



City Spotlight: Clinton

*Clinton is the home of the Green McAdoo Cultural Center, which was established to commemorate and honor the 50th anniversary of the 1956 desegregation of Clinton High School by the "Clinton 12." The "Clinton 12" were the "first students to desegregate a state-supported high school in the south."*¹

Date of Incorporation:
 1801

Population:
 9409

County:
 Anderson

Grand Division:
 East

**MTAS Municipal
 Management Consultant:**

Margaret Norris

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¹ <http://www.greenmcadoo.org/story.html>

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Prorated Property Taxes an Option for Cities

Dick Phebus, MTAS Finance and Accounting Consultant

For cities in those counties declared by the Federal Emergency Management Agency to be disaster areas as a result of the recent flooding, the General Assembly has enacted legislation that allows the proration of property taxes for the time a building or improvement is destroyed or substantially damaged as long as the building or improvement is not replaced or restored for more than 30 days.

The legislation, Chapter 1036, Public Acts 2010, is permissive rather than mandatory and will not become effective until approved by a two-thirds vote of the municipal legislative body. Once approved, the law is retroactive to January 1, 2010 and it expires on December 31, 2010. The property owner must apply to the county assessor of property for this relief by September 1, 2010, using a form approved by the Director of the State Division of Property Assessments.

The following counties in Tennessee have been declared eligible for disaster assistance as a result of the "flood of 2010" :

Benton	Dyer	Jackson	Robertson
Campbell	Fayette	Lauderdale	Rutherford
Cannon	Gibson	Lawrence	Obion
Carroll	Giles	Lewis	Shelby
Cheatham	Hardeman	Macon	Smith
Chester	Hardin	Madison	Stewart
Clay	Haywood	Marshall	Sumner
Crockett	Henderson	Maury	Tipton
Davidson	Henry	McNairy	Trousdale
Decatur	Hickman	Montgomery	Wayne
DeKalb	Houston	Perry	Williamson
Dickson	Humphreys	Pickett	Wilson

MTAS has prepared a sample resolution that cities can use to adopt the legislation. Click here to read or download the resolution: [Word](#) | [PDF](#)

Please contact your MTAS finance and accounting consultant if you have questions.

MTAS Welcomes New Executive Director Steve Thompson

Steve Thompson has been named as the new executive director for MTAS and will join the agency near the end of July.



Thompson comes to MTAS from Marco Island, Florida, 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.

Thompson was hired from a pool of six candidates who went through a rigorous interviewing process with the MTAS advisory board, the Tennessee Municipal League, the IPS leadership team, UT Knoxville faculty and the 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 IPS to continue this service,” Thompson said.

Look for more information on Thompson in future issues of the *Municipal E-News*.

Tracy Baker, MTAS Post-graduate MPA Intern Named Sevierville Assistant City Administrator

Tracy Baker, MTAS Post-graduate MPA intern, has accepted an assistant city manager position in Sevierville.

Baker participated in the two-year internship program where she had the opportunity to work in Athens, Cleveland, Cleveland Utilities, Collegedale, Dayton, East Ridge, Etowah, Signal Mountain, Soddy-Daisy and the Southeast Tennessee Development District.



We wish Tracy all the best in her new position!

If your city is interested in hosting an intern, please contact MTAS Municipal Management Consultants Ron Darden (Middle Tennessee) at ron.darden@tennessee.edu or 615-532-4942 and Margaret Norris (East Tennessee) at margaret.norris@tennessee.edu or 865-974-9063.

EPA Initiates Rulemaking on Sanitary Sewer Overflows

Sharon Rollins, MTAS Consulting Program Manager

The U.S. Environmental Protection Agency (EPA) is initiating a rulemaking to reduce the harmful effects on sanitary sewer overflows (SSO) and basement backups. The agency is considering two modifications to the existing regulations: (1) establishing standard National Pollution Discharge Elimination System (NPDES) permit conditions for publicly owned treatment works permits that specifically address sanitary sewer collection systems and SSOs; and (2) clarifying the regulatory framework for applying NPDES permit conditions to municipal satellite collection systems.

Municipal satellite collection systems are sanitary sewers owned or operated by a municipality that conveys wastewater to a publicly owned treatment works operated by a different municipality. As part of this effort, the agency is also considering whether to address long standing questions about peak wet weather flows at municipal wastewater treatment plants to allow for a holistic, integrated approach to reducing SSOs, while at the same time addressing peak flows at publicly owned treatment works.

EPA will hold a series of listening sessions on the proposal and accept comments from the public for 60 days. Comments are due by August 1, 2010.

