



COUNTY NEWS

High Court Rules That Shelby Term Limits Legal, Constitutional

Shelby, Knox, Metro Counties Only Ones That Might Be Impacted

Term limits adopted by Shelby County voters for certain elected local officials are legal and constitutional, the Tennessee Supreme Court said in a unanimous decision filed at the end of March.

Under the Supreme Court ruling, issued March 29, plaintiffs in the case who have served two terms on the Shelby County Board of Commissioners will not be eligible to run in upcoming primary and general elections. Walter Bailey, Julian Bolton and Cleo Kirk filed a legal challenge to the term limit charter provision claiming it is not authorized under state law and is invalid under the state constitution. Each of the plaintiffs was elected to the Shelby County Board of Commissioners in 1998 and again in 2002.

"The constitution is the truest expression of the will of the people..." Chief Justice William M. Barker wrote. "Accepting the plaintiffs' position in this case would require us to ignore the fundamental principle of self-government embodied in Article I, section 1. This we are not willing to do."

The court's expedited opinion, written by Chief Justice Barker, overturned a state Court of Appeals decision which had reversed a Chancery Court ruling upholding the 1994 charter provision. While concluding that state law allows voters to adopt term limits, a majority of the Court of Appeals said the charter provision resulted from an unconstitutional delegation of legislative authority.

County officials in Shelby County are immediately affected because of the ruling. The effects on Knox County, which also has a charter form of government that includes a term limit provision for all constitutional officers, remain in question at press time. Other Tennessee counties will not be affected, except for those with metropolitan forms of government. In Davidson County the electorate within the past 10 years voted in term limits for both the metro council and mayor, placing a provision in the metro charter limiting those county officials.

The Supreme Court agreed to review the Court of Appeals decision and heard oral arguments in the case March 21 in Nashville.

In their lawsuit, the plaintiffs said a section of state law authorizing chartered counties, such as Shelby County, to establish qualifications for holding office does not include the authority to impose term limits. They argued that term limits are not a "qualification for holding office" as used in the statute dealing with chartered counties.

The plaintiffs also contended that Article VII, section 1 of Tennessee's constitution prohibits limiting the number of terms a county legislative official may serve. A majority of voters in Shelby County amended the charter to limit terms for county mayor and members of the County Board of Commissioners.

"The plaintiffs reason that because Article VII provides that members of county legislative bodies shall be elected for 'terms of four years,' any limitation on the number of terms is invalid," Barker wrote. "Thus, the plaintiffs construe Article VII as establishing terms of four years with no limit. We disagree with the plaintiffs' interpretation of Article VII."

The court recognized that the Article VII provides for voters to establish an alternate form of government, as was done in Shelby County, and concluded that state statutes authorized the imposition of term limits.

Barker cited another section of the state constitution - Article I, section 1 - providing that the people have an "unalienable and indefeasible right to alter, reform, or abolish the government in such manner as they may think proper."

"The constitution is the truest expression of the will of the people..."



Knox County Mayor Mike Ragsdale meets with State Sen. Tim Burchett, Knox County Register of Deeds Steve Hall and Rep. Parkey Strader during breakfast at County Government Day in March. Mayor Ragsdale serves as president of the Tennessee Association of County Mayors.

Governor Unveils Budget During Address

When Governor Bredesen in February unveiled his proposed budget for FY2006-07, he pitched it as the first time a crisis in TennCare has not been at the forefront of funding efforts. In fact, this is the first time, he said, that other state services and department are front and center. His improvements, while somewhat minor across the board and still in part dealing with healthcare, reflect that redirection of his attention.

In his fourth State of the State address, presented at the end of a sometimes heated four-week special session on ethics, the governor pointed toward education (PreK-12 and higher education) and healthcare as fundamental priorities during the next year.

"We have gotten our financial house in order. We've done this together, in a bipartisan way. And we've done it the right way; we didn't tell the taxpayers to give us more money, we changed the way we operate our government - we learned to live within our means," Bredesen said during a 20-minute speech to members of the General Assembly.

Of the \$25.6 billion budget, just \$12.06 billion is state dollars, officials said.

PreK-12 Education: More than a third of the proposed improvements in this year's budget plan would go to education, continuing Bredesen's



Gov. Phil Bredesen during his annual budget address.

commitment to make education the state's top priority during the remainder of his tenure. Some \$232.8 million in new funding would go to education, including \$95.2 million for the Basic Education Formula, \$42.5 million for the state portion of teacher raises and another \$20 million for expansion of Pre-K classrooms across the state on a voluntary basis. This brings the total for the PreK programs to \$45 million.

Education Commissioner Lana Seivers said this week that a "vast majority" of the school systems in Tennessee had already responded to the department's survey about the

desire to create and/or add PreK classrooms. More than 265 new classrooms had already been requested. The governor's budget funds 250 of those, she said.

Additionally, \$20 million will be added to what the state already spends on At-Risk/English Language Learners programs. Those funds would be distributed through the BEP formula, requiring local matches just as any other BEP-based funds are allocated. This appropriation to the BEP would allow state funding for about 30 percent of K-12 at-risk students. It would also reduce the

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Better Planning, Procedures Needed To Meet Jail Needs: Comptroller Report

County governments need better guidance and oversight when constructing jails, according to a report by the Comptroller's Office of Research. "Building and Financing Jails in Tennessee" also suggests that smaller counties consider establishing regional jails to limit liability and improve services for prisoners.

The report concludes that some counties have funded jail construction projects that will not meet long-term needs for safely and efficiently housing prisoners. Some counties have cut construction budgets in favor of other priorities, resulting in jails with higher operating and maintenance costs, as well as shorter useful lives.

The plans review process for jail construction projects, conducted by Tennessee Correctional Institute (TCI), may also need revision. Rules require that counties submit plans to TCI for review and approval, but do not specify when counties should submit them or the types of documents and drawings necessary. Other states' jails oversight agencies, and other agencies in Tennessee, establish timelines and specify the documents necessary to thoroughly and adequately review construction plans.

The report examines successful regional jail systems in other states, and identifies potential cost savings, liability reductions, and improved programming for prisoners. It recommends the General Assembly consider financial incentives to help some counties establish regional jails to realize some of these benefits.

The report includes additional recommendations for jail construction standards, the types of expertise required to review jail construction plans, and counties' use of available technical assistance.

The report is available on the comptroller's website at www.comptroller.state.tn.us.

Legislative Recommendations:

- The General Assembly may wish to consider restructuring TCI's Board, designating persons with expertise in areas such as jail construction and operation, architecture, and engineering. Including persons with such expertise on the board may improve TCI's plan review process, prevent some costly design changes, and help to ensure jails operate as efficiently as possible.
- The General Assembly may wish to amend TCA 41-4-140, which requires TCI standards to approximate, as closely as possible, those standards established by the inspector of jails, federal bureau of prisons, and the American Correctional Association. Lawmakers may wish to adopt ACA standards for Tennessee to prevent confusion among architects, sheriffs, and other county officials with regard to jail design.
- The General Assembly may wish to consider creating financial incentives for counties to establish regional jails. Benefits of regional jails include cost savings through economies of scale; reduced liabilities; fewer county jails for TCI to inspect; better opportunities to attract professional correctional administrators and social service providers. Potential revenue from housing state and federal prisoners also may offset some operational costs.

Administrative Recommendations:

- TCI should amend Rule 1400-1-.04(24) to specify the documents counties should submit during the four phases of design, establishing an organized system of plan review and approval. Such amendments should include a timeline and authority to halt the design process if counties do not submit proper documents, or prohibition against moving forward until TCI approves each step.
- TCI should request free technical assistance from the National Institute of Corrections (NIC) to evaluate its operations and send its chief jail inspector to the free annual training offered by NIC. Professional training and educational opportunities offered by the NIC may improve the quality of TCI's jail inspection program and improve the ability of TCI staff to review jail construction plans.
- TCI should hire staff or outsource

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MEMBERS SPOTLIGHT



David Purkey Takes Rescue, Law Enforcement Service To Mayor's Office

As a teenager, David Purkey was recognized by then-President Jimmy Carter for using CPR to save the life of a child. The Hamblen County native has taken those life experiences in emergency medical services, as well as in law enforcement, to the county mayor's office where he has served since 1995.

Purkey's professional experience spans some 26 years in state, county and city government. He is a former judicial assistant to the late Judge James K. Miller; Emergency Management director for the county/city state trooper for the Tennessee Department of Safety; special agent for the Tennessee Bureau of Investigation; and police accreditation manager for the City of Morristown.

Purkey, 47, was first appointed to the county's chief elected position in 1995 and has been elected to office three times since. This fall he will be seeking his final term as Hamblen County mayor.

The certified emergency medical technician and former member of the Morristown Rescue Squad delivered two babies during emergencies outside the hospital. His CPR rescue as a teenager won him the acclaim of President Carter, who awarded Purkey with the Presidential Certificate of Merit. Additional honors that year came from the American Red Cross and the Lion's Club, who both recognized his rescue achievement.

More recently Mayor Purkey received the "Director's Award of Excellence" from the Governor's Office of Homeland Security for leadership as chair of the 16-county District Homeland Security Council. He is a past president of the Tennessee Association of County Mayors.

Purkey is formerly with the Tennessee Army National Guard. He served as a second lieutenant with the Company C Medical Support Squadron, 278th Armored Cavalry Regiment.

Mayor Purkey cites the work of Hamblen County Trustee Bill Brittain and himself in the area of county infrastructure improvements and maintenance as a priority during the next four years. The capital plans prepare the county for the future, and his reelection this fall will bring to a close many of those projects, he said. Justice center renovations, a new road department facility, new schools, a courthouse addition and improvements, library renovations, and a new health department represent a partial list of projects he has been involved with during the last 11 years.

He holds a bachelor's degree in planning & administration from East Tennessee State University and a master's degree in public health & safety from the University of Tennessee.



Purkey

Tipton County Commissioner Mike Taylor, above at left, spearheaded the grants effort as TCSA's representative on the ECB. Knox County Commissioner Wanda Moody, left, and Hamblen County Mayor David Purkey, above, were also supportive of the effort. Moody currently serves on the board, while Purkey is a former board member.

ECB Approves Local Grant Funds

A \$13.6 million grant system has been created by members of the statewide Emergency Communications Board, a move designed to put funding back into the hands of officials with local E911 districts.

Details of the application process are continuing to be ironed out. The full board is expected to finalize its plan on April 20. Board Member Mike Taylor, a Tipton County commissioner and the TCSA representative to the ECB, hopes the board will make the grants more open ended so each district will receive its entire share of the grant pool.

"It is my hope that the board in April will approve a plan that will allow a district to carry any unspent money forward, to another piece of equipment," said Taylor.

The board in January voted to give \$190,000 to each local district (\$13.6 million to local districts statewide) for equipment upgrades. The vote gives local districts up to \$40,000 for controller upgrades/replacements; up to \$50,000 for emergency generators; up to \$50,000 for data recorders; and up to \$50,000 for ups equipment. The controller upgrades/replacement funds are available for purchases made back to June 1, 2003, or for new purchases.

Under Taylor's proposal a district that purchases a \$25,000 generator will still have that same amount available for another project. Those are part of the details to be considered when the ECB meets in April.

Under the pending proposal, only the controller purchase grant is still available. All others are on hold until the April 20 meeting. Assuming the plan is approved, Taylor said, applications for all grant purchases will be available on the ECB website (www.state.tn.us/commerce/911).

Taylor added that while the idea is to add flexibility to the grant program, districts will have to meet basic standards for all controllers, generators and recorders.

Commissioner Taylor and Knox County Commissioner Wanda Moody, also a ECB

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Corps Of Engineers Proposes Multi-Use Study Of River System

By MILES MENNELL
ATVG Executive Director

In the annual Energy & Water Development Appropriations Act that Congress passed last fall, Congress directed the U.S. Army Corps of Engineers to conduct "at full federal expense, comprehensive analyses that examine multi-jurisdictional use and management of water resources on a watershed or regional scale." This has sparked a national competition among the Corps districts to obtain the limited study funds.

The Nashville District has entered the fray and proposed a comprehensive study of the Tennessee and Cumberland Rivers. The rivers are closely related and would be studied as a single system.

The Tennessee and Cumberland Rivers are critical assets to our nation. The Tennessee and Cumberland basins include portions of seven states and range from the mountains of Appalachia to the interior coastal plain. According to the World Wildlife Fund, "the two closely related basins host the highest number of fish, mussels and crayfish species, and the highest number of endemic freshwater species in North America."

The two rivers provide reliable navigation, flood damage reduction, hydropower, water supply, recreation, commercial fisheries, and ecological benefits. They provide the only significant water storage on the lower Ohio, which is critical to both the Ohio and Mississippi Rivers during both drought and flood conditions. Wolf Creek Dam alone stores more water than all other Corps lakes in the Ohio River basin combined. Six other Corps lakes and 35 storage reservoirs complete the system and provide as much as 25 percent of the water in the lower Mississippi during droughts sustaining navigation, water supply, cooling water, and environmental resources of the lower Ohio and Mississippi Rivers. The two rivers also shave flood peaks, preventing millions of dollars in damages annually in the Tennessee, Cumberland, Ohio, and Mississippi basins.

Unfortunately, the federal water resource infrastructure in the Tennessee and Cumberland River basins is aging and, for the most part, facilities have exceeded their design life. As the water resources infrastructure ages, the ability of the two systems to provide reliable navigation, flood damage reduction, hydropower, water supply, recreation, and ecological benefits becomes more and more questionable. Further, societal interests are vastly different now than they were when the projects on these rivers were built. Two dams on the Cumberland, Wolf Creek and Center Hill, are among the top five dam safety priorities in the country. Another has a serious history of problems that are being investigated.

