

## City Spotlight: SURGOINSVILLE



### SURGOINSVILLE CITY HALL

Date of Incorporation:  
1815

Population:  
1,861

County:  
Hawkins

Grand Division:  
East Tennessee

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[Hawkins County](#)  
[Chamber of Commerce Web Site](#)

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## U.S. Drug Enforcement Agency Funding for Meth Site Cleanup and Disposal Exhausted

*Rex Barton, Police Management Consultant*

The Drug Enforcement Agency (DEA) announced February 24, 2011, that it would no longer provide federal money for the cleanup and disposal of hazardous materials at meth lab sites. Local governments will now be responsible for the disposal of the hazardous materials associated with meth labs, and that is going to be costly. This funding issue may fix itself when a federal budget is adopted, but significant cuts to the federal budget may not provide funding for this particular problem.

For the time being, those agencies that are signees to the state meth task force agreement (pretty much every agency that has been experiencing a large meth lab problem) can still call on the meth task force for response. The task force will provide the suits and other hazardous materials-related equipment necessary to package all components. If the local agency does not have meth lab certified officers, the task force will find certified officers from other agencies, and pay for the associated overtime for those officers to come clean up the site.

The task force will not dispose of the materials. Until now, the DEA has taken care of the cost of disposal. The local agencies will have to contract with hazardous materials contractors for disposal.

State Loses Meth Cleanup Money, on Record Pace for Lab Seizures | [Read](#)  
*Knoxville News Sentinel 2/24/2011*

Tennessee is Losing Federal Funds to Dispose of Meth Labs | [Read](#)  
*The Tennessean 2/24/2011*

### PUBLICATION HIGHLIGHT:

## Social Media as a Tool for Tennessee Municipalities | [Read](#)

*Bonnie Jones, MTAS Human Resource Consultant,  
and Josh Jones, MTAS Legal Consultant*

Does your city have a policy on social media? Have you ever looked up a candidate or employee online? What do cities use social media for? MTAS consultants Bonnie Jones and Josh Jones have created a publication on social media and employment law which includes a sample social media policy. Visit our Web site to download a copy of the comprehensive publication that will guide your city through policies and procedures as well as the pitfalls of using social media for employment matters.

## MTAS Partnering on Stormwater Survey

*John Chlarson, Public Works Consultant*

MTAS has been working with the Tennessee Stormwater Association, the Tennessee Department of Environment and Conservation (TDEC) and the U.S. Environmental Protection Agency (EPA) on a survey of the NPDES Phase II Stormwater Permit holders in Tennessee to determine a baseline of attitudes toward those systems participating in the qualified local program option (QLP). The survey will be repeated over a three-year period, a total of three times, to determine if there has been a change in opinions toward the QLP option. An MS4 that is a QLP will have sole jurisdiction over construction permits and activities in its jurisdiction, while still having access to enforcement support from TDEC.

The EPA is committed to expanding the use of the QLP option. Voluntary participation anywhere in the U.S. is lacking. Participation in the QLP option is mandatory in some states. EPA and TDEC are trying, through an outreach with MTAS, to find incentives and rewards for participating in the QLP option. An effective QLP is expected to offer multiple benefits including: the creation of a streamlined and more efficient process for managing construction stormwater activities by eliminating duplication of the effort between MS4s and TDEC; the lessening of confusion and burden on construction site operators by providing one set of requirements to follow; and ultimately, the improvement of water quality protection due to increased program efficiency.

If these surveys show that the outreach program in Tennessee is effective, the EPA plans to use Tennessee as a national model. The program materials that TDEC and MTAS develop will be used by the EPA to assist other states with developing and implementing the QLP option in their states, ultimately improving water quality across the United States.

For more information on the QLP option, contact Chlarson at [john.chlarson@tennessee.edu](mailto:john.chlarson@tennessee.edu) or (731) 425-4785.

## Deadlines for Sign Mandates Approaching

*Clifton Ogden, Civic Engineering and Information Technology, Inc.*

Every few years, it seems there is a new compliance mandate for public works agencies. *Status quo* dictates that these mandates are typically unaccompanied by funding or staff, and most of the time, these mandates come with a fairly aggressive deadline for implementation/compliance. One of these “new” mandates is the minimum sign retroreflectivity requirement that was established by a federal rule that went into effect in January 2008. The details of the requirement were first presented in the *Federal Highway Administration’s Manual of Uniform Traffic Control Devices (MUTCD) 2003* version, revision 2. These requirements were maintained in the newest version (2009) of the MUTCD, and there is no indication that the requirements will be relaxed in the future.

