

CALL TO ORDER

CITIZENS TO ADDRESS THE COMMISSION None

PUBLIC HEARING REGARDING ZONING

CZ-15-2010: Application of Robert Combs from R-1 to C-5

AB-2-2010: Resolution Approving the Vacation of a Portion of Jim Johnson Road

RESOLUTIONS

10-12-1: Resolution to Accept Block Grant Funds from the Bureau of Justice Assistance of the United States Department of Justice

10-12-2: Resolution to Adopt the 2011 Legislative Agenda as Presented by the Legislative Liaison Committee

REPORTS

1. Ed Baggett, Nominating Committee -- (Deferred until January)
2. Carolyn Bowers, County Mayor Nominations and Appointments -- (Deferred until January)

REPORTS FILED

1. Minutes from November 8, 2010
2. Projects & Facilities Report
3. November 2010 Adequate Facilities Tax Reports and Permit Revenue
4. County Courtroom Security Report for 2010

ANNOUNCEMENTS

1. Don't forget – Mayor's Christmas breakfast, Wednesday, December 8 from 7:00 a.m. to 9:00 a.m. Feel free to drop by anytime. Hope to see you there.
2. Mark your calendar – Legislative Reception, Thursday, December 16 at 5:00
3. There will be a Rules Committee meeting on Tuesday, January 4, 2011 at 4:30 p.m.

ADJOURN

**RESOLUTION OF THE MONTGOMERY COUNTY BOARD OF
COMMISSIONERS
AMENDING THE ZONE CLASSIFICATION OF THE PROPERTY OF
ROBERT COMBS**

WHEREAS, an application for a zone change from R-1 Single Family Residential District to C-5 Highway & Arterial Commercial District has been submitted by Robert Combs and

WHEREAS, said property is identified as County Tax Map 082, parcel 148.00, containing 0.98 +/- acres, situated in Civil District 13, located south of the Old Sango Rd. & Avigon Way intersection fronting on the south side of Old Sango Road 140 +/- feet.; and

WHEREAS, said property is described as follows:

Beginning at an iron pin in the southerly margin of Old Sango Road, said point being 25 feet from the centerline of Sango Road thence with the margin of Sango Road south 86 degrees 33 minutes east 135.48 feet to an iron pin, thence south 0 degrees 29' west 285.26 feet to an iron pin, thence north 78 degrees 54' west 152.50 feet to an iron pin; thence north 3 degrees 27' east 264.58 feet to the point of beginning. Including 0.98 +/- acre (Tax Map 82 parcel 148.00)

WHEREAS, the Planning Commission staff recommends DISAPPROVAL and the Regional Planning Commission recommends DISAPPROVAL of said application.

NOW, THEREFORE, BE IT RESOLVED by the Montgomery County Board of County Commissioners assembled in regular session on this 13th day of Deceember, 2010, that the zone classification of the property of Robert Combs from R-1 to C-5 is hereby approved.

Duly passed and approved this 13th day of December, 2010.

Sponsor David Peggins
Commissioner _____
Approved _____
County Mayor

Attested: _____
County Clerk

A RESOLUTION APPROVING THE VACATION OF THE A PORTION OF JIM JOHNSON ROAD;

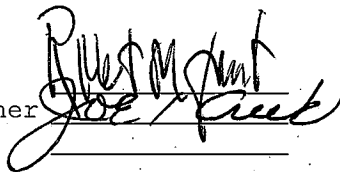
WHEREAS, application was made by Montgomery County (Mike Frost, agent) for vacation of a portion of Jim Johnson Road; being a tract of land located in the Second Civil District of Montgomery County; being approximately 5,010 +/- feet southeast of the Rowe Lane and Tylertown Road intersection; and being approximately 0.98 +/- miles in length, beginning in the southern margin of Tylertown Road and traveling in a southerly direction to the western margin of a cul-de-sac that dead ends; being approximately 40 +/- feet wide and 5,200 +/- feet long; containing approximately 208,000 +/- sq. ft. or 4.77 +/- acres, shown on Montgomery County tax map 009, north of parcel 14.02, and goes through parcel 14.01; also shown on the attachment (Exhibit A); and

WHEREAS, the application was reviewed according to established procedures by the Regional Planning Commission on November 23, 2010, and was recommended for approval to the County Commission for vacation, with retention of an easement for public utilities;

NOW, THEREFORE, BE IT RESOLVED by the Montgomery County Board of County Commissioners assembled in regular session on this 13th day of December, 2010, that the above described public right-of-way is hereby vacated, with retention of an easement for public utilities, is hereby approved.