The Tennessee and Cumberland basins encompass multiple jurisdictions, and no single entity without active partners can effectively meet the needs of the region. The Corps is proposing a study to reevaluate the contribution of these regional water resources to the nation and the region to determine whether changes should be made to operating priorities or project

purposes. The study would take a multi-jurisdictional, multi-agency, coordinated approach to examine the interconnected Tennessee and Cumberland Rivers system and watersheds. It would focus on two major goals: 1) developing a strategy to effectively and efficiently manage the water and associated resources within the system and 2) developing and maintaining partnerships that transcend political boundaries, provide a common language and unity of vision, and concentrate on watershed activities and export ideas for long-term sustainability. The premise is to balance economic and ecological sustainability to achieve overall long-term benefits to society.

The rivers are linked both physically and functionally. Kentucky Lake on the Tennessee is linked to Barkley Lake on the Cumberland by an uncontrolled canal that necessitates joint system operations. The study would build on TVA's multi-million dollar Reservoir Operations Study (ROS) completed in 2004 that re-evaluated how to better manage water in the Tennessee River, but did not evaluate how the rivers act as a system and would include the public, users groups, friends groups, watershed alliances and coalitions and other non-governmental organizations in addition to state, local, tribal and other federal agencies.

Collaboration with non-governmental entities would be a major ingredient in the proposed study. The Cumberland River Compact is already a very strong supporter for the study. Groups such as The Nature Conservancy, The World Wildlife Fund, The Southeast Aquatic Resource Partnership, and Cumberland Region Tomorrow would also be asked to participate. Other key stakeholders include state and local governments, the navigation industry (shippers and users), utility districts, electric power distributors, watershed associations, tourism associations, regional planning groups, and commercial concessionaires on Corps lakes.

The proposed study is not currently a budgeted activity and competition for funding will be intense. The Nashville District will be judged against the other districts on a number of criteria including, does it involve multiple states and watersheds? Is it of regional or national importance? Perhaps most important is does the study have the support of the state, tribal, local jurisdictions, and other stakeholders?

How can you help? Express your support to your friends, organizations, representatives, and government officials. Let them know what you know; that the Tennessee and Cumberland River systems are of vital importance on many levels to the region and the nation. Tell them that you support the proposal for a comprehensive watershed study of the Tennessee-Cumberland Rivers System and that it is in our best interest to work together to find the ways in which to optimize our aging projects as we move forward into the twenty-first century.

For further information, contact ATVG at (615) 585-5320 or email atvg@atvg.org.

THE PRESIDENT'S REPORT

Attendance, Participation Great During CGD; Look Now Toward Post-Legislative Conference

Thank you for the great attendance, excellent programs, and your participation at County Government Day 2006! It is always a special event to join with our fellow county officials from COAT and our legislators to discuss issues important to us.

We are all grateful that Lt. Gov. John Wilder, House Speaker Jimmy Naifeh, Majority Leaders Ron Ramsey and Kim McMillan, and the governor's representative, Robert Gowan, attended our conference and addressed us with updates and information.

Since we are all concerned with revenues and funding, compliance with laws like the Sunshine Law, local autonomy, ethics, and many other issues being considered in the Senate or House, we

appreciate being partners in determining the best course. Our input is vital for our legislators to understand the possible ramifications and relevant perspectives from local government.

It is also important to communicate with the fine staffs of TCSA and its affiliates and with CTAS throughout the year (not just at scheduled conventions) to help steer our collective efforts. Our strength is in our numbers and in the respect we have gained on the Hill.

Now, we look ahead to our Post-Legislative Conference in Gatlinburg-Sevier County in June. We will hear the results of this legislative session and what they mean to counties. Make plans now to join us for an interesting and enjoyable meeting.



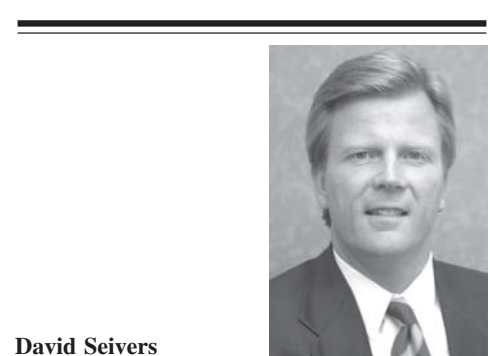
Carl Stoppenhagen
TCSA President & Gibson County
Supervisor of Highways

FROM THE EXECUTIVE DIRECTOR

County Association Partnerships A Must For Any Group Of Officials To Be Successful On The Hill

With several thousand bills "on the table" during the legislative session, it is important to have as many partnerships as possible in monitoring legislation. The unique makeup of the Tennessee County Services Association (TCSA), which includes the Highway Officials Association, the County Commissioners Association and the Association of County Mayors, allows us to work very closely together as a team on many issues that affect county government. We also work closely with the County Officials Association of Tennessee and the Tennessee Association of Assessing Officials. The Sheriffs Association, along with other groups, also works with us when we have issues of mutual interest.

Some of the issues this session include the special session we had on ethics and how local governments are dealt with, and local autonomy and the demands on county government in carrying out these statutorily and constitutional mandates. The list of issues is long. Some of them further include tax relief for senior citizens and how that relief will be dictated or not at the local level;



David Seivers
TCSA Executive Director

cable and video franchising; state emergency communications board funding and the amount of money that goes to the local level; eminent domain legislation and what is the right balance of power that should or should not remain with local governments; school funding and the many aspects of that issue; the cost of operating and housing prisoners in our local jails; road resurfacing money from the TDOT budget that should go to the local level; collective bargaining issues,

changes to the hotel/motel taxing authorities; the change to the open records and open meetings law; additional exemptions to the property tax base and the affect on the local tax base; solid waste issues, etc. As you can tell the list goes on and on.

With such an extensive list you can see the value of our partnership efforts with these other above-mentioned entities. None of these groups can make a successful go at it "alone." There are too many issues that have at least an indirect effect on the well being of our counties. Your support is crucial and appreciated. Our defense in some of these issues is every bit as important as any proactive offensive strategy we might carry out.

As usual at this time of year, be on alert to our calls for help. We need that help and support. Your continued willingness to help talk to your legislators on a moments notice gives us the edge we need to be the most effective that we can be as an organization.

Thank you for what you do and thank you in advance for working as a team that helps make our counties better places to live.

Does Your County Have Hidden Liabilities?

By RON WOODY
CTAS County Government Consultant

Does your county have unknown expenses?

In many counties the answer will be yes. Once it is determined that you have unreported expenses, prepare yourself to start reporting these costs. If your county does not have unreported expenses, then you need to be aware of decisions that can automatically obligate your county for future cash payments and current budget expenses.

There is a basic accounting principle known as "The Matching Principle" and after just a little bit of thought it makes sense for business and government. "Matching" for accounting and reporting purposes means that all expenses related to earning the revenue or operating your organization should be matched with the time in which the revenue was earned or your organization is operating.

Here is an example where "The Matching Principle" comes in to effect: An office worker is hired at the age of 25 to work for the county mayor's office and after 30 years of employment, the worker retires. The county's employment agreement with the worker states (personnel policy) that upon retirement the county will pay his/her health insurance until he/she reaches 65. The worker retires at age 55. The county pays another 10 years of health insurance expenses for an employee who is no longer working or adding revenue-value to the organization. The "Matching Principle" says that this estimate of 10 years of cost should be recorded during the working years of the employee. In other words, the employee's working years have an additional cost of "post employment benefits."

Today, governments treat "post employment benefits" on a "cash" or "pay as you go" type of system for budget and accounting purposes. This system is changing with new Governmental Accounting Standards Board (GASB) Statements 43 and 45, known as "Postemployment Benefit Plans Other Than Pension Plans" or "OPEB" for short.

Now, the first question we must ask is why not pensions? Well, the pension issue has already been addressed by the GASB. In the case of the Tennessee Consolidated Retirement System, actuarial studies are

done to adjust the retirement contribution rates every other year to fund the anticipated cost, thus, we are reporting future cash outlays as current expenses.

GASB statements 43 and 45 outlines when your government must comply with financial reporting for these postemployment benefits. County reporting is phased in by year based on total annual revenues with counties having over \$100 million revenues reporting after December 15, 2006 to counties having less than \$10 million after December 15, 2008. As you can see, the time is now.

Counties face two financial issues while implementing GASB 43 and 45. The first financial issue is calculating and accounting for expenses, which under the matching principle should have been expensed in prior years. Once the calculation has been made for these benefits granted but not yet paid, the county will post a liability. For example if Typical County, USA, with 200 employees grants OPEB health insurance benefits in 2006, then calculations from an actuary must determine how much expense should have been booked in the prior years. These prior year expenses, which have not been recorded, become a liability to the county. The liabilities which the county may have to have reflected on their accounting records could be in the hundreds of thousands, if not millions, of dollars. The second financial issue is estimating the future cost of the current and new employees for current year expenses.

What should a county do regarding OPEB?

County leaders need to examine their personnel policies to determine if benefits are made to current employees after they leave employment. Benefits consist of paid or partially paid health, life, dental, vision, and long-term care insurance along with paid, unused sick leave.

Counties should hire actuaries to calculate what now exists as a liability (calculations of the cost of previously granted benefits now being paid and is estimated to be paid in the future). If a county has less than 100 members, a simplified actuarial valuation can be performed.

If your county does not have other postemployment benefits for their employees, then the county should

GASB 43 & 45 Publication Available

The Government Finance Officers Association has prepared a publication called "The Elected Official's Guide to OPEB." For information about this publication, contact GFOA at (312) 977-9700.

NACO Assistance With GASB

Although GASB 45 does not require pre-funding of OPEBs, NACO Financial Services Center has developed a program for counties that are interested in pursuing this course. NACO's Post-Employment Health Plan (PHEP) program has been developed to provide a solution for funding retiree health care. This PHEP allows counties to set aside tax-free funds in an account for each employee. The county provides a defined contribution to the trust and the employees manage their own funds and have the ability to use the funds in the trust for any IRS-allowable medical expense tax-free once they have left employment with the county.

For information about this program, contact Steve Swendiman at the NACO Financial Services Center (sswendiman@naco.org or (202) 942-4282).

understand the cost of implementing a program prior to approving the program.

Counties should be aware that upon implementation of GASB 43 and 45, their financial statements will be impacted which could affect the county's budget and bond rating.

Be aware that additional information, impacts and advice will be distributed as the implementation occurs.

Accounting for the cost of current operations in the current accounting period will give decision makers better information to make public decisions. We have seen the evolution of accounting with reporting on closure and post closure of landfills, pensions, and now postemployment benefits other than pensions. Hopefully, we are continuing to get better and better information regarding our governments.

Gone may be the days where elected officials will pass OPEBs, which some call "golden parachutes," under the principle of there are no or minimum costs to the taxpayers.

SGPB Recognizes TN '3-Star' As A Best Practices Program

The Southern Growth Policies Board, a bipartisan public policy think tank devoted to strengthening the South's economy, has recognized the Tennessee Department of Economic & Community Development's (ECD) revamped Three-Star program as a best practices program and Southern leader in community certification programs.

"I am pleased that ECD's Three-Star program has received this recognition from such a highly-respected organization," said ECD Commissioner Matthew Kisber. "Our team put tremendous effort into making this a value-added program for our state's communities placing emphasis on a number of important community development steps, including strategic planning, identifying educational resources and making routine existing industry visits."

The Three-Star Program sets high

standards and incentives like no other state-run program in the nation. The program's redesign was unveiled in 2004 and assists both rural and urban communities in developing strategic economic and community development plans that meet the needs and challenges of a global economy. Last year, 80 Tennessee community programs, comprised of 355 Tennessee cities and counties received certification as part of the Governor's Three-Star Program for Economic Preparedness, including 15 counties which never before participated.

"When an entire community pulls together, the hard work pays off in newly focused energy and job growth in both existing and new industries," said Joe Barker, assistant commissioner of community development for ECD.

To begin the process of becoming a

Three-Star community, communities must develop a five-year strategic plan for economic development. In order to receive the certification, communities are required to meet a number of criteria in organizational, community, business, education and work force development categories. Incentives for receiving the certification include identification on all FastTrack infrastructure; eligibility for matching grants, if criteria set by ECD are met; and the advantage of earning points in the Community Development Block Grant (CDBG) process as well as select programs within ECD's Energy Division. Additionally, in order to assist Three-Star communities with their strategic plans, ECD has partnered with the Tennessee Leadership Center (TLC) to provide hands-on training and help communities define their priorities.

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Governor Signs Order Creating Alternative Fuels Working Group

A working group of state department decision makers has been formed to create a comprehensive alternative fuels strategy for Tennessee.

Gov. Phil Bredesen in February signed an executive order establishing the Governor's Interagency Alternative Fuels Working Group to develop a comprehensive state alternative fuels strategy for Tennessee.

"This is just the first of many steps we want to take to increase Tennessee's use of renewable

alternative fuels such as biodiesel and ethanol," said Bredesen. "Increasing our use of cleaner, renewable energy resources will promote cleaner air and better health for our citizens and create additional economic opportunities for Tennessee farmers. Increased production of biofuels also has the potential to reduce our dependence on foreign oil and increase our ability to withstand future supply disruptions and spikes in fuel prices."

