



City Spotlight: Elizabethton

Elizabethton is the county seat of Carter County, Tennessee. It is also the site of the first independent American settlement west of both the Eastern Continental Divide and the original thirteen British colonies in America.¹

Date of Incorporation:
1799

Population:
14,017

County:
Carter

Grand Division:
East

MTAS Municipal Management Consultant:
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¹ From <http://www.elizabethton.org>

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Athens Leads the Way on Storm Water Solutions

Shawn Lindsey, Public Works Director, Athens, Tennessee

Despite being the only Municipal Separate Storm Sewer System (“MS4”) city in a three county area with impaired water bodies, Athens is on track to remove its streams from the EPA Clean Water Act § [303\(d\) list](#) of impaired waters by 2015. This has been accomplished by using the MS4 requirements as a way to beautify the city, stop flooding, and build partnerships within the community.

An Oostanaula Watershed Working Group Partnership headed by Linda Harris, a water resource specialist with TVA, led Athens’ efforts. Officials throughout McMinn and Meigs counties held a Growth Readiness Workshop, working together to redefine growth impacts on water quality. From this venture, Athens received a \$40,000 Green Development Grant allowing the city to partner with the local YMCA to build a beautiful all-green parking lot. Private developers began following suit by using more storm water retention



YMCA green parking lot

ponds. Athens then received additional grants, including a \$230,000 grant, which enabled the city to partner with the Department of Agriculture to free North Mouse Creek of pathogen issues and restore its creek banks in the Athens Regional Park.



Athens’ tree museum

The EPA also awarded the city \$112,500 to restore wetlands, educate citizens about wetlands, build a tree museum, and install 250 rain gardens on private property. Finally, the Department of Transportation, the U.S. Army Corp of Engineers and Department of Environment and Conservation are currently working to

restore Oostanaula Creek and have almost \$500,000 dollars in mitigation funds to begin this process. This group is seeking additional funding such as a \$1.1 million ARRA grant to build sidewalks including a one mile section with pervious pavers.

Verifying Local Sales Tax Revenue: the Situs Report

Ron Darden, MTAS Municipal Management Consultant

MTAS consultants advise cities to annually verify the collection of sales tax revenue from the situs report provided by the Department of Revenue. Cities receive local sales tax revenue on the basis of the location of the business operating within their political jurisdiction. Many times the county or another city may be receiving local sales tax revenue that should be paid to your city. The situs report should be checked against the city's business license register and errors should be reported to the Department of Revenue for a correction and possible refund of the taxes paid to another jurisdiction in error.

Lawrenceburg recently reviewed their situs report and found 33 businesses that were not on the city's situs report. The local sales tax revenue due to the city was being paid erroneously to the county. The city administrator reported \$25,839.21 was being paid to the county instead of the city. When corrections are made, the city will receive over \$100,000 in additional sales tax revenue over the next four years.

The MTAS publication "[Sales Tax Revenue: How to Get Your Fair Share](#)," by Al Major, MTAS Finance and Accounting Consultant, covers the problem and what you can do about it now.

Check with your MTAS municipal management consultant for assistance in verifying your situs report.

Additions to the MTAS Library

Model Private Act Charters

Dennis Huffer, MTAS Legal Consultant

[Read](#)

City Judge, Vacancy, and Appointment of Special Judges

Dennis Huffer, MTAS Legal Consultant

[Read](#)

[Click here](#) to read the complete list of new additions.

Meet New MTAS Staff Members



Stephanie Allen has joined the MTAS staff in the Knoxville office as a legal consultant in codification effective January 1, 2010.