Duly passed and approved this 13th day of December, 2010.

Sponsor
Commissioner
Approved

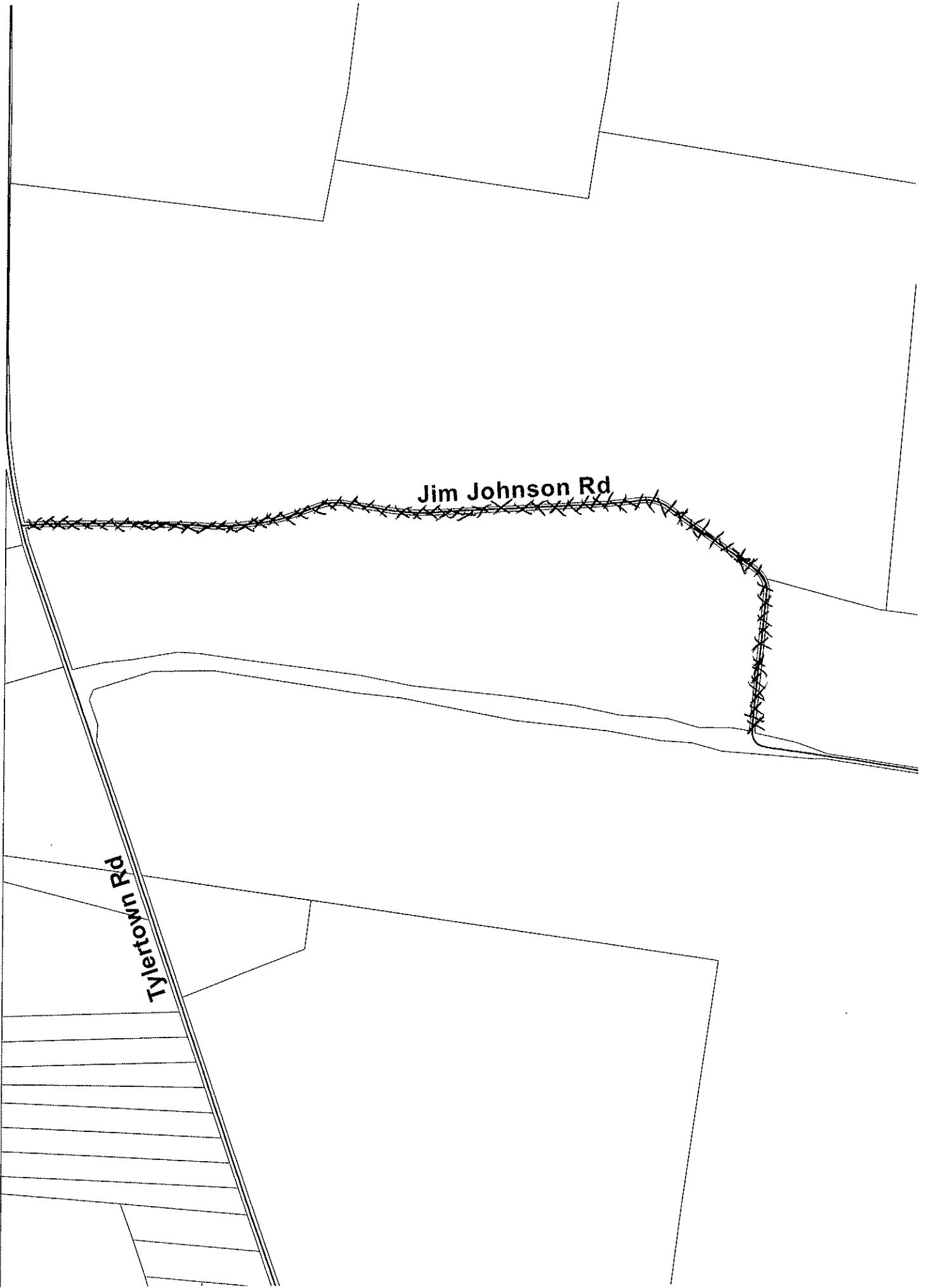
A handwritten signature in black ink, appearing to read "Joe Frost", is written over a horizontal line. The signature is cursive and somewhat stylized.