Representatives of six state

agencies will form the working group, including the commissioners of the Department of Agriculture, Economic & Community Development, Environment & Conservation, General Services, Health and Transportation or their designees. Representatives of the Departments of Agriculture and Environment & Conservation will co-chair the working group, which will be attached administratively to Environment & Conservation.

"Alternative fuels represent an opportunity to develop new markets

for Tennessee farmers," said Commissioner of Agriculture Ken Givens. "With this executive order, Governor Bredesen recognizes the potential of alternative fuel production and use for enhancing our rural economy, and it sets a course for making Tennessee a leader in the Southeast."

The executive order calls for immediate steps to establish interim state standards for biodiesel that will provide an adequate level of quality assurance for biofuels blending and distribution until national standards are finalized.

It also directs that alternative fuels production capacity and infrastructure be made an economic and community development priority, including biofuels production facilities and biofuels feedstock processing facilities.

State agencies are encouraged to support the development of biofuels refueling infrastructure to facilitate

the growth of biofuels refueling stations across the state, including both publicly-accessible stations and state-owned sites for the operation of state diesel vehicle and equipment.

"Perhaps two of the most critical directives pertain to stakeholder participation and the development of a comprehensive public education and outreach campaign to increase the awareness and understanding of alternative fuels, particularly biofuels," said Deputy Commissioner of Environment Paul Sloan, who represents the department on the working group.

"Our efforts in infrastructure development and production capability will only be successful if people better understand biofuels and know where to find them. Consumer education and stakeholder participation will be essential if we are to success in this area," Sloan said.

Combat Meth Epidemic Act Signed Into Law

In signing the U.S. Patriot Act on March 9, President George W. Bush also signed into law the NACo-supported Combat Meth Epidemic Act, which had been tacked onto the Patriot Act in an effort to gain more votes for the controversial reauthorization.

The Combat Meth Epidemic Act imposes nationwide minimum requirements on the sale of pseudoephedrine. Specifically, it limits sales to 3.6 grams per transaction or 9 grams per month. Individuals will need to show photo-ID and sign a logbook, and products containing pseudoephedrine must now kept behind a counter or in a locked cabinet.

Another key element is the fact that this legislation does not preempt pseudoephedrine restriction laws that many states, including Tennessee, have already passed. These laws have been credited with dramatically cutting the number of small toxic labs. For example, the Iowa law has led to an 80-percent reduction in small toxic labs. However as a recent report in Iowa showed, the supply and demand of meth has been unchanged. The U.S. Drug Enforcement Administration estimates that 65 percent of methamphetamine is imported from Mexican "super-labs," and this

amount is likely to grow as domestic labs are reduced.

In addition, the legislation authorizes \$99 million for Meth Hot Spot grants to state and local governments to assist in the fight against meth abuse. The bill also authorizes \$20 million for drug-endangered children (DEC) teams that will include law enforcement, child social services, medical professionals and prosecutors.

The DEC concept was developed in California and now has spread across the nation as a way to comprehensively respond to the needs of children exposed to methamphetamine.

Finally, the bill closes a loophole known as the "spot market." Under current law, an importer or exporter must notify the Department of Justice of its intentions. However, if the sale of the bulk pseudoephedrine falls through, the importer or exporter must quickly find a new buyer on the wholesale "spot" market. Currently, this type of transaction is not subject to the same notification process and the importer or exporter may be tempted to sell to un reputable sources. The legislation would close this loophole and require more transparency on the distribution chain of meth precursors.

Public Treasurers To Meet July 22-26 In Memphis

The Association of Public Treasurers (APT) will host its 2006 Annual Conference at the Peabody Hotel in Memphis-Shelby County on July 22-26.

Participants will be able to create their own agenda from among concurrent sessions in five tracks offered across four days. The conference features more than 47 educational sessions. Sessions cover the following areas:

- Track 1: Cash management, investing & debt
- Track 2: Accounting & budgeting
- Track 3: Human resources, retirement, pension plans & payroll
- Track 4: Technology & digital government
- Track 5: General sessions

(grant writing, RFP, people management)

As part of the conference, APT will host a one-day International Academy workshop for treasury officials and staff includes sessions on budget, fund accounting, investing public funds, and the audit process. Attendees will receive CPPFA points for this workshop, plus a certificate from the academy. The academy is included in the cost of the registration. However, those who want to only attend this one-day workshop, APT is offering a one-day pass to the academy workshop and to the exhibit hall.

For more information or to register for the conference, visit the APT website at www.apusc.org or email info@apusc.org.

Term Limits

Continued From Pg. 1

expression of the will of the people ...," Barker wrote. "Accepting the plaintiffs' position in this case would require us to ignore the fundamental principle of self-government embodied in Article I, section I. This we are not willing to do."

In its decision, the Supreme Court also denied a request by defendants in the case, including county election officials, for an order delaying the election process. The primary election is May 2 in Shelby County and the general election will be Aug. 3.

The court remanded the case to Shelby County Chancery Court for reinstatement of the lower court's judgment upholding the term limits provision and collection of costs, which are to be paid by Bailey, Bolton and Kirk.

Jails

Continued From Pg. 1

services that require expertise in architecture and engineering. Technical aspects of design documents sometimes require that highly skilled professionals review them to accurately interpret elements of the design.

· **TCI standards should not be open to individual interpretation by jail inspectors.** TCI management should train all inspectors consistently on jail standards, leaving little room for individual interpretation.

· **Some Tennessee counties should consider the feasibility of establishing regional jails.** While exploring the possibility of establishing a regional jail, the counties involved should fully examine the potential benefits of regional jails described above.

· **County commission members should acknowledge that jails are facilities with special architectural, building material and fixture needs when approving a building budget.** While keeping county taxpayers in mind, they should also ensure adequate funding for jail construction projects to enhance the safety of the community, staff, and inmates and to lower operational costs.

· **County decision makers should construct jails or additions based on valid needs assessments, keeping in mind that cutting construction costs may result in poor design and quality.** In some cases, spending more on initial construction may lead to greater long term savings through reduced maintenance and staffing costs.


· **Sheriffs and other county officials should contact NIC and CTAS for technical assistance and advice about planning for and building jails.** These agencies can offer expertise, free of charge, to help county officials make wise jail design decisions that may save public money over the life of the building.

· **County officials should cooperate to hire architects who are knowledgeable about jail operations and who will consider jail security needs and destructive inmate behavior, as well as designing less labor-intensive facilities.** While technical assistance can help counties make wise design decisions, architects experienced in jail design can reduce difficulties for all parties.

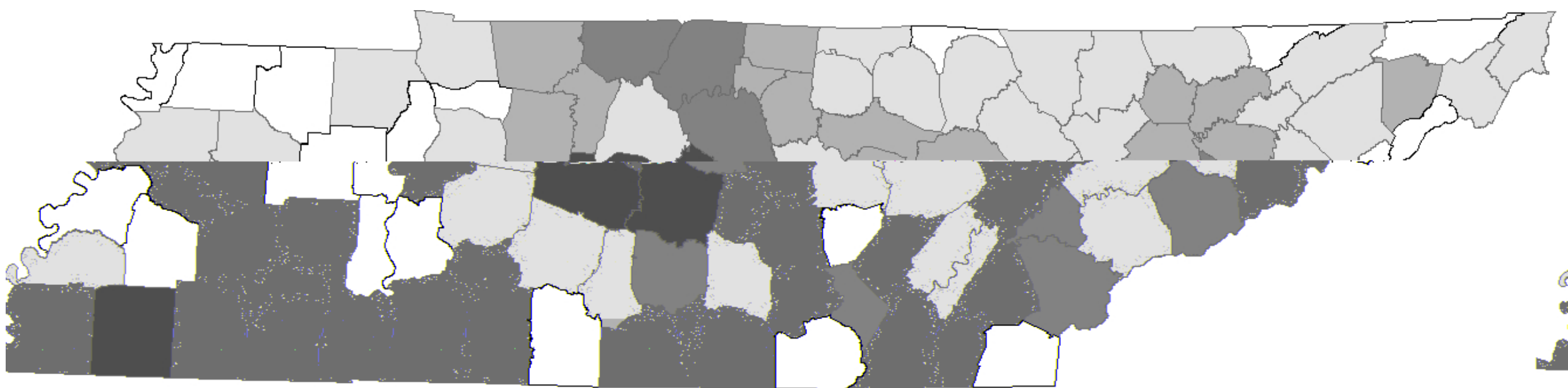
· **County officials should consider using or establishing Public Building Authorities (PBAs) as an independent funding/project management mechanism for constructing jails.** A PBA can save money and provide quality project management if persons with relevant expertise work for and serve on the PBA boards.

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 **Higher Standards**



SOURCE: U.S. Census Bureau, www.uscensus.gov.

Graphic by Chris Payne, County Technical Assistance Service



Counties Ranked by Population
July 1, 2005 Estimates

Tennessee	5,962,959
Shelby County	909,035
Davidson County	575,261
Knox County	404,972
Hamilton County	310,935
Rutherford County	218,292
Williamson County	153,595
Sullivan County	152,716
Montgomery County	147,202
Sumner County	145,009
Blount County	115,535
Washington County	112,507
Wilson County	100,508
Madison County	94,916
Bradley County	92,092
Sevier County	79,282
Maury County	76,292
Anderson County	72,430
Putnam County	66,580
Greene County	65,318
Robertson County	60,379
Hamblen County	59,898
Carter County	58,865
Hawkins County	56,196
Tipton County	55,998
Roane County	52,889
Cumberland County	51,346
McMinn County	51,327
Coffee County	50,869
Jefferson County	48,394
Gibson County	48,148
Dickson County	45,894
Loudon County	43,387
Monroe County	43,185
Bedford County	42,204
Lawrence County	41,101
Franklin County	41,003
Campbell County	40,686
Warren County	39,753
Cheatham County	38,603
Dyer County	37,829
Cocke County	34,929
Fayette County	34,458
Weakley County	33,732
Lincoln County	32,392
Obion County	32,213
Henry County	31,511
Claiborne County	31,033
Rhea County	29,918
Giles County	29,297
Carroll County	29,121
Marshall County	28,372
Hardeman County	28,170
Marion County	27,757
Lauderdale County	26,795
Henderson County	26,425
Hardin County	25,930
McNairy County	25,285
White County	24,253
Hickman County	23,793
Grainger County	22,283
Scott County	21,868
Macon County	21,549
Overton County	20,523
Morgan County	20,157
Haywood County	19,656
Union County	19,076
Smith County	18,647
DeKalb County	18,254
Humphreys County	18,212
Johnson County	18,116
Unicoi County	17,572
Fentress County	17,159
Wayne County	16,909
Benton County	16,467
Polk County	15,944
Chester County	15,941
Grundy County	14,608
Crockett County	14,595
Cannon County	13,337
Stewart County	12,969
Bledsoe County	12,928
Sequatchie County	12,691
Decatur County	11,686
Meigs County	11,657
Lewis County	11,435
Jackson County	11,072
Clay County	7,992
Houston County	7,988
Trousdale County	7,677
Lake County	7,583
Perry County	7,574
Hancock County	6,704
Hancock County	26,795
Lauderdale County	27,101
Houston County	7,988
Carroll County	29,121
Pickett County	4,821
Weakley County	33,732
Lake County	7,954

SOURCE: U.S. Census Bureau, www.uscensus.gov.

Williamson Fastest Growing Tennessee County: Census Bureau

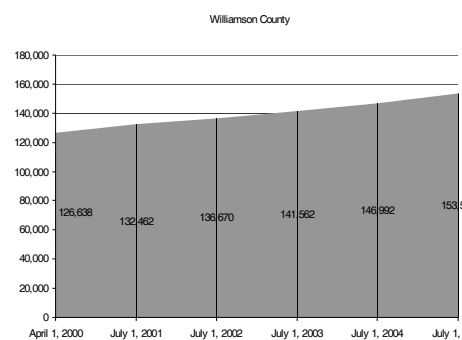
Williamson County is on record as being one of the Top 100 fastest growing counties in the country, based on a population comparison between 2000 and 2005.

The county grew by 21.3 percent, from 126,638 in 2000 to 153,595 in the latest estimates recorded by the Census Bureau in July 2005. Williamson was the 87th fastest growing in the nation during that time. It is the only Tennessee county ranked in that Top 100.

Comparatively, only 11 Tennessee counties grew by more than 10 percent during that five-year period, according to the Census Bureau. Only three grew by more than 15 percent.

Williamson County was the only county here to grow by more than 20 percent from 2000-2005. For Williamson County, that growth of 26,957 people is equivalent to growing the size of a Lauderdale or Henderson County during that five-year span.

Rutherford County, the second fastest growing county since 2000, grew by 36,269, a population



equivalent of the size of a Dyer or Cheatham County.

Meanwhile, Washington and Blount counties have swapped places as the 10th and 11th largest county in Tennessee by population. Washington County had held that status in 2000. However, Blount is now officially the 10th largest county here.

Williamson County also topped the list of the 10 fastest growing Tennessee counties from 2004 to 2005. Single-year growth for Williamson is placed at 4.5 percent, compared to the state's 1.2 percent growth as a whole.

Shelby and Davidson counties are in the Top 100 for the nation's largest counties by population for 2005, based on current Census estimates. Shelby County's population stands at 909,035, compared to 906,287 the prior year. In the official Census 2000 count, Shelby's population was recorded as 897,472.

Meanwhile, Metro Davidson County in 2005 had a population of 575,261 compared to 571,948 in 2004. The county's population was 569,891 in Census 2000. Los Angeles County, Calif., continues to be the largest county in the United States with 9,935,475.

