cleaning: This is the water used in street cleaning. The water is from a sized tanker truck or measured with a meter.

Item L — Bulk sales: Many systems sell water for filling pools, irrigation by farmers, etc. The water in this category is generally measured by the size of the tank being filled.

Item M — Water bill adjustments: This number can be either positive or negative. This category is for all adjustments made to the customer bill in accordance with procedures established by the governing body.

Remember all water should be measured by some method. A responsible person from each area or category of non-metered water usage should document and attest in writing as to the accuracy of the information. Also, the Division of Municipal Audit requires that every line on the Schedule of Unaccounted for Water either have a numerical amount listed and documented or a zero to accurately show amounts for each category.

Chattanooga launches forum

HATE CRIME *from Page 1*
more participation from different cultures, according to Cosley. “The second area will be where there has been some noted crime. It’s all part of an ongoing educational forum we want to have on a continuous basis for the residents of Chattanooga.”

The forums are a welcome addition to another successful venture sponsored by the Office of Multi-Cultural Affairs, “Sweet Diversity,” a multicultural community experience featuring crafts, entertainers and desserts from a variety of cultures. “The people from certain zip codes bring a dessert or some kind of specialty item representative of their different country,” said Cosley. “We gather in a particular location with name badges where everyone can mingle and get to know their neighbors. This way they get to see the diverse cultures that are within their particular zip code area. It’s part of an awareness of who people are, where they come from and the uniqueness of each culture. We hope this dispels myths, stereotypes and ill feelings people have toward others all because they don’t understand them.”

Congress passed the Hate Crime Statistics Act, on April 23, 1990,

which required the Attorney General to collect data “about crimes that manifest evidence of prejudice based on race, religion, sexual orientation, or ethnicity.” The Uniform Crime Reporting Program, under the direction of the Attorney General and with the cooperation and assistance of many local and state law enforcement agencies, created a hate crime data collection to comply with the congressional mandate.

“We’re trying to be proactive rather than reactive,” said Cosley. “It’s trying to understand people and we believe education is the first preventative measure in incidences such as hate crimes and learning to get

along with each other and understanding there may be some differences.”

Cosley notes that Chattanooga is bigger and ever growing while in the beginning stages of commerce with Volkswagon and all the other tier 1 companies transplanting there. “Eyes are on us now,” she said. “You don’t want to have an environment that would be uninviting to those who come here whether short or long-term.”

For the complete TBI report on Tennessee hate crime statistics for 2009, visit http://www.tbi.tn.gov/tn_crime_stats/documents/HateCrime2009.pdf

Brownsville says goodbye to longtime public servants

BROWNSVILLE *from Page 3*
lot like the education field. “In school you’re dealing with the public and their children, learning to work together cooperatively. As an alderman, I felt I was still obligated to the people. That’s the course I use and I still believe in.”

While he and his wife Avie, look forward to his retirement, following

60 years of public service, the lessons Taylor taught as city alderman have enriched us all. “You are not only an alderman to your ward, you are alderman for the entire city,” he said. “Every piece of legislation affects the entire city, and you’re a part of that when you cast your vote. Remember to keep the people in mind.”

Ruling affects gun laws

GUN LAW *from Page 1*

tions on possession of firearms by felons and the mentally ill, laws forbidding firearms in schools and government buildings and laws imposing conditions on the purchase and sale of firearms as examples of government regulation that will withstand any constitutional challenge, regardless of scrutiny applied. Likewise, Justice Scalia, writing in Heller, said, “[t]he Second Amendment right is not unlimited. It is not a right to keep and carry any weapon whatsoever in any manner whatsoever and for whatever purpose...” Short of an outright ban it is unclear what level of state and local regulation is now permissible.

Likely, the initial wave of challenges to state and local gun laws will be focused on the more onerous regulations. It seems unlikely that Tennessee, a relatively gun-friendly state, will see many successful challenges. Nonetheless, McDonald raises more questions than it provides answers, and ultimately only time (and the lower courts) will tell its true impact.