AB-2-2010

KENTUCKY STATE LINE

Tylerown Rd

Jim Johnson Rd



**RESOLUTION TO ACCEPT BLOCK GRANT FUNDS
FROM THE BUREAU OF JUSTICE ASSISTANCE
OF THE UNITED STATES DEPARTMENT OF JUSTICE**

WHEREAS, the United States Department of Justice Bureau of Justice Assistance has granted \$57,567.00 for fiscal year 2011 for various projects including the monthly service for mobile data terminals and associated wireless data equipment; and

WHEREAS, the continued use of mobile data services and equipment will result in deputies being able to access essential information in the performance of their duties while in the field.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Montgomery County, Tennessee, meeting this the 13th day of December, 2010, that:

SECTION 1. Montgomery County hereby accepts \$57,567.00 from the United States Department of Justice, Bureau of Justice Assistance for the purposes herein stated and detailed below:

Mobile Data Service 101-54110-00000-54-53070-11060	\$32,000.00
Wireless Equipment 101-54110-00000-54-54990-11060	\$25,567.00

SECTION 2. There is no required match and no requirement that these projects be continued under the terms of the block grant at its expiration.

This resolution shall take effect upon its adoption.

Dated this the 13th day of December, 2010.

Sponsor _____

Commissioner _____

Approved _____

County Mayor

Attested _____

County Clerk

**THE
MONTGOMERY COUNTY COMMISSION**

PRESENTS ITS

2011 LEGISLATIVE AGENDA

TO THE

**107TH GENERAL ASSEMBLY
STATE DELEGATION**

**SENATOR TIM BARNES
REPRESENTATIVE CURTIS JOHNSON
REPRESENTATIVE PHILLIP JOHNSON
REPRESENTATIVE JOE PITTS**

Forwarded by

Montgomery County Mayor Carolyn Bowers

And Legislative Liaison Committee members

Commissioner J.M. Genis

Commissioner Mark Banasiak

Commissioner Keith Politi

Commissioner Ron Sokol

Commissioner Robert Nichols

DECEMBER 2010

Commissioner J.M. Genis
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Commissioner Keith Politi
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Commissioner Ron Sokol
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Commissioner Robert Nichols
931-431-2619
Robert@fortcampbell.com

I. STATE PARKS/NATURAL AREAS

LEGISLATIVE ITEM: A request to our state delegation for assistance in the further development of Port Royal State Park.

PURPOSE: Montgomery County Government recognizes Port Royal State Park as a significant cultural, historical, and recreational asset for our community. The park's potential to be further developed, highlighting its significant role in our nation's history as a part of the Trail of Tears, has not occurred. A re-examination of the park's needs would allow for establishing long range plans for increased development. Improvement would include a pedestrian bridge, connecting the existing park to 15 additional acres of park located on the north side of the river and for the appropriate development thereof. We are asking you to consider a joint venture between TDOT, TDEC, & Montgomery County as an avenue to reach the park's full potential.

For more detailed information, please contact the following individuals:
Commissioner Mark Banasiak or Irene Smith.

II. VETERANS' CONCERNS

LEGISLATIVE ITEM: Support and actively advocate for the placement of two retired veterans' from Montgomery County on the Tennessee State Veterans' Home Board.

PURPOSE: Currently the board consists of members from the Central Region of Tennessee, and only one from Montgomery County. The three veterans' homes located in Humboldt, Murfreesboro, and Knoxville have a large and active staff including the State Project Manager. They advise the Executive Director and State Board members to assist the Governor and our veterans. Each county with a home or proposed home has more than one board member except Montgomery County. With the proposed FY2011-FY2012 construction of the Montgomery County Veterans' Home it is in the best interest of our county to have veterans on the State Board from Montgomery County.