Other interesting facts to note are: Thirty-seven (37) counties grew at or above the Tennessee statewide average of 4.8 percent between 2000 and 2005. Thirty-three (33) counties grew at or above the Tennessee statewide average of 1.2 percent between 2004 and 2005.

Children In State Custody Face Educational Barriers

Getting a good education isn't always a given for children in state custody, according to a new report from the Comptroller's Office titled "Educating Tennessee's Children in Custody."

Many children, whether neglected or delinquent, enter Tennessee custody already behind in school. Once in custody, some children are moved frequently and often change schools, making it harder for them to keep up. In addition, trauma surrounding the reasons children are placed in custody can affect their ability to learn.

Most of the state's approximately 10,000 custody children attend public schools. Others attend school in residential facilities, some run by the State Department of Children's Services and others privately operated.

National reports indicate that as few as 11 percent of custody children continue to college. Many never finish high school.

Using data collected by the Tennessee Commission on Children and Youth, the Comptroller's report found that multiple factors weaken many custody children's chances of academic success. These include living below the poverty level, mental health diagnoses, parents with little education, and parents in prison. Custody children often experience two or more of these risk factors.

Department of Children's Services officials estimate that 35 to 40 percent of custody children require special education services, about three times more than the

estimated 12 percent of children identified in public schools. The comptroller's report also found that one in five custody children who needs special education services does not receive them.

The Comptroller's report notes that DCS has improved overall the educational services for custody children in the last few years, but needs to focus more effort on juvenile offenders in state facilities whose academic outcomes are not included in the state's No Child Left Behind data.

The report also recommends

that the state waive tuition fees at higher education institutions for young adults in or formerly in state custody.

The report suggests that improved collaboration among agencies and groups responsible for custody children's education could help and recommends that teachers receive training to understand the difficulties that custody children experience in obtaining an education.

The report is available on the comptroller's Web site at www.comptroller.state.tn.us.

Still Too Early To Judge Charter School Performance: Report

Would students achieve more in public schools free of many rules in your local school district? The Comptroller's Office of Education Accountability released a report today that examines both state and national research about charter schools and how they perform, and found both the schools and research about them still evolving.

The report, titled "A Look at Tennessee's Charter Schools," found that national research shows some charter schools out-perform traditional public schools, while others do not. Different results probably arise from diverse charter school characteristics and contextual factors, as well as various research methods and outcome measurement.

There appear to be some characteristics common to many successful charter schools, such as

teacher commitment, data-driven instructional practices, strategic use of time, and community involvement with the school. Interestingly, high-performing traditional public schools often share these same characteristics.

Government processes for authorizing charter schools appear to affect success, as do stable funding, facilities, and adequate planning and implementation time.

The report recommends that Tennessee improve charter school authorization, planning, and oversight procedures. The state should also distribute information about successful charter schools practices, and collect and analyze more comprehensive measures of charter school performance.

The report is available on the comptroller's website at www.comptroller.state.tn.us.

Counties Ranked by Population Change
April 1, 2000 Census Base Compared to July 1, 2005 Estimates

Tennessee	July 1, 2005 Estimates	April 1, 2000 Base	Change by Number	Change by Percent
Tennessee	5,962,959	5,689,262	273,697	4.8
Williamson County	153,595	126,638	26,957	21.3
Rutherford County	218,292	182,023	36,269	19.9
Fayette County	34,458	28,796	5,662	19.7
Wilson County	100,508	88,808	11,700	13.2
Bedford County	42,204	37,586	4,618	12.3
Sequatchie County	12,691	11,370	1,321	11.6
Sevier County	79,282	71,170	8,112	11.4
Sumner County	145,009	130,449	14,560	11.2
Loudon County	43,387	39,086	4,301	11.0
Robertson County	60,379	54,433	5,946	10.9
Monroe County	43,185	38,966	4,219	10.8
Maury County	76,292	69,498	6,794	9.8
Cumberland County	51,346	46,804	4,542	9.7
Jefferson County	48,394	44,294	4,100	9.3
Montgomery County	147,202	134,768	12,434	9.2
Tipton County	55,998	51,271	4,727	9.2
Blount County	115,535	105,823	9,712	9.2
Grainger County	22,283	20,659	1,624	7.9
Cheatham County	38,603	35,912	2,691	7.5
Union County	19,076	17,808	1,268	7.1
Putnam County	66,580	62,315	4,265	6.8
Hickman County	23,793	22,295	1,498	6.7
Dickson County	45,894	43,160	2,734	6.3
Knox County	404,972	382,032	22,940	6.0
Marshall County	28,372	26,767	1,605	6.0
Coffee County	50,869	48,014	2,855	5.9
Trousdale County	7,677	7,259	418	5.8
Macon County	21,549	20,386	1,163	5.7
Rhea County	29,918	28,403	1,515	5.3
Smith County	18,647	17,712	935	5.3
Meigs County	11,657	11,086	571	5.2
White County	24,253	23,104	1,149	5.0
Washington County	112,507	107,198	5,309	5.0
Moore County	6,024	5,740	284	4.9
Hawkins County	56,196	53,563	2,633	4.9
Stewart County	12,969	12,370	599	4.8
DeKalb County	18,254	17,421	833	4.8
McMinn County	51,327	49,010	2,317	4.7
Bradley County	92,092	87,965	4,127	4.7
Bledsoe County	12,928	12,364	564	4.6
Franklin County	41,003	39,270	1,733	4.4
Cocke County	34,929	33,565	1,364	4.1
Cannon County	13,337	12,826	511	4.0
Claiborne County	31,033	29,862	1,171	3.9
Warren County	39,753	38,276	1,477	3.9
Greene County	65,318	62,909	2,409	3.8
Carter County	58,865	56,742	2,123	3.7
Henderson County	26,425	25,522	903	3.5
Johnson County	18,116	17,499	617	3.5
Scott County	21,868	21,127	741	3.5
Lincoln County	32,392	31,340	1,052	3.4
Madison County	94,916	91,837	3,079	3.4
Fentress County	17,159	16,625	534	3.2
Hamblen County	59,898	58,128	1,770	3.0
Lawrence County	41,101	39,926	1,175	2.9
Chester County	15,941	15,528	413	2.7
McNairy County	25,285	24,665	620	2.5
Campbell County	40,686	39,854	832	2.1
Morgan County	20,157	19,755	402	2.0
Overton County	20,523	20,118	405	2.0
Grundy County	14,608	14,332	276	1.9
Roane County	52,889	51,910	979	1.9
Humphreys County	18,212	17,929	283	1.6
Anderson County	72,430	71,330	1,100	1.5
Dyer County	37,829	37,279	550	1.5
Hardin County	25,930	25,578	352	1.4
Henry County	31,511	31,110	401	1.3
Shelby County	909,035	897,472	11,563	1.3
Hamilton County	310,935	307,896	3,039	1.0
Davidson County	575,261	569,892	5,369	0.9
Jackson County	11,072	10,984	88	0.8
Lewis County	11,435	11,367	68	0.6
Crockett County	14,595	14,532	63	0.4
Wayne County	16,909	16,842	67	0.4
Hardeman County	28,170	28,105	65	0.2
Clay County	7,992	7,976	16	0.2
Gibson County	48,148	48,149	-1	0.0
Marion County	27,757	27,776	-19	-0.1
Sullivan County	152,716	153,048	-332	-0.2
Decatur County	11,686	11,731	-45	-0.4
Benton County	16,467	16,537	-70	-0.4
Giles County	29,297	29,447	-150	-0.5
Unicoi County	17,572	17,667	-95	-0.5
Polk County	15,944	16,050	-106	-0.7
Van Buren County	5,470	5,508	-38	-0.7
Haywood County	19,656	19,797	-141	-0.7
Obion County	32,213	32,450	-237	-0.7
Perry County	7,574	7,631	-57	-0.7
Hancock County	6,704	6,780	-76	-1.1
Lauderdale County	26,795	27,101	-306	-1.1
Houston County	7,988	8,084	-96	-1.2
Carroll County	29,121	29,478	-357	-1.2
Pickett County	4,821	4,945	-124	-2.5
Weakley County	33,732	34,895	-1,163	-3.3
Lake County	7,954	7,954	-371	-4.7

SOURCE: U.S. Census Bureau, www.uscensus.gov.

Budget

Continued From Pg. 1

teacher-student ratio from 1:50 to 1:45 for English Language Learners classrooms.

Another \$1 million would be used to establish a Math and Science High School nearby the UT Space Institute in Tullahoma.

TDOT Funding: TCSA and TCHOA are continuing to monitor plans to divert less this year from the state Department of Transportation budget into the General Fund, a transfer first made when Bredesen came into office and cut state departments across the board in order to balance the budget. Each year that same level of transfer, \$65.8 million, has been made. It appears to be the intent of the Administration that one-third of that amount will be restored by the end of the next fiscal year, June 30, 2007.

At press time, the Senate Transportation Committee had passed a resolution sponsored by Sen. Mark Norris calling for an additional \$1.1 million (on top of the \$600,000 the governor is already proposing for restoration next fiscal year) to be restored to the TDOT budget



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PSA-0571-C (9/200)

Bredesen Unveils 'Cover Tennessee' Healthcare Initiative To Legislature

As the next step in the future of health care in the Volunteer State, Gov. Phil Bredesen has unveiled a new strategy he called **Cover Tennessee** to provide affordable and portable health insurance to more than 600,000 uninsured Tennesseans.

In a 30-minute speech in late March to a joint session of the Tennessee General Assembly, Bredesen outlined the initiative based on two simple principles: Affordability and portability. At an average monthly cost of about \$50 for an individual, and with no high front-end deductibles, the plan is affordable. Meanwhile, it can follow working Tennesseans no matter where they work, making it portable.

"When it comes to accessing health care in Tennessee and across our country, lack of affordability keeps too many people on the outside looking in," the Governor said. "Cover Tennessee represents a logical approach for making affordable health insurance available to as many Tennesseans as possible. The key is focusing on the fundamentals, not the extras that drive up the cost of health care."

With respect to portability — the concept that an individual, not a government or employer owns the insurance — Bredesen said Cover Tennessee will be unique among health insurance programs. "We live in the land that values the individual above the government or any

corporation, and we need to reflect that core American value in our approach to healthcare," the Governor said.

Cover Tennessee, which is a voluntary program, has three main components:

- **CoverTN** - This groundbreaking initiative, the heart of Cover Tennessee, is a partnership between the State and small businesses to help working Tennesseans buy affordable health insurance. The average cost for an individual is expected to be about \$50 a month. The State and employer each will kick in about \$50 a month as well, for a total monthly cost of \$150. In cases where an employer doesn't participate, the individual will have the option of paying the employer's share.

- Unlike other health insurance plans, CoverTN will not require high deductibles on the front end. Instead, participants will have modest co-pays — about \$25 for a doctor's visit and \$10 for a generic prescription — and can carry CoverTN with them regardless of where they work. Initially, the focus will be on workers earning \$24,000 a year or less and small businesses such as restaurants, retail shops and landscaping firms. It could be expanded to allow broader participation.

- **CoverKids** - This initiative will provide health insurance to uninsured children in homes with incomes up to \$50,000 a year for a

family of four. Families with higher incomes will be allowed to buy into the plan. CoverKids will put Tennessee among the top 10 states in the nation in terms of the percentage of children covered by health insurance.

- **AccessTN** - This initiative will provide health insurance to adults who can afford to buy it but who may not be able to obtain it due to pre-existing medical conditions. The State provided a health insurance plan like this more than a decade ago, but discontinued it after launching TennCare.

Bredesen also unveiled a new public-health initiative, **Project Diabetes**, to combat the explosion of diabetes and obesity in our state. The prevention plan, initially to be funded at \$15 million a year for the next three years, will work through local schools to help children and young adults improve their exercise and eating habits.

To that end, the National Institute of Health has agreed to include Tennessee in a new national study to research different approaches to prevention in high schools. Also, the University of Tennessee Health Science Center, Memphis, will launch two "diabetes malls" — one-stop centers to provide treatment, clinical counseling and educational resources to residents in urban and rural areas of the state.

Moving forward in Cover Tennessee, Bredesen said he will

keep an open dialogue with the U.S. Department of Health and Human Services to explore options for future federal dollars.

He said HHS Secretary Mike

Leavitt has agreed to consider funding outside of the rigid Medicaid rules that led to pressures in TennCare.

"Once we prove our concept, we

will be in a strong position to seek a partnership with Washington," the governor said. "If we can bring in the federal government as a partner, it would be a big win indeed."



2006 Post-Legislative Conference

Registration Form

June 6-7, 2006

Sevier County

River Terrace Resort Hotel

Please type or print clearly all applicable information requested below. Duplicate this form as necessary. This form can be used for multiple registrants.

Registration Fees:

Early/Pre-Registration (prior to May 29)

County Officials/Delegates	\$65
Non-County Officials	\$75
Spouses	\$25

Late/On-Site Registration (after May 29)

County Officials/Delegates	\$90
Non-County Officials	\$100
Spouses	\$40

County/Organization: _____

REGISTRANT #1:

Last Name: _____

First Name: _____

Email Address: _____

Title: Select Only One:

- County Mayor/Executive Spouse
 County Commissioner Other
 Highway Official

REGISTRANT #2:

Last Name: _____

First Name: _____

Email Address: _____

Title: Select Only One:

- County Mayor/Executive Spouse
 County Commissioner Other
 Highway Official

REGISTRANT #3:

Last Name: _____

First Name: _____

Email Address: _____

Title: Select Only One:

- County Mayor/Executive Spouse
 County Commissioner Other
 Highway Official

REGISTRANT #4:

Last Name: _____

First Name: _____

Email Address: _____

Title: Select Only One:

- County Mayor/Executive Spouse
 County Commissioner Other
 Highway Official

REGISTRANT #5:

Last Name: _____

First Name: _____

Email Address: _____

Title: Select Only One:

- County Mayor/Executive Spouse
 County Commissioner Other
 Highway Official

Payment Policy Conference registration fee MUST accompany this form.