The heart of the new signage requirements are centered on the fact that although only 25 percent of travel occurs at night, one-half of the traffic fatalities occur during nighttime hours. Several studies have identified that inadequate visibility of traffic control devices is a major cause of nighttime crashes.

The good (and bad) thing about technical-based mandates is that it puts the specifics on due diligence. For instance, if there is a technical requirement for something, it can be technically measured to determine if it is indeed being met or exceeded — pass or fail. In essence, when there are technical specifications, due diligence can be technically proven or disproven by non-subjective means. If there is not a technical measure, it often is up to a judge or, worse, a jury to subjectively determine what is sufficient, feasible or in a subjective layman’s opinion, adequate due diligence. Of course, the flip side is, new mandates indirectly advertise potentials for litigation. Probably the biggest concern of many agencies regarding mandates is the threat of lawsuits from non-compliance.

For more on the sign mandates, visit [http://www.mtas.tennessee.edu/Citydept/PW/signdeadline\\_tpw\\_32011.pdf](http://www.mtas.tennessee.edu/Citydept/PW/signdeadline_tpw_32011.pdf).

From *Tennessee Public Works*, January/February 2011

## New Law Requires Employers to Accommodate Nursing Mothers in the Workplace

On March 23, 2010, a new federal law was passed that requires employers to accommodate nursing mothers in the workplace. In addition to federal law, there are state laws to which your municipality should be adhering. A new MTAS publication, [Accommodating Nursing Mothers in the Workplace](#), will guide you through state and federal laws that accommodate nursing mothers in the workplace. It also will provide information on employer best practices and frequently asked questions.

## UT Transportation Assistance Program to Hold Classes

UT's Transportation Assistance Program (TTAP) will conduct a day-long course on roadway drainage maintenance and will introduce various roadway preservation techniques. It also will cover the use and upkeep of culverts, ditches, energy dissipators and bank protection for proper roadway drainage.

This course is intended for engineers, roadway maintenance supervisors and other workers responsible for roadway drainage facilities. Dr. David Clarke, associate research professor at UT Knoxville and director of the UT Center for Transportation Research, will be leading the course scheduled for Thursday, March 31 in Jackson. The program also will offer a day-long course on work zone traffic control and flagging. Using Manual on Uniform Traffic Control Devices (MUTCD) standards, the course will cover work zone safety devices. It also will discuss liability issues of highway agencies and individuals while performing construction or maintenance. The course is intended for state, county, city and utility personnel who have the responsibility of setting up traffic controls in road construction areas. It will be taught by Frank Brewer, a TTAP staff member and researcher.

The sessions are scheduled for Tuesday, March 15 in Nashville; Thursday, April 28 in Chattanooga; and Tuesday, July 12 in Knoxville. Visit TTAP's Web site, and click on the "Training and Workshops" tab for registration information. <http://ctr.utk.edu/ttap>

## New Online Learning Available for Tree Board Members

Tree Board University, a new online training program, was unveiled at the recent Partners in Community Forestry National Conference. This unique training was designed specifically for members of local planning commissions, parks boards, beautification committees, urban forestry commissions or other local advisory committees that deal with tree issues.

"Tree Board University is a great place for new tree board members to get oriented to serving on a tree board or for existing tree board members to gain new insights into how to be more organized, efficient and effective," said Paul D. Ries, state urban and community forestry program manager for the Oregon Department of Forestry and one of the Tree Board University Curriculum Development Team members. While Tree Board U is designed specifically for the more than 21,000 citizens currently serving on a tree advisory committee somewhere in the U.S., it is open to anyone.

There are eight courses in the Tree Board University curriculum, which covers partnerships, collaboration, marketing and communications, urban forestry planning, tree board effectiveness, how to manage tree board projects and much more. The course material includes videos, archived webcasts, intensive reading materials and self-assessment activities. Throughout the curriculum, participants will be quizzed and complete assignments prior to moving on to the next course, working at their own pace. Upon "graduation," Tree Board University participants can print a completion certificate and are invited to join an online community of fellow Tree Board University graduates. This community of like-minded tree enthusiasts is a place where sharing, networking and additional learning can take place.

Tree Board University is a free training program, primarily thanks to funding provided through the USDA Forest Service upon the recommendation of the National Urban and Community Forestry Advisory Council (NUCFAC). USDA is an equal opportunity employer and provider. The Tree Board University Web site is hosted by the Arbor Day Foundation.

To sign up for the Tree Board University courses, visit <http://www.treeboardu.org>.

## TREEDC Group Visits Tennessee Congressional Delegation

Mayors and city council members who represent a statewide environmental economic development



organization visited the congressional delegation in Washington, D.C., recently to promote renewable energy technologies and green employment opportunities for Tennesseans.