~~**LEGISLATIVE ITEM:** Assist in identifying and advocate the administrative priorities and/or short falls to be corrected before the feasibility study can be completed by the state. The construction cannot begin on the Montgomery County Veterans' Home until we are "Shovel Ready".~~

~~**PURPOSE:** The Executive Director and Project Manager have been replaced. Members of the Veterans' Board terms end at the beginning of 2011 and will be replaced by the new Governor. This has and will cause a lack of continuity including missing records which we are now experiencing. The lack of communication with Montgomery County and the loss of records have created this short fall problem.~~

LEGISLATIVE ITEM: Support and actively advocate for the funding Authority²² of the approved veterans' home in Clarksville Montgomery County, Tennessee.

PURPOSE: The U.S. Department of Veterans' Affairs has approved a veterans' home for construction in FY2011-FY2012 to support Fort Campbell, the third largest military installation in the Army, and the largest retiree population in the state. A veterans' home in Montgomery County would be an enormous advantage to the region's more than (73,000 retirees and veterans) 42,000 retired veterans². The veterans' home will provide the required assistance and improve the overall quality of life for after retirement.

For more detailed information, please contact the following individuals:
Commissioner Robert Nichols or Phil Harpel, Montgomery County Director of Administration

III. HIGHWAY TRANSPORTATION

LEGISLATIVE ITEM: Secure funding by the Tennessee Department of Transportation for the following projects:

*Engineering/Environmental phase for SR48/Trenton Rd. from SR13/ Wilma Rudolph to SR 236/Tiny Town Rd. at approximately \$1,300,000.00

*Utility relocation & construction phase for SR112/US41-A from SR76 to McAdoo Creek Rd. at approximately \$14,000,000.00

*Utility relocation & construction phase for SR374/Warfield Blvd. from Dunbar Cave Rd. to Stokes Rd./SR13 and not be removed from the FY 2011-14 Transportation Improvement Program at approximately \$20,000,000.00

PURPOSE: To increase volume and safety of transportation system for individual and commercial usage. Economic growth by improving infrastructure and promoting environmental responsibility, including energy conservation, improving air quality and enriching quality of life.

For more detailed information, please contact the following individuals:
Mayor Carolyn Bowers or Stan Williams, Metropolitan Planning Organization

IV. COURT COSTS

LEGISLATIVE ITEM: Add language to TCA 40-25-123 (a), *Payment of costs by defendant — Suspension of costs and litigation tax for indigent defendants*; Thereby, allowing Court Clerks to collect monies due without additional paperwork and manpower to convert a criminal debt into a civil debt. A civil debt is collectable for up to 10 years and gives both the individual and the county the ability to pay or collect. This change will not alter or interfere with the judicial authority to waive costs to those who deserve consideration TCA 40-25-123 (b).

PURPOSE: This agenda item is requesting that all court costs passed on to any defendant would, by default (TCA), become a civil debt, notwithstanding and recognizing the authority of the courts and the need from time to time for the court to address those defendants who deserve consideration, the waiving of court costs. Court costs are a county debt and for every dollar expended a partial recovery is possible through the collection of court costs. It might be noted; defendants who could be considered indigent today might not be indigent later and have the ability to pay the debt.

For more detailed information, please contact the following individual:
Commissioner Ron Sokol

IV. EDUCATION

LEGISLATIVE ITEM: Support a change in the CBER and TACIR formulas that determine a counties fiscal capacity to credit the county for the share of property tax used for new school construction and /or school renovations.

PURPOSE: Fiscal Capacity is the potential ability of local governments to fund education from their own taxable sources relative to the number of students. The new CBER (Center for Business and Economic Research) model and the TACIR (Tennessee Advisory Commission of Intergovernmental Relations) model are used to determine a counties capacity to raise local revenues for education from its property and sales tax base. One of the variables used in these formulas is the three year average of property tax spent on education taken from the Department of Education's Annual Statistical Report. However, this figure only takes into account the property tax allocated for the school system's operational budget. It does not include the amount of property tax allocated to a county's debt service fund to cover new school construction and or major school renovations. As a result, the fiscal capacity of a county that invests in new schools is undervalued in both formulas which can result in a reduction in BEP funding. Last year, the Clarksville Montgomery County School System's BEP funding was reduced by approximately \$843,000.00 dollars based on its projected fiscal capacity using the TACIR formula and \$729,000.00 dollars using the new CBER formula.