Allen graduated from the University of Tennessee, Knoxville with a bachelor's in business administration. While pursuing her undergraduate degree, she interned with the U.S. Congress and Philip Morris USA. She received her Doctor of Jurisprudence and Master of Business Administration from the University of Tennessee, Knoxville. While in law school, Allen interned with Oak Ridge National Labs; Retired Judge James Beckner, Third Judicial District Criminal Court; Chancellor Telford Forgety, Jr., Fourth Judicial District; Judge Benjamin Strand, Jefferson County General Sessions; as well as several law firms. Prior to joining MTAS as a legal consultant, Allen served as a judicial clerk to Justice Sharon Lee on the Tennessee Supreme Court and Tennessee Court of Appeals.

In her spare time, Allen enjoys volunteering with charities and many outdoor activities, including snow skiing, hiking, wakeboarding, and dragon boating.

Allen may be contacted at 865-974-0411.

Dana Deem has joined the MTAS staff in the Knoxville office as a municipal management consultant effective January 1, 2010.

Deem has worked in local government in Tennessee for 14 years and has served as the city recorder for McKenzie and as the city manager for Clifton. Deem has earned a Bachelor of Science in Industrial Engineering Technology from Southern Illinois University and a Master of Science in Operations Management from the University of Arkansas.



Deem served 21 years in the United States Air Force with overseas tours in the Philippines and Germany. He and his wife Tan-Gee have three children, Holly, Jennifer and James and two grandchildren, Taylor and Kylie.

Deem may be contacted at dana.deem@tennessee.edu or 865-974-9855.

MTAS Bids Adieu to Longtime Legal Consultant Dennis Huffer

By Victoria South, Communications Coordinator,
Tennessee Municipal League

Born in Winchester and growing up on a rural farm in Lynchburg, Tenn., Dennis Huffer learned all about the rewards of working hard and doing the right thing. He also developed a healthy sense of humor. “Growing up on a farm, we were isolated and didn’t hear about a lot of different professions,” Huffer, 58, muses, kicking back in his trademark rocking chair at the MTAS Nashville office. “I only knew of three: teacher, lawyer and dentist. Early on, I picked dentist. I guess I just thought dentist rhymed well with Dennis. But, later on I developed an interest in politics so I thought I’d have to be a lawyer to help people. I think it was a good choice.”



Huffer will retire January 29, after 33 years of serving the state’s municipalities. Graduating from Moore County High School and receiving his Bachelor of Arts degree in English from Middle Tennessee State University, Huffer received his Doctor of Jurisprudence from the University of Tennessee College of Law in 1976, the same year he was admitted to the Tennessee Bar.

Then, in 1977, he delved into the various legal aspects of local government when he began working with the County Technical Assistance Service (CTAS). Moving over to the Municipal Technical Advisory Service (MTAS), Huffer worked primarily on municipal ordinance consulting until 1989, when he left to become Director of Legal Services for the TML Risk Management Pool.

“I really enjoyed working with Dennis for more than 20 years,” recalls Randy Williams, Risk Management Pool director of client services. “His municipal law expertise, legal opinions and reviews of legislation have enhanced the quality of local governance in Tennessee.” Williams notes he’s glad he’s not going to be on the receiving end of one of Huffer’s famous retirement roasts. “They can be brutal,” he chuckles.

Huffer resumed working as an MTAS legal consultant at the Nashville office in 2001. He has penned literally hundreds of MTAS publications and resource materials utilized by consultants and cities. “You know, before there was Google there was Dennis Huffer,” said former Tennessee Town & City editor and close friend Gael Stahl. For writers, editors, or fact checkers, Huffer can answer questions in words that journalists and municipal officials alike understand. His insightful articles on difficult or confusing municipal issues he wrote for Tennessee Town & City were priceless.”

“He excelled at tracking legislation,” Stahl continues. “And was often the green, yellow and red light alert determining which legislative bills should get the go ahead for cities.”

“In my short time as his colleague, I have learned more from Dennis than

from the sum of my law school professors,” said fellow MTAS Legal Consultant, Josh Jones. “His red pen has pushed me to be a better writer and his unwavering efforts for substance over style remind me to keep my decisions merit-based as opposed to self interest.” Jones estimates the loss of Huffer to the state’s municipalities as incalculable. “Likely, he has no idea of his influence on me personally, MTAS and municipal governments across Tennessee, and even if he does, his humility would prevent him from acknowledging it. I will forever be better for my time with Dennis.”