Good Risk Management is just Good Management



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

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



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Tom Rowland (2002) Mayor, Cleveland

Sam Tharpe (2001) Mayor, Paris

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Early Retiree Reinsurance Program

Applications for Early Retiree Reinsurance Program now being accepted

The Affordable Care Act is set to provide financial relief for businesses, state and local governments who provide health insurance for early retirees

The Department of Health and Human Services’ Office of Consumer Information and Insurance Oversight (OCIO) announced that it will begin accepting applications for the Early Retiree Reinsurance Program (ERRP). Created by the Affordable Care Act as a bridge to the new health insurance marketplace established by the Exchanges in 2014, this \$5 billion program will provide much needed financial assistance for employers, including businesses, unions, state and local governments, and nonprofits, so retirees can get quality, affordable insurance.

“The Affordable Care Act not only helps consumers cut their health care costs and have more access to quality care, it also is designed to help employers afford coverage. The Early Retiree Reinsur-

ance Program will help employers continue to provide much-needed health insurance to their retirees,” said Secretary Kathleen Sebelius. “Today, Americans who have retired but are not yet eligible for Medicare are often unable to find coverage that is affordable and meets their health needs on the individual market.

This program will help both retirees and employers facing spiraling health care costs, and ensure more Americans have access to the health care they need.”

Many Americans who retire without employer-sponsored insurance and before they are eligible for Medicare are denied coverage or see their life savings disappear because of exorbitant rates in the individual market. Until Americans have access to affordable insurance plans through health insurance Exchanges in 2014, this program will make it easier for retirees and their families to maintain their employer-based coverage.

The Early Retiree Reinsurance

Program will reimburse employers for medical claims for retirees age 55 and older who are not eligible for Medicare, and their spouses, surviving spouses, and dependents. Employers, including state and local governments and unions, who provide health coverage for early retirees are eligible to apply.

Reimbursements will be available for 80 percent of medical claims costs for health benefits between \$15,000 and \$90,000. Program participants will be able to submit claims for medical care going back to June 1, 2010.

A draft application was made available June 7, and OCIO has hosted several stakeholder outreach calls to explain the program. Additional application assistance, including a webinar, will be available online this week.

Applications for the program, as well as fact sheets and application assistance can be found at: www.lhhs.gov/ocio



July 23 - 25 : Rutledge
Grainger County Tomato Festival
Grainger County Tomato Wars, Mater Madness 5K, Art & History Exposition, antique agricultural equipment. For more information, call 423-231-5954.

Aug 5: Nashville
Rhythm and Race Fest
At 201 Woodland Street. Featuring NASCAR drivers, national recording artists and more. Benefits Vanderbilt Children’s Hospital. For more information, call 419-348-8165.

Aug 26 -Aug 28: Nashville
Music City BBQ Festival
River Front Park. Music City’s second annual BBQ Festival and competition with a local music line up. For more information, call 615-500-5000.

Aug 27 -Aug 29: Knoxville
Old Fashioned Sunday Weekend
Held at 818 Cedar Bluff Road. Arts & Crafts, food, blue grass and gospel music, For more information, call 865-690-0855.

Aug. 28: Milan
Dawg Daze Street Festival
On Main Street downtown between Front Street and College Street from 10 a.m.-8 p.m. Free. Entertainment for the entire family. Games, arts & crafts, talent contest, food vendors, live entertainment, pet parade, children’s carnival and car show. For more information, visit www.cityofmilantn.com

Sept 6: Harrogate
Annual Labor Day Celebration
Harrogate City Park at 3 p.m. with kids’ games, live bands, food, crafts and business fair. Spectacular fireworks display at 9 p.m. For more information, call Harrogate City Hall at 423-869-0211.

Municipal Administration Program August Schedule

Each year, the Tennessee General Assembly passes into law several acts that affect Tennessee municipalities. This program will give you the opportunity to get an update from the Municipal Technical Advisory Service (MTAS) legal staff who tracked the legislative process throughout the session. This course will be highly interactive and will give you an opportunity to ask questions about the new laws.

Instructor
MTAS Training Consultants
Time
Public administration courses begin at 8:30 a.m. and end at 12:30 p.m.