In Montgomery County, the school system's share of the property tax rate for operations is .884 cents. The share of the property tax rate for the Debt Service Fund is .85 cents. However, .648 cents of the .85 cents is directly related to new school construction. Using the CBER and TACIR Models, the .884 figure is used as the measure of the counties expenditure for education. When, in fact, the county has actually invested an additional .648 cents in educational funding for new and renovated schools. Thus, the counties actual education related expenditures are \$1.532.

For more detailed information please contact the following individual:
Commissioner Keith Politi or Danny Grant, Clarksville-Montgomery County
School System Chief Financial Officer

V. BUSINESS TAX COLLECTION

LEGISLATIVE ITEM: Give local county clerk's offices the option to collect delinquent business taxes locally.

PURPOSE: The Tennessee State Legislature gave the Tennessee Department of Revenue the responsibility to collect business taxes statewide beginning on January 1st, 2010. Prior to that date, the collection of delinquent business taxes remained with the local county clerk's office. The Montgomery County Clerk, with the support of the Montgomery County Commission, hired an auditor to increase the identification and collection of delinquent business taxes. During the 13 month period that the auditor was employed, the Montgomery County Clerk's Office collected \$325,000.00 in unidentified and/or delinquent business taxes.

Given the budget concerns facing the State Legislature, it is unlikely that the State Department of Revenue will have the funds to hire the staff necessary to efficiently and effectively collect these taxes state wide.

The Montgomery County Clerk's Office has already demonstrated its effectiveness in identifying and collecting delinquent business tax revenue.

If given the option, the Montgomery County Clerk's office would take advantage of the opportunity to generate additional revenue that would benefit the citizens of Montgomery County.

For more detailed information please contact the following individual:
Commissioner Keith Politi or Kellie Jackson, Montgomery County Clerk

VI. STATE FUNDING FOR LOCAL GOVERNMENT

LEGISLATIVE ITEM: Fully support the continued funding of all state shared taxing, BEP and stimulus funding which benefit Montgomery County Government and our

citizens.

PURPOSE: The current revenue sharing partnership and equitable funding relationship enables Montgomery County Government to provide essential services and basic mandated funding requirements to our citizens, students and constituents. Any reduction or compromise to full funding of these services and programs directly result in reduced effectiveness and would require substantial increases in local taxes. Increased financial stress is placed on the local government when full funding is restricted, reduced, or delayed.

Local tax resources are currently at a maximum, supplementing the inequity of state funding to provide mandated fundamental services such as: public education, public safety, correctional facilities, emergency services and transportation funding.

For more detailed information, please contact the following individuals:
Mayor Carolyn Bowers

**VII. SUPPORT THE TENNESSEE COUNTY SERVICES ASSOCIATION'S
2011 LEGISLATIVE PLATFORM AND GREATER NASHVILLE REGIONAL
COUNCIL 2011 LEGISLATIVE AGENDA (SEE ATTACHED INFORMATION).**



DRAFT

2011 LEGISLATIVE AGENDA

GNRC is the regional planning and economic development organization of the Region's 53 cities and 13 counties, and operates under the 1965 Tennessee Development District Act and 1988 Regional Authority State statutes. Mayors, county executives, minority representatives, and two members of the General Assembly make up the membership of the GNRC policy board which deals with many common regional planning, growth, economic development needs, programs and services in the multi-county region.

This is the 22nd consecutive year that GNRC will adopt an Annual Legislative Agenda.

THE FOLLOWING IMPORTANT REGIONAL ISSUES AND NEEDS ARE BEING CONSIDERED FOR ADOPTION BY THE EXECUTIVE COMMITTEE AS THE GNRC LEGISLATIVE AGENDA FOR THE COMING YEAR:

- **SUPPORT THE EIGHT (8) GNRC DRAFTED BILLS.**
 1. Community Garden
 2. Adoption of building and utility codes
 3. Establishment of zoning provisions
 4. Procedures before boards of zoning appeals
 5. Non-conforming uses
 6. Platting regulations
 7. Municipal planning commission jurisdiction beyond its corporate limits
 8. County's ability to adopt Design Review Commissions

- **SUPPORT PROGRAM FUNDING FOR THE TENNESSEE COMMISSION ON AGING AND DISABILITY AND GRNC AREA AGENCY ON AGING AND DISABILITY.** These funds provide viable and necessary public guardianship services, home delivered meals, homemaker services, home and community based services, and senior center activities. State and federal funding needs to be increased in the area of capital resources for the expansion of existing senior citizens centers and the establishment of new senior citizens centers.

