



Municipal Technical Advisory Service
INSTITUTE *for* PUBLIC SERVICE

MUNICIPAL E-NEWS

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Selected New MTAS Resources

[Summary of 2023 Public Acts](#)

[Resources for Developing a Municipal Cybersecurity Policy](#)

[New Knowledgebase materials](#)

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VIEW OUR CURRENT TRAINING CALENDAR



Should I Stay or Should I Go?

The musical group The Clash asked us “Should I stay or should I go?” Have you ever thought about applying that thought philosophy to your municipality? We just finished the budget process in June. We absolutely asked the question: should we use the same budget as last year, or should we adjust? Should we stay or should we go?

There is a concept presented in a book titled *Boundaries for Leaders* written by Dr. Henry Cloud that says you get what you create and what you allow. In many ways, this philosophy is like the question posed by The Clash. Should you stay (allow the same culture to continue) or should you go (create something different than what you currently have). Will allowing a situation to continue create double the trouble?

In your role as a municipal official, these are decisions you make on a routine basis. Do you correct the customer service representative



Margaret Norris
MTAS Executive Director

who said to a customer “I don’t know, and that’s not my job” or do you think to yourself that the response wasn’t helpful and then walk away? When awarding a bid for a large public works project, do you recommend/vote for the vendor with the tried-and-true method, or do you take a chance on the vendor with innovative technology? Do you stay or do you go? This is up for you to decide, and my hope is that it is a conscious decision to choose the best future for your municipality. The result will be what you created, and what you allowed. Is this the result you want?

New MTAS Staff



Sean Pflazer has joined MTAS as a management fellow in the middle Tennessee area. Sean worked for the Greater Nashville Regional Council (GNRC) since 2016. In his most recent role, he served as the transportation planning manager and coordinated the transportation planning process carried out by the Nashville Area Metropolitan Planning Organization (MPO). Sean earned a bachelor of arts in history from Grinnell College in Iowa and holds a master's in city planning from Boston University.



Karen Seay joined MTAS as a codes administrative specialist and will be based in our Knoxville office. Karen has 25 years of experience as a legal assistant for several law firms. Karen holds a paralegal studies certificate from McCormac College in Elmhurst, Ill.

Mobile Food Units and Fire Permits



This new report by MTAS Fire Management Consultant Donald Pannell and MTAS Legal Consultant Elisha Hodge explains the details of this new legislation (effective May 11, 2023), including topics such as how the law impacts fire and life safety code enforcement and the responsibilities of the State Fire Marshal's Office.

[Mobile Food Units and Fire Permits](#)

Municipal staff should consult with the city or town attorney with any questions or one of the MTAS consultants listed below:

Steven Cross, Fire Management Consultant

931-548-6824

steven.cross@tennessee.edu

Elisha Hodge, Legal Consultant

615-532-6827

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Donald Pannell, Fire Management Consultant

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Upcoming MTAS Continuing Municipal Education

SEPTEMBER

PEP Risk Management Series-Liability*

- September 12
- 8:30 a.m.-10:30 a.m. CT
- Zoom

OCTOBER

Making the Shift to Leadership

- October 12
- 8:30 a.m.-10:30 a.m. CT
- Zoom

NOVEMBER

PEP Risk Management Series-Workers Comp*

- November 2
- 8:30 a.m.-10:30 a.m. CT
- Zoom

IMPACT Series: Data-Informed Government

- November 9
- 12:30 p.m.-1:30 p.m. CT
- Zoom

DECEMBER

Utility Rates and Fees

- December 12
- 4:00 p.m.-6:00 p.m. CT
- Zoom

**Approved for utility training hours*

Check the [MTAS Training Calendar](#) for all upcoming continuing municipal education training opportunities.

BE A MENTOR

A 2019 survey by Olivet Nazarene University found that 76 percent of people think mentors are important, however, only 37 percent of people currently have one. Join the MTAS mentor network and support municipal leaders to enhance their leadership skills, professional networks, and further career development. We are now recruiting senior leaders who currently serve or have served in local, state, and federal government roles for the fall program! To get started, visit our [Mentoring page](#).