For additional information on the listening sessions and to read the proposed rule, please visit:

<http://www.epa.gov/npdes>.

Additions to the MTAS Library

Candidate Running for Two Municipal Offices

(Legal opinion) Melissa Ashburn, MTAS Legal Consultant [Read](#)

Tennessee Fire Service Emergency Response Plan

TN Fire Chiefs Association [Read](#)

Contract Documents for Solid Waste Collection and Disposal Service (RFP)

Sharon Rollins, MTAS Consulting Program Manager [Read](#)

MTAS Classes in June 2010

Municipal Administration Program

❖ Stormwater Workshop for MS4s

Lakeland	July	14
Mt. Juliet	July	15
Knoxville	July	27
Chattanooga	July	28

❖ Public Acts

Smryna	August	3
Jackson	August	4
Lakeland	August	5
Knoxville	August	11
Johnson City	August	12

Certified Municipal Finance Officer Program

❖ Debt Management

Spring Hill	July	27
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Stormwater Workshop for MS4s July 2010

MTAS, in cooperation with TDEC, EPA, and the Tennessee Stormwater Association (TNSA), will be presenting statewide workshops in July 2010 for all cities and counties that have been designated under the NPDES Stormwater Program in Tennessee.

The workshop addresses the re-issue of National Pollutant Discharge Elimination System (NPDES) Phase II Permit for MS4's (Municipal Separate Storm Sewer Systems). The permit will be re-issued in June 2010 and local governments will have 120 days to complete their permit application or NOI (Notice of Intent).

This permit is a **MANDATE** from EPA and TDEC.

PENALTIES for noncompliance with the regulations could be \$10,000 per day, per violation in civil penalties. A TDEC Director's Order for noncompliance could also result in spot fines of \$1,000 or \$2,000 and an order to complete stormwater permit program.

This workshop will provide information on the preliminary program requirements for the new Phase II Municipal NPDES Permit for Stormwater Management and enable you to prepare an action plan for submitting your permit application.

Robert Karesh, TDEC, who will be approving Phase II Permit Applications for the state of Tennessee, will be one of the workshop lecturers and facilitators. Additionally, portions of the workshop will be conducted by EPA Region IV representatives.

Lakeland	July 14
Mt. Juliet	July 15
Knoxville	July 27
Chattanooga	July 28

[Click here for registration brochure.](#)

This course is offered as part of the MTAS Municipal Administration Program.

Free Online Course: New Building Codes Requirements Compliance

The "Tennessee Clean Energy Future Act of 2009" makes one- and two-family homes subject to inspection by either the state or local government. **The act goes into effect on July 1, 2010** and requires a decision by local governing bodies. MTAS is offering this free online course, "Energy Codes Training" to assist you in making sure your building codes are in compliance by July 1, 2010.

There is no cost for the course as this project is funded under an agreement with the Department of Economic and Community Development. This is a three-hour class, delivered via web access, which includes a discussion of methods of complying with the statute.

This course is a must for municipal officials who are responsible for compliance with International Residence Code and the Tennessee Clean Energy Future Act of 2009.

For information go to <http://www.mtas.tennessee.edu>.

New MTAS Publications

Administrative Inspections Warrants

Melissa Ashburn, MTAS Legal Consultant

This publication interprets and explains the statutory administrative inspection warrant process for code enforcement at the municipal level. [Read](#)

Health Insurance Premiums as Salary for Municipal Elected Officials and Employees (2010)

Don Darden, MTAS Municipal Management Consultant

In some Tennessee cities, compensation is awarded to mayors and board members in lieu of health insurance coverage. [Read](#)

Interest Rate Set at 7.25 Percent Effective July 1, 2010, on Delinquent Taxes Collected or Administered by the State of Tennessee

William Haston, MTAS Finance and Accounting Consultant

The rate of interest effective July 1, 2010, through June 30, 2011, has been set at 7.25 percent, which is the same as for the current year (FY 2010). [Read](#)

IRS Regulations on Personal Use of City-Owned Vehicles

Ron Darden, MTAS Municipal Management Consultant

The personal use of a city-owned vehicle is taxable to the employee. [Read](#)

New Audit Standards: What Do They Mean to Local Governments?

Kay Stegall, MTAS Finance and Accounting Consultant

Because state law requires that municipalities be audited, the financial statement audit must be performed in accordance with generally accepted government auditing standards. [Read](#)

New Fee for Cash Bond Forfeitures in City Court

Rex Barton, MTAS Police Management Consultant

The state legislature recently created a new fee to be collected by the city when a defendant posts a cash bond for a municipal traffic violation. [Read](#)

Open Records: A Guide for Municipal Officials (2010)

Josh Jones, MTAS Legal Consultant

This guide summarizes Tennessee's open records laws as of the end of the 2009 legislative session and includes

(Continued on page 7)

Green Energy Expo

July 13, 2010

U.T. Research and Education Center
Jackson



What is green or alternative energy?