Huffer will be sorely missed by the agency he has served so well, according to MTAS Executive Director Mike Tallent. “I have known Dennis for 30 years and I know of no one that surpasses his knowledge of municipal law. It is not just that he knows the law, but he can set it in context as to time, place and reasons for its existence. I wish Dennis the best in his retirement, but he will be missed by MTAS,” said Tallent.

“I have enjoyed working for cities throughout the years,” Huffer reminisces. “Working with a great organization such as MTAS gives a lawyer a good vantage point to help, not harm society.”

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(Huffer continued from page 3)

Serving as Executive Director of the Tennessee Municipal Attorney’s Association and Treasurer for the non-profit organization the Rochelle Center foundation, an organization dedicated to the betterment of disabled people, Huffer plans to stay active. He and his wife of 34 years, Patty, enjoy traveling to California every year to visit their godchildren. “I’m not retiring,” Huffer emphasizes. “I’ll be working part-time for The Greater Nashville Regional Council, may publish a newsletter, and will be available for consulting work or perhaps as a city attorney.”

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MTAS will host a reception for Dennis Huffer on February 3, 2010 from 1:30 p.m. to 3:30 p.m. in the Tennessee Municipal League street level conference room on Capitol Boulevard. Please join us.

2009 MTAS Salary Survey Available in February 2010

Richard Stokes, MTAS Human Resources Consultant

Tennessee cities have responded to the call, and the 2009 MTAS Salary Survey will be available in February 2010.

Tennessee cities were solicited to enter their 2008/2009 salary data into the MTAS Salary Survey database. The deadline for submission was January 22, 2010.

The data is currently being reviewed for consistency and should be available within the next couple of weeks to begin generating reports. To generate a report, cities must use their survey password to access the database. Once logged onto the site, there is an option to run reports. When the link is clicked, cities can generate a copy of the total document including all salary data or they can specify specific positions, population ranges, cities and/or a variety of other possibilities.

Thanks to everyone who took the time to enter their data.

For more information on accessing the database, please contact Justin O’Hara, MTAS IT consultant at justin.ohara@tennessee.edu or 865-974-0628.

RDA Grant Awarded for MTAS Elected Officials Academy in West Tennessee

On January 8, 2010, Tennessee 8th District Congressman John Tanner formally announced an RDA grant in the amount of \$20,000 for the



Northwest Tennessee Development District in Martin, Tennessee. The grant funds will be used to hold four MTAS Elected Officials Academies throughout the winter and spring of 2010 in Huntingdon, Jackson, Martin, and Dyersburg. MTAS consultants will conduct these training sessions.

Planning for the four academy sessions began at an economic development conference sponsored by the Department of Economic and Community Development in March 2008. At that time, it was determined that grant funds might be used to subsidize the \$200 tuition cities pay per elected official. The goal is to provide governing boards of small cities a unique training opportunity they might otherwise find beyond their financial means.

Under the terms of the grant, elected city and county officials in the counties served by the Northwest Tennessee Development District (Lake, Dyer, Obion, Weakly, Henry, Gibson, Crockett, and Benton), may attend the Academy at any of the four sites for \$50 per person—a 75 percent reduction in the usual \$200 tuition.

The dates for the four academy sessions are as follows:

January	22-23	Huntingdon
February	5-6	Jackson
April	9-10	Martin
April	23-24	Dyersburg

Classes will begin on Fridays at 4:30 p.m. and end at 9:00 p.m. Classes resume on Saturday at 8:00 a.m. and conclude at 2:30 p.m.

To register, download an application from the MTAS Web site <http://www.mtas.tennessee.edu> or contact the MTAS office in Jackson at 731-423-3710.