*Did you know you can register for upcoming sessions in advance?
Visit our [Training Calendar](#) to view upcoming sessions and register!*

Captain James ‘Justin’ Samples, Saving Those That Serve



Eligible Tennessee firefighters will receive an additional benefit from the 113th General Assembly effective January 1, 2024. Collaborating with the Tennessee Fire Service Coalition and the Tennessee Professional Firefighters Association, the 113th Tennessee General Assembly unanimously passed HB0976/SB0856 on April 21, 2023. Governor Bill Lee signed the legislation on May 17. Known as the James ‘Dustin’ Samples Act, this legislation became effective on May 17, for purposes and promulgating rules and will become effective on January 1, 2024, for all other purposes. The legislation amends Tennessee Code Annotated Title 7, Chapter 51, Part 2, and Title 50, Chapter 6, Part 1. With the passage of the Act, Tennessee is one of at least 25 states in the United States that have enacted such legislation.

The Act was named for Samples, who worked with the Cleveland Fire Department. Samples was known as a resolute fire service professional. Samples suffered from post-traumatic stress disorder (PTSD) related to his more than 21 years of service as a fire service professional. Though he lost his battle with PTSD in 2020, he never lost his passion for the fire service or his firefighter colleagues.



Steven Cross
MTAS Fire Management
Consultant

The act establishes a rebuttable presumption that eligible firefighters diagnosed with PTSD by a mental health provider because of responding to one or more incidents with at least one of the factors listed in the act are presumed to have incurred PTSD in the line-of-duty. Such PTSD may be compensable under the Workers’ Compensation Law compiled in Title 50, Chapter 6 of the Tennessee Code. The presumption is rebuttable if it is shown by a preponderance of the evidence that the cause of PTSD was due to non-service-connected risk factors or exposure.

Samples’ wife, Jennifer (a Cleveland police officer), said in advocating for the bill, “The Act honors my husband by helping firefighters cope with the same struggles he experienced. It sends a big message saying that, you know, the state, the politicians, the whole state in general, understands that the danger of firefighting is not just the physical dangers they face in the street of burns and stress that injures the body, but the toll is even heavier on the mind,” she said “Well, on Dec. 11, 2020, his career did come to an end. And so did life as me and my children knew it.” You see, PTSD doesn’t just affect the firefighter; it affects the whole family: moms and dads, brothers and sisters, spouses, and kids. I have two beautiful little girls who now won’t get to attend their daddy-daughter dances or have him walk them down the aisle. No, PTSD stole that too.” (Chattanooga Times Free Press, 2022)

The [full report](#) is available on the MTAS website.

New Initiative Launched to Assist Cities with Financial Reporting Difficulties



A new initiative from MTAS aims to assist cities struggling to provide accurate and timely financial reports to its elected officials and to the public. MTAS Finance & Accounting Consultant

Brad Harris developed the initiative as his capstone project as a requirement of the Certified Public Manager program.

MTAS consultants work with every city in Tennessee and often find that some municipalities are struggling to maintain accurate and timely bookkeeping and accounting records. This happens for various reasons, including frequent turnover, lack of proper training, and not understanding how important it is to provide good data.

The Tennessee Legislature and Comptroller of the Treasury recognized the problem and in the 2022 legislative session passed Public Chapter No. 716 which amended T.C.A. § 6-56-105. It states that if a municipality fails to prepare auditable financial records in a timely manner, the comptroller may appoint a certified public accountant (CPA) or Certified Municipal Finance Officer (CMFO) to prepare financial records for the municipality's annual audit.

Cities are responsible for preparing auditable records, and this initiative seeks to assist those that struggle to do so. It is designed to aid cities prior to intervention from the comptroller's office. The result is to provide a support system for those who are having difficulty with the policies and procedures to provide good accounting and financial records.

The initiative is designed to pair cities in need with a qualified CPA firm or CMFO that can assist, on a

fee basis, and help eliminate backlogs in reporting and to do so with accurate records. The program is not intended to be a permanent solution, but rather a temporary help system. Working with qualified CPA firms across Tennessee, this initiative will recommend to cities several firms in their region of the state that can be contacted for assistance.

The decision to contract with a firm is solely a city's... unless the state requires it to do so. "A couple of years ago I was working frequently with a small city that struggled consistently to provide accurate and timely accounting and bookkeeping," Harris said. "I saw that the governing body could not make good, informed decisions because it didn't have good financial data. The city had numerous audit findings as well and frequent turnover in the city recorder position".