Dates and locations

Aug. 3	Smyrna
Aug. 4	Jackson
Aug.. 5	Lakeland
Aug. 10	Collegedale
Aug. 11	Knoxville
Aug. 12	Johnson City

Public Acts

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MUNICIPAL TECHNICAL ADVISORY SERVICE

Training Facilities
Collegedale, Collegedale City Hall,4910 Swinyar Drive
Jackson, West Tennessee Center for Agricultural Research, Extension, and Public Service, 605 Airways

Lakeland, International Harvester Club House, 4523 Canada Road
Johnson City, Johnson City Municipal Building, 601 East Main Street
Smyrna, Town Center, 100 Sam Ridley Parkway East

Knoxville, University of Tennessee Conference Center, 600 Henley Street

To register for this municipal administration program class, please visit the MTAS website at www.mtas.tennessee.edu or contact Elaine Morrissey at Elaine.morrissey@tennessee.edu.or 865-974-0411. Fees are \$25 per person per class for municipal employees and \$55 per person per class for all other participants. Submit payment with your registration.

MTAS will need to receive payment in order to confirm your attendance for the class. MTAS can no longer accept payments/registration at the door.

Directions to the facility will be included in an e-mail message within two days of the event. Directions are also available at www.mtas.tennessee.edu.

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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.

Farragut’s Vice Mayor, Dot LaMarche, keeps volunteer spirit alive and well

BY GAEL STAHL

Farragut’s Dot LaMarche has been an elected politician since 2003 when she was elected alderman. But, in no way does the word ‘politician’ describe this legendary caregiver and volunteer for everything going on in and around Farragut that she thinks important. The words that come immediately to mind for those who know her best and know her work with so many groups and organizations are: “Dot is a caring person.”

But in a way, her 40-year chain of caring activities seemed to evolve naturally. First, she was appointed to the zoning board, then elected alderman serving an entire town.

Gina Martin, a friend and fellow volunteer at Hope Resource Center, a crisis pregnancy center, says “I’m 20 years younger than Dot, but she runs circles around me and anyone I know. She’s the most incredible woman I’ve ever met. I want to be her when I grow up.” After eight years, Martin says she still doesn’t know all the things on LaMarche’s volunteer list. Dot and her husband, Lou, do something for others every day of their lives, Martin says. And Lou supports everything Dot does.

LaMarche was born Mary Dorothy Hughes 74 years ago in Nashville. The family of eight lived on Dudley Street near the Vanderbilt stadium. She attended Catholic elementary school, high school and nursing school. She met Lou LaMarche in 1959 and married him in 1960.

Being a nurse made it possible for Dot to accommodate Lou’s many moves to other cities and states during his 42-year career in the paper industry as regional sales manager/chemical engineer. Shortly after they married, Lou continued serving his military obligations and was away during summers after being commissioned into the U.S. Army Reserves. He’s now a retired U.S. Army colonel.

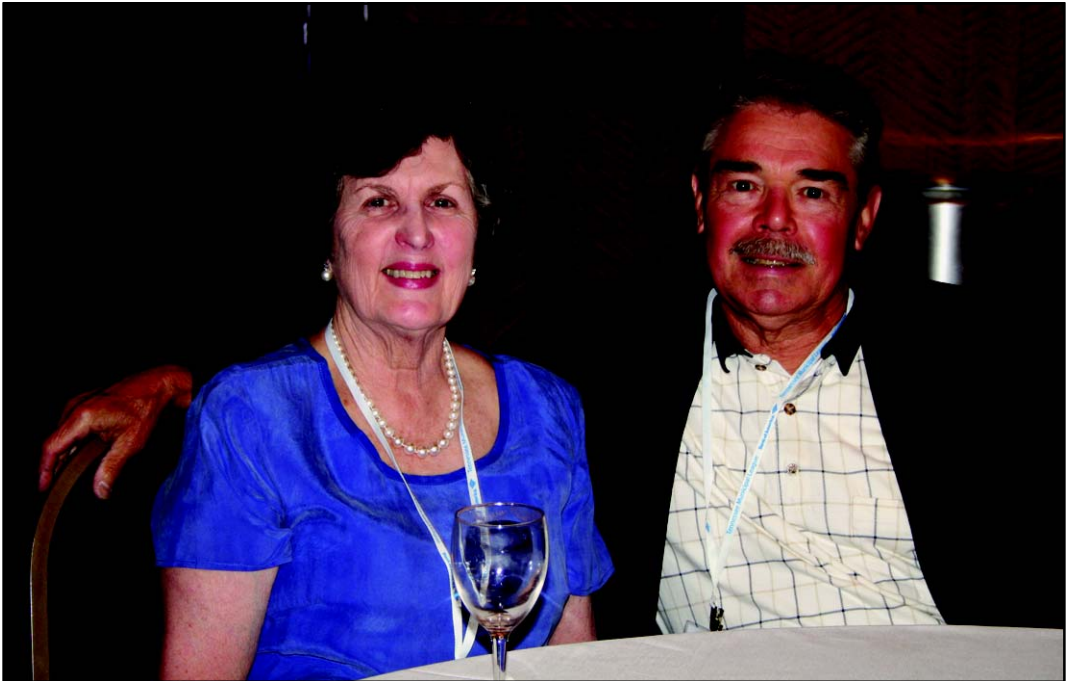
LaMarche’s list of volunteer work can only be indicated. Her caring starts with her family, then those most vulnerable, the elderly and the unborn. She volunteers at a crisis pregnancy center and St. Mary’s hospital, works in seniors and right-to-life organizations, is in the Knoxville Christian Women’s Club and in Welcome Wagon and is a graduate of the Knox County Sheriff Department’s Citizen Academy. She was named the 2004 First Lady of Knoxville by the Beta Sigma Phi Sorority. She graduated from the UT Institute for Public Service Local Government Leadership Program. She’s served on the Board of Zoning Appeals nine years ago and is now the Board of Alderman’s liaison on the Municipal Planning Commission among other duties. And much more.

