



Photo used with permission

City Spotlight: Franklin

The Battle of Franklin (1864) was one of the costliest battles of the Civil War with approximately 10,000 casualties. Today visitors to Franklin can visit the Carter House and Carnton, family homes turned field hospitals, to learn more about this devastating battle.

<http://www.franklincivilwar.com/>

Date of Incorporation:
1799

Population:
56,219

County:
Williamson

Grand Division:
Middle

**MTAS Municipal
Management Consultant:**
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Regional Open Enrollment for MMA Sessions

Gary Petree, MTAS Training Program Manager

Municipal Management Academy (MMA) is an MTAS training program for city employees who want to improve their leadership and management skills. More than 50 cities in Tennessee have scheduled MMA training sessions for their employees during the past several years. Supervisors, department managers, city recorders, even some city managers and full-time mayors have participated in these training sessions. Overwhelmingly, people come away from these sessions having a better understanding of their responsibilities, themselves, and of the people they supervise.

In May 2010, we are going to offer the introductory sessions, Municipal Management Overview (MMA-01) and Communication Skills and Work Styles (MMA-02), in various locations across the state. These two sessions are prerequisites for other classes in the MMA program. We will schedule other classes from the MMA series depending on the response to these initial sessions.

Please watch our website for announcement of details and a registration form. For more information, please contact our Knoxville office at 865-974-0411.

MTAS Courses Now on Video and Online!

For more information about MTAS' online and video courses visit: <http://www.mtas.tennessee.edu>. Click on "View Training Programs" and "Online Courses" for more information and registration forms. You may also register online with your SolutionPoint login and ID. If you do not have a login and ID, contact the Knoxville MTAS office at 865-974-0411 and we will provide you with the information you need.

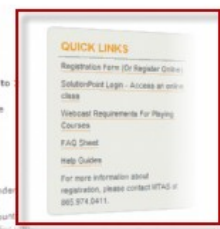
See the "Quick Links" box on the "Online Training" page for registration materials, help guides, FAQs, webcast requirements and a list of available courses.

Online Training

Interactive Courses

MTAS offers a variety of online training courses that are accessible through SolutionPoint. These courses are 1 to 2 hours in length and are a wonderful supplement to classroom learning. The individual may complete these classes at their own pace from the comfort of their computer. Current titles include:

- Workplace Ethics
 - Sexual Harassment Awareness for Employees
- To register for a class click the "Access an online class" link under quick links. Use the help guides to assist you in searching and registering for classes. If you do not have a SolutionPoint account please contact our office and we will be happy to provide one for you.



Pioneer Academy Provides Much Needed Training

Don Darden, MTAS Municipal Management Consultant

The Institute for Public Service has been awarded a grant by the Tennessee Department of Economic and Community Development to provide training for city and county elected officials in distressed counties and in cities and counties where elected officials have not participated in training over a period of years.

The training provides for Pioneer Academies, where participants may receive training in economic development, planning and zoning, and retail development. The program also provides for an MTAS Elected Officials Academy (EOA) to provide training in foundations and structures of municipal government,



First session in Tracy City.

charters, codes, open records, municipal financial overview, ethics, and open meetings. The training is provided at no cost to participants.

The first Pioneer Academy was held on January 14, 2010 in Tracy City with 20 participants and was conducted by MTAS and the County Technical Assistance Service (CTAS). Participants were from Grundy, Van Buren, and Bledsoe Counties as well as the municipalities of Tracy City, Monteagle, Gruetli-Laager, Palmer, Spencer, and Pikeville. Additional sessions were held on February 4 at the Gruetli-Laager Community Center and by the Town of Palmer on February 20.

Participants also registered for the EOA. EOA sessions will include Foundations and Structures of Municipal Government, Charters, Codes, and Open Records, Municipal Financial Overview, and Ethics and Open Meetings. All of the remaining EOA sessions will be at the Palmer Community Center.

Pioneer Academies will also be held at other locations to be determined prior to June 30, 2010.