Harris continues, "I approached some firms about helping the city with basic things like reconciling bank statements and posting revenues and expenditures on a timely basis. I was able to pair the two and help provide much-needed assistance. The result was amazing, and today that city is doing much better. It has good records and audits are completed on time. The difference is night and day. This is a success story which needs to be told again and again. Tennessee prides itself on annually being named one of the top two or three most well managed and financially strong states in America. National rating agencies will tell you that any state is only as strong as its local governments. By helping to pair needy cities with qualified assistance, I believe this initiative will have a big impact on our state."

As stewards of public funds, every local government in Tennessee has a fiduciary duty to properly record, account for, and report on all financial transactions. This means everything

(Continued from page 6)

from a parking fine to a large grant. Internal controls must be in place to help minimize risk and give confidence to its residents that the city is operating efficiently. A big part of good stewardship is proper recording and reporting of results. Unfortunately, some cities struggle to fulfill these responsibilities.

MTAS finance and accounting consultants are in a unique position to see the need, but do not have enough hours in the day to consistently provide these services on a daily, weekly, or monthly basis as may be needed. However, MTAS consultants typically recognize when a problem exists and can use this program to make a real difference that is long lasting. MTAS also works very closely with the Tennessee Comptroller's Offices of Local Government Audit and Local Government Finance, and this partnership can further identify

needs and help to provide support to cities that need assistance.

As noted earlier, the ultimate decision is on the local government as to whether it will contract with a qualified firm to help it fulfill its recording and reporting responsibilities. There are several factors that can cause a city to need the services outlined in this program, but in the end, the goal is to overcome the problems and make improvements. Poor accounting and bookkeeping records can lead to poor and uninformed decisions. When that happens, no one wins. Additionally, while there is a cost to cities, they should consider that reporting problems can snowball and lead to the inability to get debt issued and, perhaps, missing out on grant opportunities.

National rating agencies will tell you that any state is only as strong as its local governments.

Important Reminder of Law Enforcement Grant Funding Source: Patrick Leahy Bulletproof Vest Partnership

As MTAS police consultants work with departments across the state, we have found several jurisdictions are unaware of the Patrick Leahy Bulletproof Vest Partnership (BVP). The U.S. Department of Justice, Office of Justice Programs grant funding provides up to 50 percent cost reimbursement to law enforcement agencies for expenses related to the purchase of bulletproof (resistant) vests.

The steps for applying for these monies are listed on the OJP website and are summarized here:

Step 1: Online Registration: New users can provide contact and banking information throughout the year. See the [Registering Users in BVP User Guide](#), [Associating Users in BVP User Guide](#), and the [BVP FAQs](#) for more information.



David Moore
MTAS Police Management
Consultant

During the Open Application Period

Step 2: Online Application: Identify the total number, type, and projected cost of vests for the applicant's eligible and participating law enforcement officers. See the [Creating and Submitting Applications in BVP User Guide](#) and the [BVP FAQs](#) for more information.

(Continued from page 7)

**You must complete Steps 1 and 2 by the application closing date. Be sure to check the website after the beginning of the federal fiscal year (beginning October) to make sure you apply within the filing period.

DOJ Funding Decisions

The BVP Program makes funding decisions three to four months after the open application period ends. Applicants are then notified via email regarding approved funding levels. See the [BVP FAQs](#) for more information.

Purchase Body Armor Vests

Body armor vests meeting the BVP Program requirements can be purchased through any vest distributor. See the [BVP FAQs](#) for more information.

After Purchasing Body Armor Vests

Step 3: Online Payment Requests: Once vests are delivered, complete an online receiving report and request for payment. See the [BVP FAQs](#) and the

[BVP Receipts and Payment Requests User Guide](#) for more information.

The BVP Helpdesk can be contacted at 1-877-758-3787 or vests@usdoj.gov.

It is important to note that body armor vests purchased with BVP funds must have been tested through the National Institute of Justice (NIJ) Compliance Testing Program (CTP) and found to comply with the most current NIJ body armor standards; appear on the NIJ Compliant Products List as of the date the body armor was ordered be uniquely fitted; and made in the United States. In addition, applicants must have a written mandatory wear policy for uniformed patrol officers in place at the time of application. For this reason, it is important to research the NIJ Compliant Products List prior to vest selection and purchase.

TREEDC NEWS

MARK YOUR CALENDARS FOR TREEDC CONFERENCE ON NOVEMBER 16, 2023

The Tennessee Renewable Energy and Economic Council (TREEDC) will hold its annual conference and awards reception on November 16 at 37 Cedar Restaurant in Cookeville. The conference will start at 1 p.m. Attendees will hear presentations from municipal sustainability professionals, energy services providers, PACE clean energy initiatives and updates from TDEC Office of Energy Programs and U.S. Department of Agriculture (USDA) Rural Development funding opportunities. The awards reception will begin at 5 p.m. More information and registration details will be provided in early September.