Send check/warrants made payable to the **Tennessee County Services Association**. All fees must be paid in full in order to obtain your badge and event tickets at the conference.

Cancellation Policy Refund of conference fee, less a \$25 administrative fee, will be made if notice of cancellation is postmarked no later than May 29, 2006. After that date, no refund of conference fee will be made.

No-Show Policy No shows forfeit the registration fee. Please notify TCSA by calling (615) 532-3767 if you cannot attend. Substitutions accepted.

Notice In consideration for registration for this conference, the registrant, for self and others subject to the registration, agrees to hold harmless the Tennessee County Services Association, the employees, agents and assigns for any liability as to any injury, damage, or loss to person or property during the term of the conference and all times attendant thereto.

Early/Discount Registration Postmark deadline is May 29, 2006.

Hotel Accommodations Attendees must make their hotel reservations by contacting the River Terrace Resort Hotel directly. Do not contact TCSA for accommodations.

Please return your completed conference registration form to

Tennessee County Services Association
 226 Capitol Blvd., Ste. 700
 Nashville, TN 37219

Or Fax completed forms to: (615) 532-3769
 Registration forms and additional conference information are available at:
www.tncounties.org

Review Of State DUI Litter Pickup Law Moving Through Senate, House

An effort to make administration of a DUI litter pickup bill passed a year ago easier to manage is moving forward in both the Senate and House.

Committees this week in the Senate and House recommended passage of the bill, **SB2973/HB3465 (Burks, Curtiss)**. It could be on the Senate floor as early as next week. The House Judiciary Committee is scheduled to hear the bill March 28.

Sponsors Sen. Charlotte Burks and Rep. Charles Curtiss have both agreed to carry legislation this session to amend certain provisions of a law they helped to enact a year ago punishing first-time offenders arrested for driving under the influence of an intoxicant. County officials over the past several months have identified a number of major administrative issues that made implementation of the law difficult.

Originally, Public Chapter 581 of 2005, went into effect Jan. 1, 2006. One of the major requirements of the law is that those convicted for the first time will pick up litter in their home county while wearing a vest noting that they are a DUI offender. The bill requires DUI offenders to serve three 8-hour shifts picking up litter. The way the law was written created significant administrative difficulties for sheriff's offices or other county offices overseeing this program. This legislation has been developed to correct many of these administrative problems and give maximum flexibility to the local administrator.

While the bill seems to be gaining headway the closer it comes to the floors of each house, some groups are still pushing for a total repeal of the statute. Members of the Senate appear poised and ready to pass the Burks/Curtiss measure, but the House is on a duel track in dealing with the issue. The Burks/Curtiss proposal to amend the bill was passed out of subcommittee this week. However, so was a separate one that repeals the statute.

Officials with our organization are supportive with the Burks/Curtiss plan as it appears now and feel it has the political backing of senators and representatives as it is proposed.

Open Meetings Reminder

SB2471/HB2495 (McNally, Fowlkes), the effort to change the open meetings law and how it applies to local governments, still exists. Continue to immediately communicate your strong concerns with this bill to your legislators. We know that newspaper employees are contacting legislators, so it is important they hear from you since this law applies to you.

Furthermore, we had the attorneys re-review the information we have sent to you previously on this bill and they continue to say the information we sent regarding this bill is accurate. Perhaps that is why the proponents have given the sponsors redrafts of their own bill. Those drafts continue to have some of the same problems. For example, in some types of alleged violations the burden of proof remains on the county official.

It is important to remember that Tennessee, unlike a lot of other states, already has an effective Sunshine Law as it applies to local governments.

Local Autonomy

TCSA is continuing to negotiate for more local autonomy for county governments. With all of our statutory and constitutional requirements as counties, we need the help as our costs continue to rise and we have to constantly turn to the property tax rate for relief. We will keep you updated on this effort.

Eminent Domain Bill SB3296/HB3450 (Jackson, Fowlkes) appears to be the consensus

bill to address concerns raised in June 2005 when the U.S. Supreme Court issued its decision in *Suzette Kelo, et al. v. City of New London, et al.*, which upheld the use of condemnation powers by a Connecticut municipality to seize residential property for an economic development project. In Tennessee, as in many other states, numerous bills have been filed to address this topic. SB3296/HB3450 contains language that TCCA has worked with the Tennessee Farm Bureau to develop.

The full House is expected to take up the bill as early as next week. The bill has been assigned to Senate Judiciary, where it is awaiting a hearing.

Veteran's Services Officers

Sponsors of **SB2959/HB3771 (Cooper, Rinks)** have agreed to take off notice this bill, which mandates that a veteran's services officer is paid a comparable salary to other county department heads. This would have, in effect, been an unfunded mandate on county governments, sponsors agreed.

Deputy Administrator of Elections

A proposal mandating that all counties employ a deputy administrator of elections has been tabled for this session. **SB3321/HB3415 (Haynes, McMillan)** has been taken off notice indefinitely. TCSA and TCCA officials, opposing the plan, said the bill would have been an mandate on 15 of the state's smallest counties. Eighty counties already employ a full-time deputy.

State Aid Funding Restoration

The governor's proposed budget for FY2006-07 restores \$600,000 in funding for the state aid program within the Department of Transportation. TCHOA officials are continuing to work with the administration on a plan to restore the remaining \$1.1 million on top of that to county highway departments, either in the current proposal or in future years.

The governor has committed to restoring the second half of most other state-shared revenues in next year's budget. Departmental cuts, such as those within TDOT and Secretary of State, are being reviewed as well for possible restoration.

School Funding

The governor's proposed budget includes several possible changes to funding under the Basic Education Program. In addition, legislation has been filed to implement the more sweeping changes proposed by the BEP Review Committee. The governor's budget includes \$18 million for at-risk students, \$2 million for English Language Learners, \$20 million additional dollars for the pre-K program enacted last year (this is in addition to the money from lottery excess), and a 2-percent raise for teachers that will result in \$20 million additional.

It is hoped that the administration will dedicate any additional state funds to the at-risk student population.

Constables

An amendment to **SB3130/HB3488 (Woodson, Hackworth)** proposes to enact the "Uniform Constable Accountability Act of 2006." In an effort to improve the professionalism of constables in Tennessee, this act would require additional qualifications, training and standards for constables. It also increases the constables' bond to \$25,000. While counties are encouraged by the bill to provide funding for training, it does not

mandate this expense for the county. Also, the bill as amended would not affect the ability of the county legislative body to abolish the office of constable or remove the law enforcement authority of constables.

General Sessions Judges' Salaries

Legislation passed last year set the salary of judges in class 1 counties at 97.5 percent of the salary of the circuit judge. Now, this year the governor's budget includes a proposal to significantly increase the circuit judge's salary. Legislation has been drafted to adjust the percentage paid to general sessions judges to avoid a significant jump in their salary. TCCA expects to see a proposal for class 2 and 3 judges salary and retirement.

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- CTAS SPOTLIGHT -

Campaign Finance Provisions And Other Miscellaneous Provisions Of Ethics Act Affecting Local Government Officials

In February, the General Assembly passed the "Comprehensive Governmental Ethics Reform Act of 2006."

This wide-ranging act created a new State Ethics Commission, established substantial new registration and reporting requirements for lobbyists and their employers, and enacted new provisions to set limits on gifts and require disclosure of conflicts of interest for certain state officials.

The provisions of the law that received the most attention in state and local media generally did not affect local officials; however, there are important provisions that do affect county officials.

There is a requirement for local governments to adopt their own set of ethical standards related to certain issues by June 30, 2007. In addition, there are numerous changes to campaign finance reporting and a new limit on cash contributions. These provisions apply to both state and local candidates for office.

The majority of these new regulations took effect immediately once the act became law on February 15, 2006. These provisions will affect how candidates for county offices report on campaign contributions and expenditures in this year's elections.

In order to avoid violations of campaign finance reporting requirements, county officials running for election this year should read these materials carefully and share this information with their campaign treasurers.

Changes In Campaign Finance Reporting

The act did not amend the statutes that determine which officials must file campaign finance reports. There is still an exemption from reporting in the law for candidates for part-time offices paying less than \$500 per month; however, this exemption does not apply to a candidate for a chief administrative office or to a candidate whose campaign expenditures exceed \$1,000. T.C.A. § 2-10-101. For example, a county commissioner who receives less than \$500 per month in compensation is still exempt from these reporting requirements unless that commissioner spends more than \$1,000 on his or her campaign.

The new provisions of the act require candidates for both state and local offices to file more frequent campaign finance reports. Under the new law, candidates for local office who are required to file reports will file quarterly statements (within 10 days of March 31, June 30, September 30, and January 15) in addition to pre-primary and pre-general election statements (which cover the period from the last quarterly statement until 10 days prior to the primary/general election).

For candidates for county offices, these reports will still be filed with the county election commission.

If the campaign begins filing statements prior to January 1 of the year of the election, the candidate

files those reports semi-annually (January 31 and July 15) instead of annually as required under prior law.

The new provisions in the Ethics Act require campaign records to be kept for two years instead of only one as under prior law.

In the closing days before an election, candidates are required to report each person who has donated in excess of \$2,500. Under prior law reporting was required within 72 hours. The new act requires these reports to be filed by the end of the next business day following the day the contribution is received.

Changes In Reporting Of Unexpended Campaign Funds

After a campaign is over, candidates are required to file reports until such time as all the funds in the campaign account are expended. Prior law required annual reports of the status of the account. The new act requires semi-annual reports of unexpended campaign funds until such time as the campaign account is closed.

Content Campaign Finance Reports

Campaign finance reporting requirements allow the candidate to report individual contributions of \$100 or less as an aggregate total. The law requires a report to itemize all contributions in excess of \$100. These reports of persons contributing more than \$100 to a campaign now must include information about the occupation and employer of each contributor. Similar provisions apply

to in-kind contributions. These provisions require the treasurer or candidate to use "best efforts" to gather such information. "Best efforts" is defined to include mailing notice to the contributor that the information is needed and taking such other actions as defined by rule of the Registry of Election Finance.

Amendments to this section also require more detail on reports of expenditures. The law now provides that "reimbursement," "credit card purchase," "other," and "campaign expense" are not acceptable descriptions for the purpose of a campaign expenditure. The law also requires more detailed reporting on credit card expenditures.

Penalties And Enforcement, Election Commission

In the past, the local administrator of elections was authorized to impose a civil penalty for violation of reporting requirements. Under the new act the county election commission is required to file a report with the Registry of Election Finance that all campaign finance reports in an election were filed timely or else list all candidates who failed to report timely. Enforcement will now be administered by the registry instead of the local election commission.

Unexpended Campaign Balances Prohibited Expenditures

If there is money left in a campaign account after the election is over, the law lists several allowable options for how a candidate may distribute that money and close out the campaign account. The Ethics Act added a new provision that allows giving the left over funds to an institution of public or private education for the purpose of supplementing the funds of an existing scholarship trust or program.

There are other changes in the Ethics Act to tighten up how a candidate can spend campaign funds. Under prior law, the candidate was prohibited from using campaign funds for "personal" or "nonpolitical purposes." Now, the law limits uses of campaign funds to "contributions" and "expenditures" as defined under the campaign finance laws.

The act lists several specifically prohibited expenditures, including using campaign funds to pay for residential or household expenses, mortgages, rent or utility payments, funeral or burial expenses, clothing, tuition, dues to a club, salary to family members, admission to events (with certain allowable exceptions), personal grooming expenses, and paying fines for campaign or ethics violations.

Limits On Cash Contributions

The Ethics Act provides that no person may make cash contributions to any candidate or PAC with respect to any election that, in the aggregate, exceed \$50. The act also prohibits PACs from making any cash contributions. These provisions apply to both state and local candidates. Therefore, in a primary or general election, a candidate for county office should not accept more than \$50 total in cash from an individual throughout the duration of the primary or general election campaign.

Modification Of Consulting Services Prohibition

Last year, when the General Assembly first began looking at ethics reform, it enacted laws that prohibit taking consulting fees (which are broadly defined to include receiving anything of value) for advising or assisting a person or entity in influencing county legislative or administrative action. This includes services to assist a person or entity in maintaining, applying for, soliciting, or entering into a contract with the county.

The new Ethics Act amends the consulting fee prohibition passed last year to clarify that the consulting prohibition applies only to the government represented by the official. For example, a county official could take a consulting fee for assisting a company in getting a contract with a municipality without violating the law. However, that county official is still clearly prohibited from taking anything of value from a vendor in exchange for voting in favor of a contract with a vendor or for merely working to assist that vendor in getting a contract with the county. This of course prohibits monetary payments, but also "winning and dining" by vendors, including gifts, meals, trips, entertainment, etc.

Last year's law allowed an exception for an attorney who is a local government official who represents his or her clients before a board or commission of the county. Under a provision of the new Ethics Act, the language exempting representation by a licensed attorney is eliminated. Therefore, attorneys who are also county officials may not receive a fee for representing a client in a contested case action, administrative proceeding, or rule making procedure of the county.