New Delivery Methods for MTAS Training

As stewards of the taxpayer's dollar, MTAS is always seeking ways to obtain a greater "bang for the buck." We believe we have found it by adding additional ways to deliver MTAS' statewide technical training.

As always, MTAS remains committed to providing timely and valuable training to Tennessee cities. We are developing ways to contain costs for us as well as for our customers, expand the distribution of our training sessions to every city, and do our part in being socially responsible for offering training in ways that are cost efficient for our customers.

In the near future, you can expect to see some of our training offered through pre-recorded video online and CD or DVD. Our customers can expect many benefits from this effort, to include

- ❖ Flexibility to offer training in your organization when and where you need it.
- ❖ Convenience when you need to train new employees or newly elected officials.
- ❖ Availability for staff and elected officials to review training content when needed.
- ❖ Cost reductions associated with travel to attend training.

The pricing structure will be based on the population size of the city as reported by Local Planning Assistance in the MTAS city information database. Use the "Locate City Information" link on our Web site to find your city population and the table below to determine your cost.

183 cities less than 2,000	\$75
72 cities between 2,000 and 5,000	\$100
40 cities between 5,000 and 10,000	\$150
28 cities between 10,000 and 25,000	\$200
18 cities between 25,000 and 100,000	\$250
6 cities greater than 100,000	\$300

We plan to use video streaming for those topics that are time sensitive and DVD format for those topics that have a longer shelf life (beyond 12 months). While electronic

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Compressed Workweeks Continued

Feedback from our Clients...

We have heard from a few cities in response to an October 2009 article in the [Municipal E-News](#) regarding their experience with compressed workweeks. If your city has utilized a compressed workweek, please let us know by emailing Bonnie Curran Jones at bonnie.jones@tennessee.edu.

Mandatory 4/10 Schedule Since March 2009 at White House, Tennessee

Charlotte Soporowski, finance director, reported that they have been using a 4/10 workweek and shutting down all city administrative offices on Fridays. As a result of this change, they have recognized a fifteen percent reduction in kWh for electric bills, a 29 percent reduction on gas bills, and a 34 percent savings in gallons for water bills from March to September 2009. City Administrator Angie Carrier, recounts that the sanitation department is also on a compressed workweek and has saved on fuel costs due to changing the start up and shut down times. Additionally, Human Resources Director John Grubbs, reports that the city has reviewed employee sick and annual leave usage and it appears that while their vacation time usage increased .18 percent, their sick leave usage dropped by 5.47 percent in the comparison period.

Something to Think About...

Since most holidays are generally 8 hours of pay, how will you handle the additional 2 hours that the employee works when on 4/10 compressed workweek?

An issue for cities to consider when moving to a compressed schedule is paid holidays. Those who are on a compressed workweek such as a 4/10 generally work 10 hours in a four day period, however paid holidays are generally provided at the rate of eight hours per day.

MTAS has collected information from various cities and it appears most cities have employees take the additional two hours off using personal leave or compensatory time. A few other entities provide employees with the full 10 hours off with no deduction to their personal leave. This is a factor your city will have to carefully examine before making a decision.

(Training continued from page 5)

training sessions cannot duplicate the live interactions of the classroom, we will provide contact information for participants to contact subject matter experts with follow up questions and requests for assistance.

We will continue to expand our online course offerings over the coming months. Please stay tuned to our Web site, <http://www.mtas.tennessee.edu>, for new training products and services. If you have questions, please contact Gary Petree, MTAS Training Program Manager.

We will continuously work to adjust and improve the availability and utility of our course offerings to meet the training needs of public servants in Tennessee. These are exciting times!

Certified Municipal Finance Officer Program

March 2010 | Municipal Budgeting

March	2	Spring Hill
March	10	McMinnville
March	10	Athens
March	10	Jackson
March	17	White House
March	17	Morristown
March	17	Jackson

Elected Officials Academy

Level I | February 2010

February	5	Jackson
February	11	Knoxville
February	18	Knoxville
February	25	Knoxville
February	26-27	Chattanooga

Elected Officials Academy

Level II | February 2010

February	11	Spring Hill Fire Service
February	18	Spring Hill Police Service

For more information on these and all MTAS classes, visit our Web site at <http://www.mtas.tennessee.edu>.