Warren Nevad
Municipal Management
Consultant



TREEDC NEWS, *continued from page 8*

PETROS PACE FINANCING DISCUSSES COMMERCIAL ENERGY EFFICIENCY OPPORTUNITIES IN TENNESSEE

Vice President of Petros PACE¹ Financing Nicole Robben recently gave a presentation at a Chattanooga [green|spaces](#) event. Commercial Property Assessed Clean Energy + Resiliency (C-PACER) is an innovative financing mechanism to help commercial, industrial, agricultural, and multi-family buildings become more efficient and resilient.

According to Robben, C-PACER does not use any government funds, it is a loan agreement between a private lender and the property owner, like a mortgage or home improvement loan. The unique part about C-PACER financing is that the county records the loan as a lien on the property, which means that if the property owner sells the building, the assessment stays with the building (unless

the payoff is part of the sale agreement). Primary benefits include increases in net operating income (NOI); investments to attract and retain tenants; the ability to pass costs on to tenants who benefit from corresponding utility savings; and favorable accounting treatment as the building owner has no long-term liability.

Examples of projects that can be financed using C-PACER include:

- Energy and water efficiency
- Electrification improvement (eliminates fossil fuel combustion)
- Renewable energy
- Electric vehicle charging
- Seismic hardening
- Fire detection and suppression
- Flood readiness
- Stormwater management
- Energy storage



Left to right: Madison Rollings, Chattanooga [green|spaces](#), Nicole Robben, Petros PACE Financing and Warren Nevad, MTAS.

¹PACE means property assessed clean energy and C-PACE is commercial property assessed clean energy.

TREEDC NEWS, *continued from page 9*

TREEDC MEMBER PARIS WINS STATEWIDE GREEN LEADERSHIP AWARD

Congratulations to TREEDC Member the city of Paris for winning a statewide award in Green Leadership by the Tennessee Municipal League. Paris recently implemented significant modifications for programmable thermostats, movement sensors for lights, LED lighting in buildings and updated HVAC systems.

Over the past several years Paris worked to improve walkability in the community. Paris applied for and received three grants to date totaling \$2,596,560 for construction of new sidewalks within the city. The first of the three grants was a Transportation Alternative Grant which recently completed. It connects four schools and links to existing sidewalks that lead to the main retail thoroughfare. The new sidewalk is used daily and was extremely well received in the community.

Paris is proud to be connected to the Paris Board of Public Utility (BPU) grid that is now powered with a portion of renewable energy. Citizens of Paris will realize electric rate stability due to the

expected \$300,000 in annual power cost savings. Local industry will also be able to claim Renewable Energy Certificates to assist with carbon reduction goals. Paris hosted a prior TREEDC Forum in 2014.



Front row, left to right: Commissioner John Etheridge, Commissioner Sam Tharpe. Back row, left to right: Mayor Kathy Ray, Vice Mayor Vickey Roberts and Commissioner Jackie Jones.

Join the MTAS Team!

MTAS is currently seeking three public service-minded people to join our team!

[Librarian 1](#)

[Library Associate 1](#)

[Police Management Consultant](#)

Visit the [MTAS website](#) to keep track of the opportunities at MTAS and in Tennessee cities and towns.



CONFERENCES AND MEETINGS FOR MUNICIPAL STAFF AND OFFICIALS

TENNESSEE ASSOCIATION OF MUNICIPAL CLERKS AND RECORDERS

Fall Conference 2023 | September 20-22, 2023 | Murfreesboro

TENNESSEE GOVERNMENT FINANCE OFFICIALS ASSOCIATION

Fall Conference 2023 | September 27-29, 2023 | Murfreesboro

TENNESSEE CITY MANAGEMENT ASSOCIATION

Fall Conference 2023 | October 25 - 27, 2023 | Knoxville

TN PUBLIC RISK MANAGEMENT ASSOCIATION

Annual Conference 2023 | November 14-16, 2023 | Franklin

Front page: The city hall of South Pittsburg, home of the National Cornbread Festival. This page: this mural featuring flora and fauna of East Tennessee can be found in Johnson City. Photos by MTAS Municipal Court Specialist John Eskew.

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