Last year she was elected a Tennessee Municipal League director at-large for the entire state and that same year, her husband, Lou, received the “TML Stand By Your Spouse Award” for his untiring support of her. He’s the first male to win that award. She serves her city and state on committees and even at the national level.

Allison Myers, Farragut recorder and treasurer, says LaMarche excels at listening to constituents from all sides and as the only female on the board of aldermen, brings that different viewpoint to the board. She says, “The one word that sums up Dot LaMarche is caring.” Vivian Howell, who nominated LaMarche for the Melvin Jones Fellow from the Lions Club International in April this year for community service, says the award usually goes to a member. But LaMarche won it for her leadership abilities and willingness to volunteer behind the scenes and take on any task that needs doing without any thought of what it’s going to mean for her. Howell is personally amazed by LaMarche’s varied interests such as the book club group they participate in and “other things that are kind of outside your typical volunteer work.”

“Dot just treats every person with the dignity and respect they deserve no matter what age or condition they are in their lives,” says Stacy Dunn, the executive director of Tennessee Right to Life Knoxville Chapter. She says LaMarche serves the unborn on their local and state board, and also volunteers for and serves on the board of the Senior Citizens Home Assistance Service. Dunn feels that the fountainhead of LaMarche’s caring begins “with family.”

Dot and Lou have three daughters and six grandchildren, the oldest 21, the youngest born June 18. Family for LaMarche is by instinct, her home base. Nothing proves that better than a long conversation. Ask her a question about any of her public and community involvements and she’ll find a way to bring the answer around to the context of her roots, her family, and the community family she reaches out to.



Farragut Vice Mayor Dot LaMarche and her husband Lou

gist in Seattle. He and both of my parents died of heart disease. Joe is retired from Metro Nashville and is now a greeter at Wal-Mart. Rosetta Graham, married into the Graham golfing family, is an historical interpreter at the Hermitage and also works at the Governor’s Mansion. Her picture appears on the Hermitage brochure. Jack has a master’s from Vanderbilt and owns John D. Hughes Engineering Co. in Nashville. His twin, Jimmy, graduated with a PhD at the University of North Carolina and is head of Manager Training at the Apprentice School - Northrop Grumman Shipbuilding at Newport News, Va.

TT&C: How do you explain such family success?
DL: From our parents’ strong work ethic, their example of helping others, their abilities and character traits that passed down to us, along with our strong traditional Catholic upbringing. As soon as we were old enough, we all went to work. There was no time for my four brothers to be involved in alcohol or drugs. After my father’s massive heart attack at age 54, he couldn’t work any more. My mother went to work in the Cathedral School cafeteria. We never had a lot of money, but were a strong family that always worked together. Our parents always reached out to others. Even at 86, my mother would go down the street to take care of a lady who was sick. Lou was from a similar environment. He grew up in Charleston, SC, went to Catholic schools, and has an engineering degree from Clemson University.