Municipal Administration Program

February 2010 | Critical Safety Priorities

This class will address employee safety and liability issues in the municipal workplace that negatively impact the health and safety of employees and the city's budget. City managers, elected officials, risk managers, safety coordinators, HR directors, finance directors, department heads, and any other municipal official who is responsible for the safe operation of city services should attend this class.

Instructors: Brett Ward and Steve Wyatt, MTAS Utility Operations Consultants, and George Dalton, Risk Services Consultant, TML Risk Pool.

February	10	Collegedale
February	11	Franklin
February	16	Jackson
February	17	Lakeland
February	24	Johnson City
February	25	Knoxville

[Click here for a registration brochure](#)

March 2010 | Residential Codes

This class will familiarize local government officials with the full ramifications of the "Tennessee Clean Energy Future Act of 2009" including any changes that will occur as a result of the implementation of this act on July 1, 2010. Enforcement of the new energy code as well as the International Residential Code for one-and two-family dwellings in Tennessee will be covered.

Instructor: Ray Crouch, MTAS Fire Management Consultant

March	3	Jackson
March	4	Lakeland
March	9	Johnson City
March	10	Collegedale
March	11	Smyrna
March	17	Knoxville

[Click here for a registration brochure](#)

New MTAS Publications

Fair Credit Reporting Act

Richard Stokes, MTAS Human Resources Consultant

The provisions of FCRA, CRECA and FACTA directly affect those cities that use outside agencies to secure information about applicants and employees. This publication answers questions such as, “You are considering a number of your long-term employees for a major promotion. You want to check their consumer reports to ensure that only responsible individuals are considered for the position. What are your obligations?”

[View publication](#)

Conducting Effective Roadblocks

Melissa Ashburn, MTAS Legal Consultant

Many law enforcement agencies conduct roadblocks aimed at reducing the number of intoxicated drivers and alcohol-related accidents on our roads. It may be months before these agencies learn whether the arrests and seizures made at those roadblocks will be upheld. Based on numerous Supreme Court rulings over the years, it is likely that arrests and seizures will be found unconstitutional and charges brought will be dismissed. To avoid this outcome, law enforcement agencies must plan carefully and conduct roadblocks in such a manner that the prosecution of charges brought against persons arrested in the operation will be sustained.

[View publication](#)

Calendar of Events



February 10-11

Tennessee Fire and Codes Academy
International Residential Code
(Chattanooga)

February 17-19

Tennessee Fire Chiefs Association
(Pickwick State Park)

February 24-25

Tennessee Fire and Codes Academy
International Residential Code (Nashville)

February 25

Tennessee Municipal Attorneys Association and
Tennessee Association of Utility Districts
Utility Law Seminar (Murfreesboro)

February 26

Tennessee Municipal Attorneys Association
Winter Seminar (Murfreesboro)

March 17-19

Tennessee City Managers Association
Spring Conference (Frankfort, Kentucky)

March 17-19

Tennessee Library Association (Memphis)

March 29-30

Tennessee Emergency Management Association.
Interoperability Communication Conference
(Pickwick State Park)

Pass It On!

Do you know someone who is not currently on our mailing list but either needs or wants to see the MTAS “Municipal E-News?” To be added to the mailing list, send an email with the name, title, postal address, email address, phone and fax number to Frances Adams-O’Brien at frances.adams-obrien@tennessee.edu.

“Municipal E-News” is provided by the University of Tennessee Municipal Technical Advisory Service in an effort to meet the challenge of providing timely, valuable information and assistance to Tennessee cities to build better communities.

If you have any questions or comments related to this newsletter please contact Frances Adams-O’Brien at frances.adams-obrien@tennessee.edu.