Meet MTAS Finance and Accounting Consultant Gail Cook



Gail Cook is a Finance and Accounting Consultant in the East Tennessee area. She serves the cities located north and east of Knoxville as well as those in Blount County. Gail has been with MTAS since March 2008 and works out of the Knoxville office. A large part of her time is spent developing and instructing the Certified Municipal Finance Officer (CMFO) program.

Cook received her undergraduate degree from Tennessee Wesleyan College. Upon graduation, Cook earned her Certified Public Accountant (CPA) designation. After she began working for governmental entities, she earned her Certified Government Finance Manager designation (CGFM).

Cook's experience includes work in both private sector as well as in local government. Prior to coming to MTAS, she served as the Director of Accounts and Budgets for Anderson County Government. As the chief financial person for the county, her duties involved everything from budgets and finances to human resources and insurance management. She has also been an instructor for Tennessee Wesleyan College at their Knoxville campus.

Cook resides in Clinton with her husband Kenny. They have two grown children; daughter Alicia is an accountant and son Kevin is a photographer. In her spare time, Cook enjoys spending time with her four grandchildren and spoiling them as much as possible.

Cook can be contacted at gail.cook@tennessee.edu or at 865-974-9825.

To locate the MTAS finance and accounting consultant for your city, please call the Knoxville office at 865-974-0411. In the near future, a map of finance consultant territories will be available on the MTAS Web site.

Innovation Corner



Chattanooga First in Tennessee to Receive National Biosolids Partnership Certification

In February 2009, Chattanooga became the first agency in Tennessee and the twenty-third in the nation to receive the National Biosolids Partnership (NBP) Certification of its Environmental Management System (EMS) for the biosolids program. Approximately three and a half years were spent in preparation of the EMS. A third-party verification audit was conducted by KEMA-Registered Quality, Inc. and the final report was issued on February 12, 2009. The audit was complimentary of city council and managerial support. Additionally, they cited the sustainability committee for establishing relations with, and support from, stakeholders.

Currently 100 percent of the city's biosolids are beneficially reused on applications sites in Tennessee and Alabama. The application contractor Recyc LLC makes application to crops such as hay, corn, soybeans and switchgrass.

An EMS is a structured way to assure that the operations of the biosolids system is top notch in every way and to communicate that to the various stakeholders. One of Chattanooga's biosolids program goals is "Quality management practices in biosolids." This is achieved through training, written operating procedures, and internal and external audits. Other goals include raising the percentage of Class A biosolids produced, reducing energy usage, meeting all regulations and maintaining good relationships with stakeholders.

More information can be found at:

[http://www.chattanooga.gov/
Public_Works/70_BiosolidsManagementProgram.htm](http://www.chattanooga.gov/Public_Works/70_BiosolidsManagementProgram.htm).

Latest Information on COBRA

Bonnie Jones, MTAS Human Resource Consultant

COBRA can be one of the most complex processes to administer. COBRA stands for "Consolidated Omnibus Budget Reconciliation Act of 1985." COBRA requires most employers with group health plans to offer employees the opportunity to temporarily continue their group health care coverage under their employer's plan if their coverage would cease due to termination, layoff, or other change in employment status. These changes in employment status are referred to as QEs or qualifying events.

Here is an updated chart on the COBRA subsidy:

	ARRA COBRA Subsidy	Defense Act COBRA Subsidy	Temporary Extension Act of 2010
Maximum Length of Subsidy	9 months	15 months	15 months
Period During Which Involuntary Termination of Employment Must Occur	September 1, 2008 to December 31, 2009	September 1, 2008 to February 28, 2010	September 1, 2008 to March 31, 2010*
Subsidy Percentage	65%	65%	65%

* This date is subject to change pending more legislation.

For more information on the subsidy visit

[http://www.dol.gov/ebsa/newsroom/
fscobrapremiumreduction.html](http://www.dol.gov/ebsa/newsroom/fscobrapremiumreduction.html)

To provide you the latest information on administering this benefit, MTAS has published the [Updated Guide to COBRA](#) and released a Hot Topic entitled [Stimulus Law Affecting COBRA Extended Until February 28, 2010](#).