- **SUPPORT CONTINUED FULL STATE FUNDING FOR GNRC FROM THE LEGISLATURE OF \$150,000 ANNUALLY IN COMPLIANCE WITH THE FUNDING FORMULA SET FORTH IN THE TENNESSEE DEVELOPMENT DISTRICT ACT OF 1965, AS AMENDED.** These funds are allocated in the state budget process through the Tennessee Department of Economic and Community Development as the pass-thru funding agency for the State's nine Development Districts.

- **SUPPORT ESTABLISHMENT OF DEDICATED SOURCES OF FUNDING FOR PUBLIC TRANSIT.** These funds are needed to improve public transportation services that are supported by local, regional, state and federal public transportation organizations and agencies.

2011 LEGISLATIVE Agenda

(Continued)

SUPPORT FUNDING FOR LOCAL INFRASTRUCTURE. Support and encourage the Governor and the General Assembly to adequately fund local road, bridge, water, wastewater, solid waste and other local public infrastructure projects.

- **SUPPORT THE CONTINUED FUNDING AND DEVELOPMENT OF SR-840 SOUTH and ENCOURAGE TDOT TO EXPEDITE THE FUNDING AND CONSTRUCTION OF THE PROJECTS TO BE BUILT TO LESSEN THE IMPACTS CREATED BY THE HOLD STATUS OF SR 840 NORTH.**
- **SUPPORT DEDICATED FUNDING FOR COMMUTER RAIL.** GNRC encourages legislation establishing a dedicated source of funding for both construction and operation of the commuter rail system. These funds are needed to secure federal matching funds for new transit and smart growth initiatives.
- **SUPPORT THE STRENGTHENING OF THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT LOCAL PLANNING OFFICE AND INCREASE PROFESSIONAL PLANNING STAFF POSITIONS,** in order to provide adequate level of local planning assistance services to area cities and counties, and provide competitive pay scales for attraction and retention of professional staff.
- **SUPPORT THE RE-ESTABLISHMENT OF A STATE PLANNING OFFICE** which would address statewide issues and policies and would assist in the coordination of state actions and programs among the different departments and with local governments and development districts.
- **SUPPORT INCREASED FUNDING FOR STATE PRISONERS HELD IN LOCAL JAILS.** County sheriffs should strive for cost containment and effective utilization of monies received from local county commissions for the housing of prisoners. At the same time, county jails house state prisoners at a time when jail space is limited, personnel costs are increasing, and medical costs for prisoners is sharply increasing. We urge the governor and general assembly to increase the state payment for state prisoners housed in county facilities, count as state prisoners, people detained awaiting parole violation hearings, pay for pretrial detention of state prisoners and assist in cost of medical treatment for these prisoners. The state should support, encourage and facilitate regional jail systems to save local and state dollars.
- **SUPPORT CHANGES TO PUBLIC CHAPTER 1101 GROWTH PLANNING LEGISLATION** that clarify certain processes and requirements.
- **SUPPORT ADDITIONAL PLANNING ENABLING LEGISLATION.** Support adoption of planning legislation to assist cities and counties in implementing their growth plans, comprehensive and general plans, subdivision regulation and zoning.

2011 LEGISLATIVE Agenda

(Continued)