How can green energy technology benefit my business and my community?

The *Green Energy Expo* will answer these questions by providing practical information and exhibits concerning how to build a green business, adopt alternative energy sources, and sustain local infrastructure that closes the gaps in income, wealth, health, security, and opportunity across Tennessee.

The Expo will center on the benefits of green technologies in the area of lighting, gasification, and other smart green technologies. A panel of representatives from the Internal Revenue Service, Tennessee Department of Economic and Community Development, TVA, and USDA Rural Development will discuss financial incentives available to business owners, industry representatives, and local government leaders in their pursuit of cutting energy costs, providing green infrastructure, and opportunities to create jobs in the green industry. Regional green businesses and entrepreneurs will showcase their technologies through onsite exhibitions.

The *Green Energy Expo* is hosted by the University of Tennessee's Center for Industrial Services in partnership TREEDC/MTAS and other government agencies and green businesses.

Registration is FREE. Please call 615- 253-6371 to register. For more information, please visit <http://www.cis.utk.edu/training/energy/GreenEnergyExpo>.



Innovation Corner

2010 Thomas H. Muehlenbeck Award for Excellence Winner: Johnson City's "Will This Float?" Program

At its annual conference, the Alliance for Innovation named Johnson City as the 2010 winner of the Thomas H. Muehlenbeck award for Excellence in Local Government.

The City of Johnson City and the founders of the "Will This Float?" program faced a growing problem with the loss of the manufacturing industry. In response, the city explored innovative ways to get the skilled people who have lost jobs back in the work force. Entrepreneurship became one of the answers. "Will This Float" creates the forum for entrepreneurs to promote their ideas to potential investors. The program is a catalyst for those who are beginning to develop their idea and a forum for idea development, business support services, marketing suggestions, and access to capital. Johnson City dealt with the crushing loss of the manufacturing industry with a creative forum to assist entrepreneurs in chasing their dream. To read more about this program, [click here](#).



Athens Awarded Governor's 2010 Environmental Stewardship Award for Aquatic Resource Preservation

With two streams listed on the state's "impaired waters" list, Athens teamed up with the local YMCA to convert a plan for a traditional parking lot into a plan for an all-green parking area, showcasing various green technologies. Located on city property behind city hall, the lot uses pervious concrete and pavers, geoblock green paving and rain gardens. These technologies have an approximate 50-year life as opposed to asphalt with a 20-year life. The rain gardens allow the rain to percolate through six inches of stone underneath the lot and clay berms to keep water in the garden's sub-base longer. Athens supplied the labor and equipment, saving a total of \$60,000, and utilized a local Eagle Scout candidate to help build an educational kiosk with the first green roof in the county.

Renewable Energy Outreach by the City of Franklin and TREEDC

Warren Nevad, MTAS Municipal Management Consultant

The Tennessee Renewable Energy and Economic Development Council (TREEDC) held its first membership meeting in Middle Tennessee on June 8, 2010 at the Factory in Franklin, Tennessee. More than 130 attendees from 48 cities, 25 counties and six states took advantage of educational and networking opportunities that focused on growing the renewable energy industry in Tennessee. Panel discussions ranged from cellulosic ethanol, biodiesel, electric cars, municipal and county best practices, gasification, solar energy and state and economic development and planning.

Franklin Alderman and TREEDC Middle Tennessee Coordinator Ken Moore and MTAS Management Consultant/TREEDC Director Warren Nevad organized the workshop. U.T. President Emeritus Dr. Joe Johnson praised the visionary leadership and grassroots approach demonstrated by MTAS and mayors of TREEDC. He also announced that TREEDC in collaboration with McBee Bailey & Associates have brought in more than \$1.9 million dollars in energy economic impact to Tennessee. Johnson added that TREEDC has become a national model partnership between a major university, mayors, and a small innovative firm.

Tracy Woodard, Nissan Director of Government Affairs, advised the audience that Nissan officials were working closely with state and local officials in the Nashville, Knoxville and Chattanooga areas on infrastructure to support the marketplace entry of the Nissan Leaf. TREEDC Advisory Board Member/Legal Advisor Ernest T. Brooks, II and Cortney Piper with the Tennessee Business Leaders for a Clean Economy discussed key legislative policy initiatives for TREEDC.