TT&C: Did you grow up wanting to be a nurse?
DL: No, I wanted to be a teacher but there was no money left for me to go to college after we helped my brother Leo get through medical school. I went to work for the phone company, the best job you could get then, at the Southern Bell Exchange on Elliston Place. Then, I got a call from a nun at St. Bernard’s. They needed a teacher for third and fourth grades at St. Anne’s parish school. I said I couldn’t do it, but my Mother said that if they gave me 12 years of their life, I can give them a year. Not knowing a thing about teaching school, I went to the convent all summer long to pore over the books for third and fourth grade. After that year, they begged me to teach another year. I started going to UT Extension in Nashville at night to get some college credit.

It was my brother Leo, who was in Birmingham where he was a resident studying cardiac catheterization, who showed me his laboratory and suggested I become a nurse. Since I had no money to study nursing, he told me to write the Elks Club and apply for one of their scholarships. He said I could also teach as a nurse. The scholarship covered the first year at St. Thomas Nursing School. My sister Rosetta was working for the phone company and paid for my second year. When the third year came around, the director of nursing said that if I worked weekends in the hospital as a nursing assistant, everything would be paid for. That turned out well for me. On the weekends, nurses let me watch them do procedures and I got much hands-on experience from them that paid off later.

TT&C: How did you meet and marry Lou?
DL: Before I graduated in 1959, Lou came into the picture. He was a chemical engineer at DuPont. He wanted to get married right away. I said, “Not before I’ve known you for a winter, spring, summer and fall. Then, we can get married.” He didn’t like it much, but he waited, and we married in 1960. We’re celebrating our 50th anniversary Oct. 8. After Lou returned from military service, he left DuPont at Old Hickory and took a job as chemical engineer with Bowater in Cleveland, Tenn. It was difficult for me to leave my teaching position and family and move to Cleveland. I was 24 and he was 25. We wanted children. So I didn’t work at first. In early 1961, the director of nursing at Bradley Memorial Hospital called, and I became the head nurse of their medical floor. It was in a terrible state.

I was disliked as an outsider. I was a young and energetic nurse bringing all the values and ideas from my great education at St. Thomas Hospital. They saw me as somebody trying to take over. They didn’t like Catholics back then, it being a Church of God community. The priest had a hard time walking down the street. I was the only Catholic working in the hospital. But I transformed the floor through the grace of God and my education and experience. At first,

none of the doctors would send patients to our floor. By the time I left four years later, our floor was full and I knew everybody in the hospital. My first child was born there.

TT&C: How long did you live in Cleveland?
DL: Almost 10 years. After we had Michelle, we were unable to have more children, so we adopted Theresa from St. Peter’s Home for Children in Memphis. About seven or eight years later, after we moved to Fredericks-burg, Va., we were in process of adopting a son when I became seriously ill. I thought I had cancer but was pregnant with my youngest daughter, Denise.

In Fredericksburg I worked at Mary Washington Hospital in the intensive care unit. A few years later, when we moved to Franklin, Va., where I worked as infection control nurse and in employee health. When we went to Atlanta I did oncology nursing at Northside Hospital for three years. We moved to Raleigh in 1978 where my last position was patient care coordinator at Rex Hospital in the emergency room until I retired from nursing in 1994. We’ve been in Farragut ever since.

TT&C: During all those moves, were you involved in your community like now?
DL: I was always involved in my neighborhood and in the school. I was on the high school board, president of the neighborhood association. In every neighborhood we ever lived in I was always involved in community work. I did volunteer work for the Red Cross and became a Red Cross nurse. That was instilled in me from seeing what my parents did. My brothers are like that too. My sister does even more. She’s a saint. Never meets a stranger – an incredible person.

Lou and I tried to give our children at least four years of college at Catholic or private schools because of our belief. But I have always supported the public schools and worked for the public schools in Farragut and everywhere I’ve been.

I worked outside the home to supplement my husband’s income and being a nurse, always worked so the children didn’t need child care. I could work the night shift and as they got older the 3-11 shift which left them only an hour alone at home before Lou got home from work. I always had dinner ready for them and he would help them with their homework and other stuff when they were older.

TT&C: How’d you land in Farragut 16 years ago?
DL: Lou’s company moved from Raleigh to Greeneville, Tenn. Then his company closed that plant, so he resigned to do some consulting. But a division of the Raleigh company in Knoxville called, interviewed us together, and offered him a job that day. It led to the best and final eight years of his career. When the company moved to Atlanta, he retired so we could stay in Tennessee close to my family. He did volunteer work with the Knox County Sheriff’s Office Senior Citizens Awareness Network (SCAN) program and now, as a docent with the Farragut Folklife Museum and works in the gift shop. He previously served six years on the town’s visual resources review board for six years and is currently serving on the BZA.