Filing Conflict Of Interest Disclosure Statements (effective Oct. 1, 2006)

County officials were required under prior law to file conflict of interest disclosure statements. In the past, these statements were filed with the county election commissions. Effective October 1, 2006, county

officials must instead file these statements with the newly formed State Ethics Commission.

Forfeiture Of Retirement Benefits

The Ethics Act contains a provision that says, when an official runs for election to an office in this state, that official is deemed to consent to the forfeiture of retirement benefits if the official is convicted of a felony related to malfeasance in office. The section applies to both state and local elected officials. Therefore, if a county official who is elected this year is subsequently convicted of a felony related to malfeasance in office, the official forfeits his or her retirement benefits.

Mandate Of Adoption Of Local Government Ethical Standards

One section of the new act mandates that governing bodies of counties and municipalities adopt their own local ethical standards by June 30, 2007.

These standards should relate to regulations dealing with disclosure and/or limits on gifts and the disclosure of conflict of interests.

The law expressly states that these standards do not include personnel, employment, or operational regulations of local government offices.

The standards adopted by a county commission will apply broadly to all boards, commissions, authorities, corporations, or other instrumentalities of a county.

Under the law, CTAS and MTAS are directed to draft and distribute model policies to local governments to provide guidance and direction. CTAS hopes to have model policies drafted and distributed to counties by June of this year. This will give county legislative bodies a full year to consider the models and decide to adopt a model or draft standards of their own.

Individual policies adopted by a local government are filed with the State Ethics Commission, or in the alternative, the local government files a statement that it has adopted a CTAS or MTAS model policy.

Enforcement of the new standards remains as provided under current law and presumably will be up to the local district attorney. A failure or refusal to adopt standards by a local governing body by the deadline subjects its members to ouster.

As CTAS develops model standards, more information will be forthcoming about the requirements of this provision of the Ethics Act.

For additional information on the provisions of this act, contact CTAS by calling (615) 532-3555. Or, visit the CTAS website at www.ctas.tennessee.edu.

ATTORNEY GENERAL OPINIONS

CLERKS OF COURT

When presented with an order to expunge divorce records pursuant to T.C.A. § 36-4-127, the clerk is required to destroy or obliterate the records. There is no particular procedure specified in the law. Opinion No. 06-015 (January 19, 2006).

COUNTY CLERKS

The practice of audiology is exempt from the business tax, but the sale of hearing aids is subject to the business tax under the provisions of T.C.A. § 67-4-708(3). Sales of hearing aids by audiologists subjects audiologists to the business tax. Opinion No 06-020 (January 27, 2006).

COUNTY GOVERNMENT

Blind vendors are entitled to a preference in the operation of vending facilities in a county or municipal fire station. It does not matter whether the vending machines serve the general public or only the employees of the fire station. The blind vendors program would not appear to apply if the employees purchased the vending machine and supplied it themselves. Opinion No. 06-037 (February 21, 2006).

Other than the statutes discussed in Opinion No. 05-181 dealing with collection of delinquent taxes, there appears to be no authority for state or local governments to outsource any aspect of revenue administration. Opinion No. 06-039 (February 23, 2006).

COURTS

Under Canon 5.A.(2) of the Code of Judicial Conduct, a general sessions judge must resign from judicial office upon becoming a candidate for district attorney or any other non-judicial office. Opinion No. 06-049 (March 16, 2006).

EMERGENCY MANAGEMENT

All emergency call takers or

public safety dispatchers are required to be United States citizens under T.C.A. § 7-86-204. Even though similar statutes have been found unconstitutional, the Attorney General recommends that the statute be followed unless and until a court finds this particular statute unconstitutional. Opinion No. 06-022 (January 31, 2006).

Law enforcement officers who deploy in response to disasters pursuant to the Emergency Management Assistance Compact (EMAC) are immune from tort liability. Law enforcement officers who self-deploy may or may not be immune from tort liability; as volunteers, they would not be covered by workers compensation laws. Regardless of how they deploy, law enforcement officers may not exercise law enforcement authority in the host state unless expressly authorized by the host state. Opinion No. 06-029 (February 8, 2006).

All full-time, salaried, uniformed officers of civil defense or emergency management agencies of state and local governments may use blue flashing emergency lights on their vehicles in the performance of activities set out in T.C.A. § 58-2-101 *et seq.*

ETHICS

The provisions of T.C.A. § 3-6-114 banning gifts from lobbyists and employers of lobbyists to candidates for public office applies to any person who meets the broad definition of "lobbyist" regardless of whether the person is required to register with the Tennessee Registry of Election Finance, and this will depend on the facts and circumstances. Under state law the Registry of Election Finance is responsible for administering state lobbying laws and questions regarding the application of these laws to specific facts and circumstances should be referred in the first instance to the Registry of Election Finance. Opinion No. 06-013 (January 19, 2006).

LAW ENFORCEMENT

The new law requiring first-time DUI offenders to remove litter from highways for twenty-four hours does not apply to offenses committed before January 1, 2006. Opinion No. 06-035 (February 14, 2006).

A person with a felony conviction or a conviction of certain other violations is disqualified from employment as a police officer under T.C.A. § 38-8-106(4) even if such person's citizenship rights are subsequently restored pursuant to court order. A person who has been convicted of or pleaded guilty or entered a plea of nolo contendere to a charge or violation set forth at T.C.A. § 8-8-102(5) is not eligible for election or appointment to the office of sheriff even if such person's citizenship rights are subsequently restored pursuant to court order. Opinion No. 06-045 (March 10, 2006).

SALES TAX

Hearing aids and any accessories or components which typically accompany them are exempt from sales and use taxes, but only until July 1, 2007. Opinion No 06-020 (January 27, 2006).

UTILITIES

Utility districts are subject to the Tennessee Public Records Act and their records must be made available for personal inspection to any Tennessee citizen during regular business hours unless the information has been declared confidential by law. Opinion No. 06-028 (February 8, 2006).

VACANCIES

If the Tennessee Court of the Judiciary temporarily suspends a general sessions court judge, the county legislative body is authorized to appoint a temporary replacement under T.C.A. § 16-15-210(c). Opinion No. 06-044 (March 9, 2006).

PERI Launches Online Training Center Featuring Free Courses On Critical Risk Management

The Public Entity Risk Institute (PERI), a nonprofit risk management training and educational organization, today announced the opening of its new E-Training Center aimed at reaching a broader population of small organizations with critical risk management training. The inaugural online training program features 16 courses on a range of key risk management subjects and all available initially at no charge through PERI's Web site.

"Many of the organizations that would benefit most from risk training - small local governments, small businesses and nonprofits - do not have the financial resources to travel to attend courses," explained Gerard J. Hoetmer, Executive Director of PERI. "It has been a core mission of PERI to offer affordable services that can be accessed from anywhere to support local governments and small private and nonprofit entities in protecting vital assets from risk."

The PERI E-Training Center's premiere line-up of risk management training courses includes:

• Law Enforcement Liability Risk - minimize liability and risk factors for

law enforcement.

• Construction Safety - ensure contractors and subcontractors maintain a complete security and loss-control program during construction.

• Fleet Safety Fundamentals - develop a fleet safety program that includes safe operation of the fleet and safety of employees.

• Levee Vulnerability - understand levees and the information to be shared with local governments and citizens.

• Preventing Health Claims from Becoming Workers' Compensation Claims - establish a system for protecting against workers' compensation fraud.

• Risk Identification and Analysis for Small Public Entities - analyze risk and develop action plans.

"We wanted to kick off the New Year with some free online courses that highlighted best practices in the area of risk management to signal the launch of our new E-Training Center," explained Claire Reiss, Deputy Executive Director of PERI. "We will be expanding our training courses to include topics such as risk management for small business and

terrorism prevention. As new programs are added, we will continue to offer some courses free of charge while others will be available at a reasonably-priced rate."

The Public Entity Risk Institute (PERI) is a nonprofit, non-membership organization that provides risk management education and training resources for local governments, school districts, small businesses, nonprofits, and others. PERI's website serves as a clearinghouse and library with information on a wide range of topics including disaster management and hazard mitigation, environmental liability, risk financing and insurance, education, safety and health protection, workers' compensation and technology risks. PERI also operates a national performance measurement and benchmarking database known as the PERI Data Exchange, which allows local governments to compare liability and workers' compensation data with their peers and identify strategies to reduce losses and control costs.

To learn more about PERI, go to www.riskinstitute.org.

SEARCHING FOR A JAIL SOLUTION?



LOOK NO FURTHER THAN YOUR OWN BACK YARD.

Nashville, Tennessee-based Corrections Corporation of America partners with counties across the nation to bring quality solutions to their mounting corrections concerns. With more than 20 years' experience, CCA offers safe and secure management of nearly 65 jails and prisons including jails in Chattanooga and Nashville.

CCA's cost-efficient, customized services may include managing an existing jail, or managing the finance, construction and operation of a jail expansion or new, larger jail.

CONSIDER THESE POTENTIAL COST SAVINGS FOR YOUR COUNTY JAIL:

REDIRECTING LOCAL RESOURCES: When CCA manages a jail, a cost savings from 5-15% can be realized while taxpayer dollars can be allocated elsewhere.

A PREDICTABLE CORRECTIONS BUDGET: When partnering with CCA, you'll know your costs up front and can budget accordingly.

BUILD FASTER AND AT LESS COST: CCA can build a jail quickly and offer savings of as much as 25% for new facility construction.

For more information on how your county can benefit from CCA's jail services, contact CCA's jail management team at 800-887-1167, visit www.correctionscorp.com.



U.S. Communities Homeland Security, Disaster Assistance Contract Now Available

Although the federal government has provided significant funding for homeland security and disaster assistance, local public agencies have often had trouble meeting the spending and procurement deadlines set in statute.

To help respond to local agency needs, the U.S. Communities Government Purchasing Alliance has awarded a contract for homeland security and disaster assistance commodities through a public solicitation completed by Fairfax County, Va. This solicitation was done on behalf of all local and state public agencies, as well as for non-profit organizations serving local governments.

Fairfax County and a team of professional public procurement officials from cities and counties across the U.S. structured the homeland security solicitation to meet the needs of the Homeland Security Administration and the Office of Domestic Preparedness for the use of federally-funded support to local and state agencies.

The contract contains thousands of safety and security-related products in 12 categories:

- personal protective equipment (PPE)
- explosive device mitigation and remediation equipment
- Chemical, Biological, Radiological, Nuclear and Explosive (CBRNE) search and rescue equipment
- interoperable communications equipment
- detection equipment
- decontamination equipment
- physical security enhancement equipment

- terrorism incident prevention equipment
- CBRNE logistical support equipment
- medical supplies
- CBRNE reference materials
- other non-listed public safety, law enforcement and fire equipment

Most of the products offered qualify for funding under the Homeland Security Administration guidelines.

More than 300 manufacturers are represented through the contract, so it is important to engage with the supplier early in the procurement process to identify needs and determine alternatives that are available. Pricing has been established at a 39-percent discount off the supplier's most current price list. Freight terms are FOB destination, and quantity discounts may be available through the contract.

In addition, the supplier can provide agencies with the ability to track all of their procurement spending through its Grant Tracker program. This web-based program provides agencies with the detailed information they need to track spending histories and monitor grant compliance.

In light of the recent disasters across the Gulf states, Texas, Oklahoma and California, this contract also provides significant support for disaster assistance and relief.

For more information on these contracts and to request direct contact from any suppliers, visit www.uscommunities.org or contact Steve Swendiman at sswendim@naco.org.

Post-Legislative Conference June 6-7 In Sevier County

Registration is now open for those county officials wanting to attend this year's Post-Legislative Conference in Gatlinburg-Sevier County on June 6-7.

The annual meeting will again be at the River Terrace Resort Hotel on River Road, just off the main strip in downtown Gatlinburg and convenient to are shops and attractions.

County officials can expect to hear from state and TCSA leaders about how legislation passed this session of the General Assembly will impact local governments. The legislative wrapup is always a major part of the conference.

Invited speakers on a special legislative panel include state Sen. Mark Norris, chair of the Senate Transportation Committee; Rep. Harry Tindell, chair of the House Finance Budget Subcommittee; and Comptroller of the Treasury John Morgan. State Election Coordinator Brook Thompson is also slated to speak at the general session.

Registration forms and hotel contact information are included in this issue of *Tennessee County News* as well as at TCSA's website,

Registration Now Open For Annual NACo Conference

NACo's Annual Conference will be held Aug. 4-8 in Cook County (Chicago) at the Lakeside Center at McCormick Place.

The conference and exposition kicks off Friday and Saturday with steering committee and Advanced Leadership Training (ALT) seminars.

Sunday is the official open of the conference. Election for NACo second vice president and other executive committee officers takes place on Tuesday.

For more information, including registration and hotel information, see the NACo website at www.naco.org.

www.tncounties.org.

Each year more than 400 delegates attend this meeting, timed to follow the adjournment of the General Assembly. Central to the conference are discussions about legislation, including the state budget, directly affecting counties.

"The TCSA Post-Legislative Conference is the best chance we have to gather legislative information and learn the impact it's going to have on us back home," said TCSA President Carl Stoppenhagen of Carroll County.

Because of the interest each year in this conference, county officials are urged to act quickly in securing hotel reservations at the River Terrace Resort Hotel. Be sure to identify yourself as attending the TCSA conference in order to receive the special hotel rate of **\$73 a night**.