TREEDC presented Green Leadership awards to Ken Moore, Franklin Alderman, L.K. Browning & Associates, Tennessee Department of Agriculture Biofuels Coordinator Kyle Holmberg and Penny Judd, TVA.



Left to right: Candace Graham, Muscatello/Rodgers intern, Ken Moore, Alderman, Franklin, Hillary Nevad, TREEDC intern.

Parliamentary Procedure and Your Council Meeting



Margaret Norris, MTAS Municipal Management Consultant

MTAS legal and management consultants often receive inquiries into parliamentary procedures and questions as to whether a motion passed or not. Because many cities have chosen to adopt *Robert's Rules of Order* as their guideline for conducting meetings, we would like to review some of the key points and common misunderstandings regarding *Robert's Rules* over the next several issues of the *Municipal E-News*. We will begin the series with a bit of history about who "Robert" was as recounted in the following excerpt taken from the "[Official Robert's Rules of Order Website](#)":

"Henry Martyn Robert was an engineering officer in the regular Army. Without warning he was asked to preside over a public meeting being held in a church in his community and realized that he did not know how. He tried anyway and his embarrassment was supreme. This event, which may seem familiar to many readers, left him determined never to attend another meeting until he knew something of parliamentary law.

Ultimately, he discovered and studied the few books then available on the subject. From time to time, due to his military duties, he was transferred to various parts of the United States where he found virtual parliamentary anarchy since each member from a different part of the country had differing ideas of correct procedure. To bring order out of chaos he decided to write *Robert's Rules of Order* as it came to be called.

The tenth, current, edition has been brought about through a process of keeping the book up to date with the growth of parliamentary procedure. All editions of the work issued after the death of the original author have been prepared by persons who either knew and worked with the original author or are connected to such persons in a direct continuity of professional association."

It should be pointed out that municipalities are not required to adopt *Robert's Rules of Order* and may opt to create their own rules of procedure. We look forward to providing more information on parliamentary procedure in future issues of the *Municipal E-News*.

MTAS Web Site Provides Resources on Health Care Reform



A web page has been added to the MTAS Web site to provide information on the topic of health care reform. Most of the information is posted in the form of a blog with questions from cities and responses from MTAS consultants. The consultants have also selected links to useful Web sites, FAQs, recommended reading and links to other blogs on the topic of health care reform.

Click here: http://www.mtas.tennessee.edu/public/web.nsf/Web/Health_care?Opendocument#

Alliance for Innovation Launches New "Knowledge Network"

Free Webinar Training

July 7	1:00–2:00 p.m. EDT
July 23	1:00–2:00 p.m. EDT

The Alliance for Innovation, has redesigned their Web site to provide enhanced services to members. An important component of the new Web site is the "Knowledge Network." The new network uses Web 2.0 tools to provide access to resources and the ability for members to request and share information with each other.

[Click here for more information.](#)

TML 2010 Achievement Awards



The following cities and towns were honored with achievement awards from Tennessee Municipal League at their annual conference in Gatlinburg, June 13–15.

For more details on the program for which each city or town was recognized, please visit the June 14, 2010 issue of [Tennessee Town and City](#).

★ *Excellence in Police Services*

Knoxville Police Department

★ *Small City Progress*

Unicoi

★ *Excellence in Green Leadership*

Franklin

★ *Excellence in Governance*

Pittman Center

★ *Excellence in Public Works*

Athens Public Works Department

★ *Excellence in Community Service*

Kingston

★ *Excellence in Fire Service*

Dayton Fire Department

★ *Small Town Progress*

Graysville

★ Congratulations to all the winners! ★

Calendar of Events



July 7 and 23

Alliance for Innovation New
Knowledge Network Free Webinars

July 10–13

Tennessee Fire Chief's Association Annual Conference
(Nashville)

July 13

Green Energy Expo
(Jackson)

July 16

Tennessee Personnel Management Association-West
Tennessee Membership Meeting (Bartlett)

July 17–21

Water Professionals Conference (Combined KY/TN
Chapter of American Water Works Association and KY/
TN Water Environment Association)
(Nashville)

(Continued from page 4)

practical applications for municipal officials and
employees. [Read](#)

Physical Fitness in Public Safety

Don Darden, MTAS Municipal Management Consultant
Cities can develop criteria or standards for medical
examinations and physical testing that are job related, and
if the testing is task related, the probability of successful
defense in the event of a court challenge should be
considerably improved. [Read](#)

State Shared Taxes

Dick Phebus, MTAS Finance and Accounting Consultant
Based on economic projections for FY 2011,
municipalities are expected to receive approximately
\$104.02 per capita for the fiscal year beginning
July 1, 2010. [Read](#)

"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
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