TT&C: You got even more into your community involvements?
DL: Yes. When I came to Farragut, we moved into Sugarwood, where I got involved in our neighborhood association. I worked on the board, became a block captain, and then president of the Sugarwood Homeowners. At that time Sprint was trying to put cell towers in residential areas. We united with subdivisions around us and went to the Municipal Planning Commission (MPC) many times to speak out against it. Their lawyer still remembers us.

While being involved in this situation, I became interested in the MPC. I’d never thought of being in politics before, but after we

won our appeal, I thought maybe I’d like to serve on that commission myself. I’d treat all the people that came before us as fairly and equally as I could. Mayor Eddy Ford said that if he was reelected, I should send him my resume and he would consider me. I did apply, but he appointed another lady. A couple of months later he called and asked how I would like to serve on the Board of Zoning Appeals. I knew nothing about that but was willing to learn. City Administrator Dan Olson spent hours with me bringing me up to speed. I studied the materials and it felt good being on the BZA two and half years helping people and helping Farragut be more business friendly. Ironically, now that I’m an alderman and vice mayor, I serve on the MPC as the board’s representative.

TT&C: When did you decide to run for alderman?
DL: There was an open seat for alderman in Farragut’s south ward in 2003. My husband said he’d be my campaign manager if I ran. So, I did, and ended up winning. I have loved being on the board of mayor and aldermen. Eddy Ford was a great mentor to me. I didn’t always agree with everything Eddy did, but I remember how when I first got elected, he said, “Dot, I want you to be active here in Farragut and to be active at the state level (the Tennessee Municipal League), and to get involved on the national level (the National League of Cities). I said, OK, if you help me and give me directions, I will do that. During the first four years I got involved as much as I could, loved it, and ran for reelection in 2007 unopposed. I am in my eighth year now. If we pass term limits, I might be term-limited out. I hope not. I’d like four more years to finish some of the things I’m involved in. After that, I’d be going on 80 and it would be time to quit.

TT&C: What are your favorite participations at the state and national level?
DL: I’m the alternate director of District 2 of the Tennessee Municipal League and in June I was elected an at-large TML board director. On the national level, I’m a director on Women in Municipal Government and a member of the National League of Cities Small Cities Steering Committee and a member of the NLC Human Development Steering Committee, one of only six large NLC committees. I’m also one of the co-chairs of the Congress of Cities Program Committee for the NLC convention in Denver this winter.

I’m grateful my town gave me the opportunity to learn so many things and for the opportunity to travel to state and national events. As elected officials we receive no salary but are compensated for our travel expenses. I travel to represent Farragut more than other aldermen because they work full-time.

TT&C: What would you like to do if re-elected to a third term?
DL: We have a new town administrator and since I’ve been on the board longer than the

others, I think I would be an asset during the transition. I’d like to work with the new administrator and new mayor.

A project dear to me is seeing our city ‘branded.’ We may go with our historical niche because the Battle of Campbell Station was fought here in 1863 and the town of Farragut has been placed on the Civil War Trail. We have a plaque commemorating the Battle of Campbell Station. Also, we recently dedicated a beautiful new statue of Civil War Admiral Farragut on Patriots Plaza. He was the first U.S. Navy admiral, was born here and the city was named for him. I’d like to continue my involvements in the statewide municipal league and national league. When I’m in Nashville for the TML Legislative Committee meetings and other things, I go to the legislature for different things. I know a lot of the people in the legislature and enjoy that part of it.

TT&C: Finally, are there any new projects since the new statue of Admiral Farragut was dedicated?
DL: We’re working on our fourth park, McFee Road Park. I’d like to see that completed. We now have a park in each section of our town and a lot of greenways. I’d like to see us complete a community center for our seniors, youth, and many others. We are trying to improve our roads, support the schools, and keep businesses here. We sponsor Buy in Farragut campaigns and our July 4 Parade brings in thousands of people.”



Dot LaMarche discusses TML’s legislative initiatives with former TML President and Oak Ridge Mayor Tom Beehan.