The group consists of members of the Tennessee Renewable Energy and Economic Development Council (TREEDC), a statewide grassroots coalition of mayors and city council members formed by the University of Tennessee (UT) Municipal Technical Advisory Service (MTAS) and five mayors from across the state in 2008. The mission of TREEDC is to provide statewide leadership in promoting and connecting renewable energy with economic development for all cities and counties in Tennessee.

One focus of the visit was to encourage efforts to revitalize Memphis' biodiesel production industry that is trying to recover from the Memphis Biofuels plant closing in July 2009. Councilman Edmund Ford Jr. urged the congressional members to assist with the city's efforts to reopen the biodiesel plant that will add more than 35 jobs and help the United States meet its renewable energy goals regarding the production of biodiesel. Other issues discussed included improvement in the TVA Green Power Switch Program, new incentives for solar energy development, cellulosic ethanol production and biomass gasification.

Ford was joined by officials from other cities such as Pikeville (Bledsoe County), Ducktown (Polk County) and Jackson (Madison County).

"TREEDC is unique in that there is no other green-related organization in the nation created or operated this way," Ford said. "The elected officials come from cities and counties in all shapes and sizes across Tennessee to carry out the mission of TREEDC on a grassroots level."



*Health Care Corner*

## What's New in Health Care Reform

To address this important issue, MTAS has a blog called the Health Care Corner. We encourage your city to visit the blog regularly and to submit questions as they arise. Visit our blog to find out about training sessions and healthcare reform topics such as new reporting requirements and status of court rulings.

To view the health care blog visit our Web site and look for the health care corner.

[http://www.mtas.tennessee.edu/public/web.nsf/Web/Health\\_care?Opendocument#](http://www.mtas.tennessee.edu/public/web.nsf/Web/Health_care?Opendocument#)

Here are some of the recent entries.

### We Want to Hear from You!

February 21, 2011 | Bonnie Jones  
MTAS Human Resource Consultant

We want to hear from you. Have you done any financial analysis on health care reform for your city? What is your city's plan as of now? E-mail Bonnie Jones at [bonnie.jones@tennessee.edu](mailto:bonnie.jones@tennessee.edu) to provide comments. Comments will be posted on the next blog.

### Employers Still Mulling Over Health Care Reform

February 21, 2011 | Bonnie Jones  
MTAS Human Resource Consultant

### Four States Including Tennessee Receive PPACA Waivers for 2011

February 18, 2011 | Bonnie Jones  
MTAS Human Resource Consultant

### HCR Reporting Requirements Likely Changing

February 7, 2011 | Bonnie Jones  
MTAS Human Resource Consultant



## MTAS Training Events and Conferences

March 1	Tennessee Renewable Energy and Economic Development Council (TREEDC) Sustainable Communities Workshop, Crossville
March 4-5	Elected Officials Academy Level I, Martin
March 10-11	Administrative Office of the Courts Spring Conference, Franklin
March 10-11	Municipal Court Clerk Conference, Franklin
March 16	Municipal Management Academy Planning and Organizing, Germantown
March 30	Municipal Management Academy Managing Change, McMinnville
March 30- April 1	Tennessee Association of Municipal Clerks and Recorders, Nashville

## Other Events

March 7-8	Tennessee Municipal League Legislative Conference, Nashville
March 8	Fire Department Day on the Hill, Nashville
March 15	Tennessee Transportation Assistance Program/Traffic Work Zone Control/Flagging Course, Nashville
March 16-18	Tennessee Assoc. of Utility Districts: Utility Technology Conference, Gatlinburg
March 24-25	Local Government Leadership Program (LGLP) Alumni Event, Knoxville
March 25	Tennessee Government Finance Officers Association 2011 Spring Institute, Chattanooga
March 28-29	Community Growth Academy, Murfreesboro
March 28-31	Tennessee Public Works Institute: Maintenance Technologies for Public Works Course, Murfreesboro
March 31	Drainage System Maintenance Course, Jackson

## RECENT MTAS PUBLICATIONS:

### Legislature Declares When Ordinances, Resolutions to Be Used | [Read](#)

*Stephanie Allen, Legal Consultant*

The General Assembly passed a new law that sets out enactments by municipal governing bodies that must be done by ordinance.

### Water Needs of Small Tennessee Fire Departments | [Read](#)

*Ron Darden, Municipal Management Consultant, and Gary West, Fire Management Consultant*

This report discusses the fire department's need for water, fire insurance ratings, hydrant marking regulations, problems confronting local government's ability to provide water for fire service, the value of residential sprinkler systems and potential savings from improved fire service.

All current MTAS publications are available in the Publication Catalog on the MTAS Web site at <http://www.mtas.tennessee.edu/public/web.nsf/Web/Read+Pubs>.

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