However, there has since been another extension to that provision and there may be more to come.

(Continued on page 4)

(Continued from page 3)

Here are some FAQs related to COBRA:

Question: How long after a qualifying event do employees have to elect COBRA coverage?

Qualified beneficiaries (QB) must be given an election period during which each qualified beneficiary may choose whether to elect COBRA coverage. Each QB may independently elect COBRA coverage. A covered employee or the covered employee's spouse may elect COBRA coverage on behalf of all other QBs. A parent or legal guardian may elect on behalf of a minor child. Qualified beneficiaries must be given at least 60 days for the election. This period is measured from the later of the coverage loss date or the date the COBRA election notice is provided by the employer or plan administrator. The election notice must be provided in person or by first class mail within 14 days after the plan administrator receives notice that a qualifying event has occurred.

Note: If the QB's qualifying event was involuntary termination of employment that occurred on or after September 1, 2008 through March 31, 2009, the employee may be eligible for an additional election opportunity under ARRA.

Question: Is a divorced spouse entitled to COBRA coverage from their former spouses' group health plan?

Under COBRA, participants, covered spouses and dependent children may continue their plan coverage for a limited time when they would otherwise lose coverage due to a particular event, such as divorce (or legal separation). A covered employee's spouse who would lose coverage due to a divorce may elect continuation coverage under the plan for a maximum of 36 months. A qualified beneficiary must notify the plan administrator of a qualifying event within 60 days after divorce or legal separation. After being notified of a divorce, the plan administrator must give notice, generally within 14 days, to the qualified beneficiary of the right to elect COBRA continuation coverage.

For questions on the subsidy visit <http://www.irs.gov/newsroom/article/0,,id=204505,00.html>

References: *irs.gov, dol.com*

Work Zone Traffic Control/Flagging Course

MTAS and CTAS, in cooperation with the Tennessee Transportation Assistance Program (TTAP), will offer a work zone traffic control/flagging course which will provide guidance and training for field personnel such as maintenance crews, survey crews and utility crews in the planning, selection, application and operation of short-term work zones.

April	1	Jackson
April	27	Cookeville
April	28	Winchester

For more information on class content and locations, please [click here for a registration brochure](#).

Elected Officials Academy

April 2010 | Level I

April	9–10	Martin
April	23–24	Dyersburg

Elected Officials Academy

April 2010 | Level II

April	15	Spring Hill
April	21	Monterey
April	22	Spring Hill

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

Tennessee Basic Economic Development Course



Plan to attend the 4th Annual Tennessee Basic Economic Development Course (TBEDC) to be held May 3–7, 2010, at the AT&T Economic Development Center in downtown Nashville. This comprehensive course, accredited by the International Economic Development Council (IEDC), focuses on the fundamental concepts, tools and practices needed to be successful in today's complex economic environment.

[Registration brochure for more information](#).

From the Attorney General ...

Josh Jones, MTAS Legal Consultant

Vendors Contractual Rights Under State and Federal Constitutions

The General Assembly may require a provision in contracts between a local government and a vendor of traffic surveillance cameras which allows for subsequent law changes to be incorporated so long as the effects upon the parties are reasonable. (*Opinion No. 10-14*)

Traffic Cameras

Ordinances that create owner liability for traffic violations based upon surveillance camera evidence do not conflict with statutory law. Municipal fines for traffic violations based upon surveillance camera evidence are civil in nature. The admission of photographic evidence from traffic surveillance cameras does not violate the Confrontation Clause. (*Opinion No. 10-17*)

Vacancies on Local Boards of Education

Vacancies on a local board of education are subject to Article VII, Section 4 of the Tennessee Constitution and thus shall be filled by the local legislative body and appointee shall serve until the successor is elected and sworn in. (*Opinion No. 10-26*)