Between 8 a.m. and 6 p.m. (EDT), call the River Terrace at 1-800-251-2040. After 6 p.m., call the hotel directly at (865) 436-5161. The special TCSA discount is not available for those making reservations online. Cancellation of room reservations must be received no later than 72 hours prior to the scheduled arrival date in order to avoid being charged the first night's lodging.

"As we plan this year's conference, I urge you to register early. This gives our staff a better understanding of who and how many will be attending as we finalize the schedule and activities centering on our meals," said TCSA Executive Director David Seivers. "This will give us an idea of how many to plan for as our staff prepares for our conference events."

A conference registration form is included on Page 6 of this issue of *Tennessee County News*. A copy is also available at www.tncounties.org. The deadline to pre-register is May 29. On-site registration will be available at an increased cost to delegates.

For more information about the conference, contact TCSA by calling (615) 532-3767. The tentative schedule for the meeting follows. The agenda is subject to change without notice.

TENTATIVE AGENDA

Tuesday, June 6	
9 – 11 a.m.	TCHOA Training Program Appalachian /Blueridge (Level 1) Hallway (Level 1) Conference Room (Level 3) Elkmont (Level 1)
2 – 5 p.m.	TCSA Registration Cumberland /Douglas (Level 1) Ballroom (Level 2)
1 – 2 p.m.	ACM Board Meeting Greenbrier (Level 1) Foothills (Level 1) Pool Area Ripley's Aquarium
1 – 2 p.m.	TCCA Board Meeting
2:15 – 3:30 p.m.	ACM Membership Meeting
2:15 – 3:30 p.m.	TCCA Membership Meeting
2:15 – 3:30 p.m.	TCHOA Membership Meeting
3:30 – 5:00 p.m.	UT-CTAS Training Seminar
5:15 – 6:30 p.m.	Reception Dinner
5:30 – 7:30 p.m.	
Wednesday, June 7	
7 – 8:30 a.m.	Breakfast Windows, Appalachian Cumb./Douglas/Blueridge
7 – 9 a.m.	TCSA Registration Hallway (Level 1) Ballroom (Level 2)
8:30 – 10:30 a.m.	TCSA General Session
	Adjournment

Grants

Continued From Pg. 1

board member, spearheaded the grant program's passage through the board in January. Lynn Questell, ECB executive director, worked directly with Commissioners Taylor and Moody to create the grant system. Hamblen County Mayor David Purkey, a former member of the state board, was also instrumental in helping develop the details of the process.

Commissioner Taylor formally announced the grant availability during TCSA's board meeting held in March during County Government Day. TCSA and its affiliate's adopted an initiative in Chattanooga in October 2005 to get additional funding from the state emergency communications board back to local emergency communications districts.

For additional information about the grant program, see the Back Page Interview with ECB Executive Director Questell on Page 10 of this issue of *Tennessee County News*.

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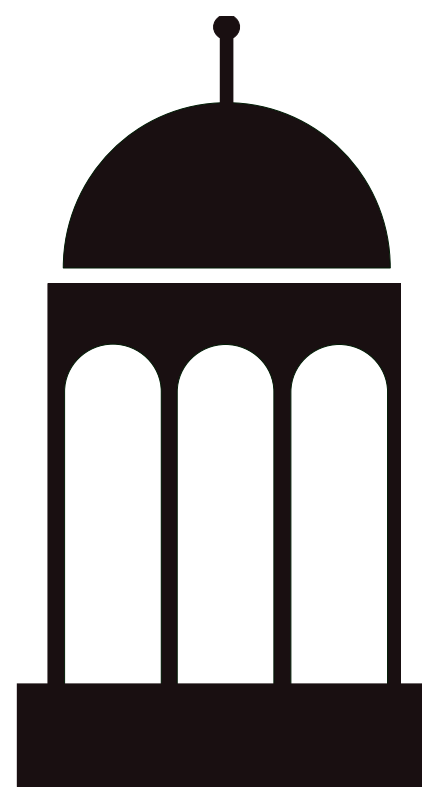
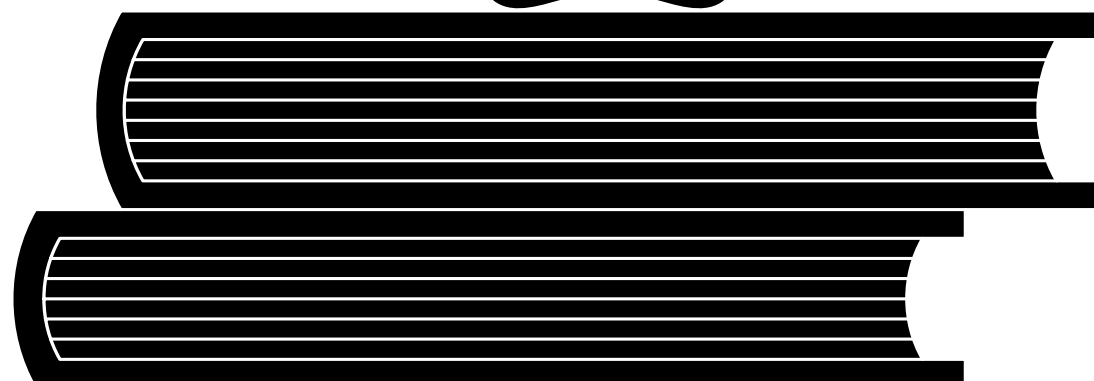
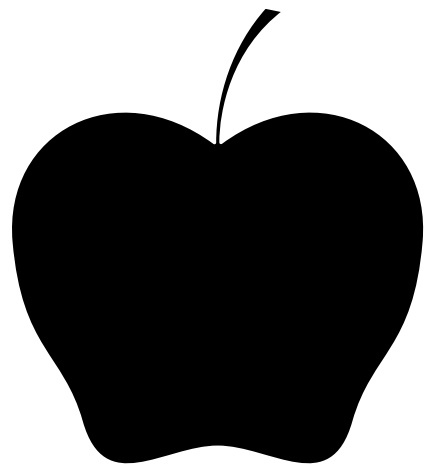
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Officials Attend County Gov't Day



Above, from left, Anderson County Trustee Patsy Stair-Lomeli, Anderson County Commissioner Mark Alderson, TCSA Executive Director David Seivers and Tipton County Commissioner Mike Taylor during the close of County Government Day. In photo above at right, from left, Marshall County Mayor Terry Wallace, Obion County Mayor Gaylon Long and Lewis County Mayor Kenneth Turnbow talk recently during County Government Day. At right, Greene County Highway Supt. J.C. Jones, left, talks with Sevier County Mayor Larry Waters, second vice president for TCSA.



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EPA Funding Available To Help Reduce Toxic Risks

Funding is now available for counties and other organizations, on a competitive basis through the EPA, to support community-based partnerships to reduce toxic risks in local communities.

The Community Action for a Renewed Environment, or CARE program, began in 2005. It can help counties in their efforts to assess the pollution risks they face while also providing funding and access to EPA's and other voluntary programs to address local environmental priorities. In addition, EPA offers support for communities to develop their own approach to reducing toxics.

Examples of some of the EPA voluntary programs that reduce exposure to toxics and create safer communities include programs that reduce emissions from diesel engines, reduce waste from toxic chemical use, reduce emissions from small business operations while reducing costs, improve the indoor environment in schools and protect drinking water supplies through pollution prevention.

Among projects undertaken through CARE in 2005 include programs by Oneida County (N.Y.) Health Department, Dekalb County (Ga.) Health Department and Muskegon County (Mich.) Environmental Coordinating Council. More information on the specific projects and partnerships within these counties can be found by visiting www.epa.gov/care and clicking on "Community Profiles."

This year, EPA will award about \$2.7 million in cooperative agreements in two levels:

- Under Level I, EPA anticipates awarding eight to 10 cooperative agreements, ranging from \$75,000 to \$100,000. Level I cooperative agreements can be used to establish community-based partnerships and set priorities for reducing toxic risks in a given community.

- EPA also anticipates awarding six to eight Level II cooperative agreements, ranging in expected value from \$150,000 to \$300,000, to communities that already have a broad-based collaborative partnership, have identified risk-reduction priorities and are ready to implement risk-reduction strategies.

The deadline to apply for this competitive grant opportunity is April 10.

State Jobs Grant Goes To Metro Davidson

A \$165,150 FastTrack Infrastructure Development Program (FIDP) grant for the Metropolitan Government of Nashville and Davidson County has been announced to assist in infrastructure improvements for Purity Dairies, Inc., a manufacturer of dairy products.

The will be used to assist Purity Dairies, Inc. with water line relocation and upgrade of culvert at their facility in Nashville. Funding for the \$17,775,250 project will include \$17,610,000 in company funds. The project will provide 50 new jobs for Davidson County.

The FastTrack Infrastructure Development Program (FIDP), formerly the Tennessee Industrial Infrastructure Program, or TIIPs, was authorized by the Tennessee General Assembly in 1988. The program is administered by ECD.

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THE LOCAL GOVERNMENT INSURANCE POOL

In the early 1980s, when the Tennessee County Services Association began looking for acceptable alternatives to the commercial insurance market, they were serious about finding a solution. The commercial insurance market had virtually closed their doors to insuring some of the inherent and essential services of counties. In response, the Association established two insurance pools - The Local Government Property and Casualty Fund (est. 1983) and The Local Government Workers' Compensation Fund (est. 1981) and both have been working hard for Tennessee counties and county agencies ever since.

POOL YOUR RESOURCES

These Funds give county officials the ability to pool their resources so they can obtain all of their insurance from one place. Counties no longer have to fight claims between carriers and face potential coverage gaps. Because it's a pool, there are significant reserves for greater protection, plus additional protection options from top-rated carriers.

FLEXIBILITY THAT WORKS

Designed exclusively for Tennessee counties and county agencies, these Funds exist for the sole purpose of providing flexible programs that fit government needs. With the Local Government Insurance Pool, you will never be a square peg trying to fit a round hole.

LOCAL EXPERTISE

The Funds have experienced and highly skilled people handling all aspects of underwriting, marketing and claims handling. With a slant toward the needs and issues of the local government, the expertise of the dedicated departments handling the Funds administration will benefit you and your constituency. These professionals live and work in your state.

PROFESSIONAL LOSS CONTROL AND RISK MANAGEMENT

The Funds employ loss control specialists who administer a comprehensive loss control program for all the members of the pool.

THE SECURE OPTION

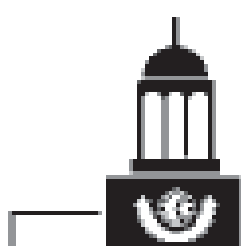
Best of all, the Funds provide a stable market that provides a place to buy insurance for all Tennessee counties and their agencies with prices that are very competitive.

UNITED WE STAND...

If you are looking for the security that you can find only when people join together for a common goal, then find out about the Local Government Insurance Pool and the benefits offered by both Funds.

For more information about The Local Government Property and Casualty Fund and the Local Government Workers' Compensation Fund, contact Bob Fielding, Sales Manager, Local Government Insurance Pool, 615/872-3535, email bfielding@lgip.net, or Mark Fogarty, Local Government Insurance Pool, 615/872-3534, email mfogarty@lgip.net. The toll free number is 866/651-4124. Fax 615/872-3592. Visit our website at www.lgip.net.

Joel Plummer serves as President and CEO of both Funds. Bob Wormsley serves as Executive Vice President. You may contact either of them at 615/872-3545.



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E-911 Director Lynn Questell Encourages Inter-Local Cooperation

She Offers Technical And Financial Help

By Sharon H. Fitzgerald
Sharon Fitzgerald Communications

"I am every day a possible user of 911, and that's one of the reasons why it's so very, very important to me to make sure that our state has a good 911 system." Those are the words of Lynn Questell, who in November 2005 became executive director of the Tennessee Emergency Communication Board, known as the state E-911 Board.

Founded in 1998, the Board is the state's authority on Enhanced 911 issues and was created with the charge to implement E-911 wireless statewide. Other responsibilities include: assisting Tennessee's 100 emergency communications districts, overseeing districts' finances, establishing technical operating standards, offering training for district dispatchers and call takers, and providing grants to districts. It's a steep order, but one Questell says the Board handles well.

"It was just brilliant how my Board was created. Five members work in the districts – they're either chairmen or members of 911 boards or directors of the board. Then County Services nominates one person, the Municipal League nominates one. There's a member of the general public and a representative from the Comptroller's Office," she explains. "So this is a board that really has a lot of broad expertise. What they have accomplished, especially with the wireless, is something that Tennesseans just have to be so proud of."

Questell earned her law degree from the University of Georgia and served as staff attorney for the U.S. Court of Appeals for the 11th Circuit in Atlanta and then for the Georgia Court of Appeals. It was during her two-year tenure as counsel to the Tennessee Regulatory Authority from 2001 to 2003 that she honed an interest and expertise in telecommunications issues. In 2003, she was hired as general counsel to the E-911 Board.

The Board is self-funded through a monthly \$1 surcharge on all commercial wireless users. Out of that \$1, 3 cents is retained by the carriers, while the remaining 97 cents remains with the Board. Local districts receive 25 percent of that 97 cents, distributed according to population.

Questell sat down with *Tennessee County News* to discuss the Board's accomplishments and challenges and to help county officials set their sights on the future.

TCN: Has the Board accomplished what it initially set out to do?