Fees and Regulations for Construction of Schools in Special School Districts

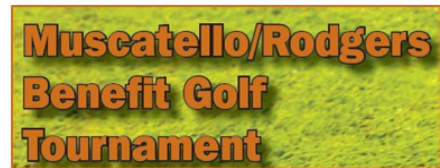
The applicability of a city's zoning laws to and the necessity of a building permit for a special school district depend upon the terms of the creating private act and local ordinances. (*Opinion No. 10-27*)

Law Enforcement Officer Employed by Judicial District Task Forces

A law enforcement officer hired directly by a judicial task force and not part of local law enforcement agency, derives authority to operate in that jurisdiction from T.C.A. § 8-7-110(a), which requires consent of the supervising district attorney general. (*Opinion No. 10-28A*)

Attorney general opinions can be found on the Web at <http://www.tn.gov/attorneygeneral/>

Mark Your Calendar!



Eagle's Landing, Sevierville, TN

Wednesday, June 9, 2010

IPS' annual golf tournament benefits the Muscatello/Rodgers Local Government Internship Endowment at the University of Tennessee. The endowment supports scholarships for students who are studying public administration, finance, communications, engineering or other related fields, and are interested in pursuing a career in local government. Scholarship recipients work in summer internships with the Municipal Technical Advisory Service (MTAS) and the County Technical Assistance Service (CTAS), agencies of the Institute for Public Service.

The endowment memorializes Paula Muscatello's commitments to education, and to loving and supporting her family. Her husband, Joe Muscatello, is a former employee of MTAS and current TML Bond Fund representative. Muscatello established the scholarship in her honor as well in the memory of Bill Rodgers, a long-time employee of CTAS whose dedication to improving local government was an inspiration to many.

For information on registering a team or sponsoring the tournament, please contact Paul Bowman, Development Director, Institute for Public Service, at paul.bowman@tennessee.edu or 865-974-6587.

2009 MTAS Salary Survey Available

Tennessee cities have responded to the call, and the 2009 MTAS Salary Survey is now available.

To generate a report, use your MTAS-provided survey password to access the database. Once logged onto the site, click on the option to go to "Reports." For more information on accessing the database, please contact Justin O'Hara, MTAS IT Consultant at justin.ohara@tennessee.edu or 865-974-0628.

Tell Us What You Think of the Municipal E-News

It is the one year anniversary of the Municipal E-News and we want to hear what you think of our newsletter. We have included a link to a satisfaction questionnaire in the email distribution this month. You can also click on the this link <http://mtas.municipalnews.sgizmo.com> to go the survey. Please let us hear from you.

New MTAS Publications

President Signs Law Amending the Family Medical Leave Act

Bonnie Jones, MTAS Human Resource Consultant

The expansion of FMLA as provided by the NDAA more than doubles the amount of protected leave some veteran families are entitled to under the act.

[View publication](#)

An Updated Guide to COBRA

Bonnie Jones, MTAS Human Resource Consultant

An overview of COBRA, which mandates that most group health plans offer a continuation of health insurance when employees and beneficiaries would otherwise lose group health coverage.

[View publication](#)

Additions to the MTAS Library

MUTCD 2009: Manual on Uniform Traffic Control Devices for Streets and Highways

(Federal Highway Administration) | [View](#)

Analysis of Pole Attachment Rate Issues in

Tennessee (TACIR) | [View](#)

MTAS Employee Overtime Compensation Response Survey Summary | [View](#)

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

Calendar of Events



April 5–6

OSHA Training for Roadway Construction Industry (Knoxville)

April 8–9

OSHA Training for Roadway Construction Industry (Jackson)

April 13

TREEDC Mini Symposium (Jackson)

April 12–17

Tennessee Personnel Management Association Annual Conference (Memphis)

April 14–16

Tennessee Association of Municipal Clerks and Recorders (TAMCAR) Annual Conference (Nashville)

April 24–29

International Personnel Management Association Southern Regional Conference (Oklahoma City, Oklahoma)

April 25–28

Tennessee Building Officials Association Annual Conference (Gatlinburg)

April 28–30

Tennessee Fire Chiefs Association Conference (Gatlinburg)

May 3–7

Tennessee Basic Economic Development Course (Nashville)

“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.