LQ: We're the third state in the whole country to offer statewide the capabilities to have locating information and call-back information on wireless phones. First was Rhode Island and second was Vermont – both smaller without the same type of wireless coverage. The way Tennessee has done it, because it offers cost recovery to wireless carriers that are deploying in our state, attracted the wireless carriers. So we really provide much better coverage than most states. I feel that's very safe to say. There are many, many success stories here of people who have been found because we can get the X-Y coordinates from their cell phone. ... People need to be buying these phones that have the locating technology in them. Old phone don't have what we're working so hard to provide. You can't hook into that if you dial 911 from an older phone. There needs to be some kind of a locating technology in your phone.

TCN: If I buy a new phone today, will it have the technology?

LQ: Yes. But always ask about that.

TCN: So how does your E-911 Board help the districts get up to speed on providing consistent, reliable service as technologies change?

LQ: We have accomplished a great deal in this state. We are Phase 2 ready statewide. Now the districts are basically waiting to make sure that every wireless carrier is offering the locating information. The Board has done that by offering funding, for one thing.

We're just finishing up on this. Almost every district, all but just a small handful, have GIS mapping systems. The Board offered a \$50,000 reimbursement or payment of obligation incurred for each district. GIS systems show the street and the X-Y coordinates of the wireless caller on that map.

TCN: You've talked about Phase 1 and Phase 2. Please explain those two phases.

LQ: Phase 1 was almost before my time. That was just basically getting the call-back number from

the wireless calls. Phase 2 is like a miracle to me. If you call 911 on your cell phone in most places in this state and you can't even talk – you call 911 and that's all you can do – by beaming the signal up to a satellite or through triangulation with wireless towers, the people in the call center receiving your call will get an X-Y coordinate, meaning a latitude and longitude.

TCN: Now, all the districts are set up to receive wireless calls and be able to locate the caller.

LQ: Yes. We became Phase 2 ready at the end of last April, and we're very proud of that fact. It was a real joint effort with the Board and the districts and the wireless carriers. They really stepped up to the plate, too. We enjoy a good relationship with the wireless carriers.

TCN: That's probably something that a lot of other states are struggling with.

LQ: When I go to these meetings of my counterparts in other states, I just realize how blessed we are in Tennessee. We are so far ahead in so many ways. It's just a gift.

TCN: I would think completion of Phase 2 is particularly good news for residents of rural districts.

LQ: Our board felt like this was extremely important to have this deployed all across our state. In a lot of states, the service is just focused in the cities. People out on farms, people out hunting, people out in the rural areas deserve just as good a 911 system as people in the big cities and need it just as much. So the board has been committed to providing the technology across the board and has offered some kind of special assistance to rural districts.

TCN: What have rural districts received – or what can they expect – in the way of special assistance?

LQ: At the November 2005 meeting, Mike Taylor (Tipton County commissioner and a district chairman) made the motion – and I was so absolutely pleased – recognizing that the landline numbers were going down and thus revenue was going down and thus encouraged the board to address the problem. At the very next meeting in January, the board did.

What the board proposed was a program to provide up to \$50,000 for back-up generators – if you lose power, you don't have 911 – and up to \$50,000 for a UPS (uninterrupted power supply) system and up to \$50,000 for recorders to ensure quality and for record keeping. ... Actually, what I am going to ask the board to do at the next meeting is tweak that a little bit.

TCN: And when is that next meeting?

LQ: April 20.

TCN: And what are you going to ask for?

LQ: What I want to do is combine that money. Instead of up to \$50,000 for each of those three items I outlined, what I am going to ask the board to do is offer essentially what will be an account to each district of \$150,000. What we would establish is a two-tiered system. The first tier would be that they could spend that money on the list of items that you have to have to operate a PSAP (public safety answering point). That would be the generator like before, the UPS like before, the recorder like before. Also, the GIS mapping system, the controller, the PDD line for the deaf. Then there would be a second tier of spending for items that are not essential but would be great for them to have. This will allow us to make sure that everybody has the same high quality of equipment, no matter where they are.

The way that 25 percent is divided up is by population, so most of that money is going to the highest populated districts. It's not like they don't need it, but, for example, for fiscal year 2004, the board sent \$680,138 to Knox County and Van Buren got \$9,806. You can see the big difference. My thinking with this whole funding initiative is that by designating \$150,000 for everybody, that evens the playing field out a little bit. It allows the big districts, where a GIS mapping system will be much more expensive than \$50,000, to combine all that money and get a great big GIS mapping system. Yet, this also gives the little districts flexibility – they don't need \$50,000 for a recorder. This way, everybody can really take advantage of the funding. I am very hopeful that this will be passed and that we can get going on this. My money people tell me that, if the board agrees, it would be as if 95 of the 100 districts receive 40 percent of that 97 cents rather than

just 25 percent. I would love to get the word out that the Board is really trying to be responsive here to the needs of the districts. Plus, we'll still continue to offer a \$40,000 controller upgrade grant as a separate funding mechanism.

TCN: You sound confident that the Board recognizes the problem and is ready to fix it.

LQ: It's a pleasure to work for a board like this. I'd say 98 percent of their decisions are unanimous. They are experts in 911, and they rise above the politics. We won a national award last year for being the best state or regional program in the whole country from the E-911 Institute in Washington, D.C. Tennessee is well-recognized nationally as a national leader, and I'm just not sure that people in Tennessee know that.

TCN: Let's talk about financially distressed districts. I would assume that what you are going to propose in April will certainly help them.

LQ: Yes, I really hope so, and I believe it will. We just have a handful of financially distressed districts, yet there are two that are on our agenda for the next meeting.

TCN: Which two are those?

LQ: One is Polk and the other is Hancock.

TCN: What constitutes a financially distressed district?

LQ: According to statute, a financially distressed district's revenues don't meet expenses and maintenance for three consecutive years, has a deficit retained earnings balance or is in default. That's determined by the annual audits, but that makes it slower for us to know if a district is in trouble. So we asked the General Assembly last year to change that so that we could jump in and try to help sooner rather than waiting for the annual audits. Now, the board can have a district come in during a public meeting if it appears the district cannot satisfy its financial obligations to the extent that the continued operation of the district is at risk or has defaulted on any indebtedness, that sort of thing.

When the board considers whether to deem a district financially distressed or not, we do a very in-depth analysis of the financial situation and have the chairman and the director and anyone else the district wants to bring in to come and answer questions. We send our technical director to do an on-site visit. We do pretty much the same



Lynn Questell, center, executive director of the state Emergency Communications Board, discusses details of a recent plan approved by the state board to put money back into the hands of local E911 districts. With her are Knox County Commissioner Wandy Moody, left, and Tipton County Commissioner Mike Taylor. Moody and Taylor are both members of the state board. Commissioner Taylor serves as the TCSA representative on the board and led for the ultimate approval of the grant program.



Questell

thing when a district comes in and asks for a rate increase as well. We want to make absolutely sure that there is need and to determine exactly what the financial situation is. The board is very, very careful about rate increases and financially distressed situations. We have very in-depth analyses of each individual situation.

TCN: How would a financially distressed district go about increasing its rates?

LQ: The Board may prescribe a rate structure up to the statutory maximum for the landlines. That's one of the things that the Board would certainly consider when it calls a district in to see about whether it is financially distressed or not. Then the Board has the option to raise the district's rates up to \$1.50 for residential lines and \$3 for business lines.

TCN: Is merger of two districts an option?

LQ: Only if they agree to it, and that's by statute. The board would never try to shove that down anybody's throat. That's just not within our enabling legislation. What the board has done, though, is to provide another carrot, because the law says that consolidation is to be encouraged. Consolidation is more efficient and can provide better service. So to encourage districts to consolidate, the board passed a policy that would allow rural districts to consolidate with another district. If they choose to do that, the board will provide up to \$300,000 to assist in costs of consolidating.

TCN: Has that happened yet?

LQ: No. There's one district that is consolidated – Overton and Pickett. Pickett was financially distressed, and Overton agreed that Pickett could come in and join them. What that's resulted in is that they each continue to get the grants. So instead of \$30,000 for the rural dispatcher grant, they get \$60,000. Instead of \$10,000 for GIS mapping maintenance, they get \$20,000. I am going to be asking the board at the next meeting that for this \$150,000 reimbursement ...

TCN: A consolidated district would get \$300,000?

LQ: Yes, ma'am! It has to be voluntary, but it's definitely something that could save the taxpayers money and could really improve the emergency communications in some of these rural districts that are struggling because they don't get as much of the 25 percent wireless funds and their landlines are going down.

TCN: It seems to me, though, that Tennessee is ahead of the curve when it comes to addressing the declining number of landlines.

LQ: Yes. This year we're asking the General Assembly to expand the surcharge to Voice over IP (Internet Protocol) and expanding technologies, so that these entities that are getting 911 service will be helping to pay the way.

TCN: When it comes to VoIP and emerging communications alternatives, does the state have to tackle that the same way it tackled wireless, with a Phase 1 and a Phase 2?

LQ: Well, it is in phases, but Tennessee – again – is really lucky because essentially all of the equipment that you would need from a PSAP perspective is already there

because it's essentially the same stuff as wireless. The challenge has been deployment and testing. We have our director of E-911 Technical Service working on this to try to help. The way the law is right now, we can't just step in and say, "OK districts, we're going to set up this whole deployment thing and it will work this way." We don't jurisdiction over Voice Over IP in that way, and we are asking the General Assembly for a law that will allow us to step and help the whole state deploy Voice Over IP and emerging technologies.

What we have done is that the law allows us to provide technical advisory assistance to the districts if requested. What we did at the November meeting, basically, was encourage districts to request our help. Some 40 districts have, and we'd like to help all of them. We're hoping the General Assembly will pass that law to give us a legal leg to do that rather than just by request.

TCN: Does the Board still have trouble with phones that aren't initialized.

LQ: Oh yes! That's something we're working on, and on a number of fronts, none of which I can go into any great detail with you on right now because they are kind of in a sensitive place. This is something that we care very much about. It is a real problem, and we are working to get it dealt with.

TCN: Please explain that problem.

LQ: Old phones that don't have the locating technology may not be affiliated with a carrier anymore. Thus they're called non-initialized phones, and sometimes vandals or children will just start dialing 911 on these phones. They totally disrupt a call center. The general policy for call centers is that every single 911 call is precious, and you have to call back every 911 call that comes in, even if they hang up. I liken it almost to an arsonist – they like to set a fire and then they watch. They want to see people respond.

TCN: I know there has been some legislative activity on the federal level regarding 911 service.

LQ: There are two things, actually. One was passed, and one we hope very much will be passed. The first was the Enhanced 911 Act, which was passed around Christmas, and we are so grateful. As you know, Tennessee has really stepped up the plate, and we have done the right thing with 911 and we are so far ahead of most other states. The Enhanced 911 Act makes federal grants available for 911 purposes. We wanted to make sure that the 911 money would be equally available to states like Tennessee that already have a viable, vibrant 911 system, and not just go to states that haven't stepped up to the plate. Sen. Frist was kind enough to do a colloquy as it was being passed to make it clear that this money was equally available to states like Tennessee that have advanced 911 systems.

Then there's a bill proposed by Rep. Bart Gordon that we are really supportive of that will bring 911 and Voice over IP together. Right now there is some fuzziness about whether a state could actually impose a service charge on Voice over IP, and Rep. Gordon's bill makes that clear. It will also make clear and offer liability protection equal to what wireless and wire lines have to the Voice over IP

providers. I think that's essential. We're very, very proud of the leadership that Rep. Gordon has shown. We actually gave him a plaque last year because of the leadership he's shown. He's a friend to 911.

TCN: What's in the future for 911 service?

LQ: Essentially with Voice over IP, it's going to be really important for us to look toward improving our infrastructure. Right now, we are working with 30-year-old analog technology. The other national leader in the country is Indiana, and they have established a private IP network for 911. They've done it on the back of an ATM network. There are savings that can be had financially, but what it can offer in terms of service just boggles the mind. This is something that the counties and the cities really should be thinking about. It will take 911 digital, so it will be faster, safer, more accurate and the applications could be just incredible. For example, what if there's a bank robbery and the cameras in the bank are hooked into the digital network? The picture in the bank is coming over our digital network to the dispatchers, who are then sending it out to the police officers, who have a digital phone or some other kind of receiver in their police car, and they can see what's going on inside.

TCN: All in real time.

LQ: Yes, in real time. Say there's a chemical spill and dispatchers can immediately hook into weather applications, so they know which way the wind is blowing and they don't send the responders right into the chemicals. ... I want that for Tennessee really badly.

TCN: Anything else you'd like to tell county officials?

LQ: I would really like to thank them, because more and more, 911 is truly a cooperative effort. That's the best way to do it. It is our policy statutorily to encourage cooperation and the 911 community appreciates what the county governments do to contribute to our operations.

I do want to add something about dispatching, though. Before there were Emergency Communications Districts, there was dispatching – and the counties and the cities paid for the dispatching. It's my opinion that, after very careful review of the 911 statute, that the General Assembly did not really envision that by creating the districts or my Board that we were supposed to take over all the expenses for dispatching. I think the law clearly says that inter-local cooperation is public policy. The law also gives the districts a choice about whether to dispatch, relay or transfer. That says to me that the dispatching part needs to have some contribution by the governmental entities that are being served. For the most part, the districts that are running into financial problems – not all, but a good number of them – are trying to bear the expense of dispatching all alone without any contributions by the governmental entities that they're serving.

TCN: So you want to encourage counties and municipalities to help support dispatching costs.

LQ: Yes, and to thank so much the ones that already do. There are certainly a number of counties and cities that are in partnership with 911, and we very much appreciate that.