- **OPPOSE CHANGES TO THE EXISTING LAW ON COLLECTIVE BARGAINING FOR PUBLIC EMPLOYEES.** Collective bargaining has its place in society and present state law allows cities and counties to bargain with local employee unions. The state and local governments of Tennessee provide necessary and vital public services that should be continuing, reliable and uninterrupted. These services should not be tied to any type of mandatory or enforceable memorandums of understandings subjecting them to possible interruption. The provision and financing of public services should be within the realm of elective legislative bodies answerable to the people of this state, city or county. Among these citizens are the public employees which provide the services. It is the duty of elected officials to be fair and equitable with public employees in their work place, in their compensation, in their safety and health, and in their profession as public servants.
- **INCREASE SINGLE ARTICLE CAP ON LOCAL OPTION SALES TAX.** Local governments have limited sources of revenue. People purchasing items should pay their share of taxes based upon the full locally adopted sales tax and not be allowed to reduce their tax burden due to the large price of the item purchased.
- **ENCOURAGE THE CONTINUED SUPPORT** of the Housing Trust Fund which is the source of the Emergency Home Repair program and other additional, flexible programs that provide housing for the people that need it the most. This money is over and above the HUD money that we use for HOME.
- **SUPPORT LEGISLATION** to enhance local governments' revenue options.
- **ALLOW PUBLIC HEARING, PUBLIC MEETING AND OTHER PUBLIC NOTICES** such as but not limited to job openings to be published on websites of governmental entities in lieu of in newspapers.
- **SUPPORT FULL FUNDING** of the Basic Education Program.
- **SUPPORT EXPANDED SCOPE AND PROGRAM OPTIONS** for State's Community College System.
- **SUPPORT AMENDMENT OF THE TENNESSE CONSTITUTION TO MAKE CONSOLIDATION OF COUNTIES AND CITIES MORE FEASIBLE** while retaining a cities' ability to veto their cities' consolidation with the county.
- **SUPPORT EXTENDING THE VOTER CONFIDENCE ACT** via HB 2045 (McCord) / SB 2003 (Haynes) or similar legislation extending the implementation date until at least 2012.
- **LEGISLATION OF REGIONAL CONCERN AS IDENTIFIED** by GNRC member city and county governments as it is filed for consideration by the second session of the 106th Tennessee General Assembly.



Tennessee County Services Association

Representing Tennessee's County Mayors, County Highway Officials, and County Commissioners since 1954

David Seivers
Executive Director

226 Capitol Boulevard, Suite 700, Nashville, Tennessee 37219
Phone: 615/532-3767 Fax: 615/532-3769
Web Site: www.tncounties.org

Debbie Blanchard
Chief Administrative Officer

TCSA 2011 Legislative Platform

General Legislative Policy Statement

The Tennessee County Services Association, and its affiliates, the Tennessee Association of County Mayors, Tennessee County Commissioners Association and Tennessee County Highway Officials Association, generally oppose legislation which has the effect of imposing additional unfunded mandates on Tennessee's 95 county governments, or which further erodes the narrow tax base currently available to Tennessee counties. Further, the association and its affiliates will defend against intrusions into the limited local autonomy vested in county governments. TCSA will support the legislative platforms of its affiliates when they promote the mutual missions of our affiliate associations.

General Economic Conditions & Local Mandates

TCSA recognizes the increasing stresses being placed on the state budget and the difficulty the General Assembly has in continuing the state's current level of services and programs to all Tennesseans, including local governments. Likewise, TCSA asks that the legislature recognize similar stresses on local government budgets and local revenue streams and the lack of flexibility that county governments in particular have in meeting basic mandated funding requirements. To this end, we oppose further limiting the ability of county legislative bodies use of local revenue streams for purposes deemed most appropriate by the governing body, and further increasing the fiscal burdens of counties through passage of any unfunded mandate. TCSA continues to support the protection of the local tax base and additional federal and state revenue sources available to Tennessee county governments. To this end, counties oppose any proposal that either erodes an already limited tax base or necessitates subsequent local tax increases to implement an unfunded mandate. The association also opposes the earmarking of local revenue sources for specific purposes or any other measure that restricts the ability of county officials to make budgetary decisions based on local needs and priorities.

Education Funding

TCSA will continue to support full funding of all portions of the Basic Education Program (BEP), including the annual inflationary growth in both state and local match portions of the BEP formula, including the capital outlay component of the formula. TCSA will continue to work with the Administration and General Assembly to demonstrate the funding commitments Tennessee counties make in BEP local funding match requirements as well as through educational capital budgeting and related debt service payments that are outside the BEP formula. This long-term county government funding commitment includes hundreds of millions of dollars budgeted annually above and beyond the BEP for teachers and administrators deemed necessary by the local school system and county legislative body. Meanwhile, TCSA supports recurring funding being restored for non-BEP programs (Safe Schools, Internet Connectivity and Coordinated School Health, etc.) that were funded in part using non-recurring, temporary federal Recovery Act monies which go away after June 30, 2011.

Jails and Correctional Facilities

TCSA maintains its long-standing position that the \$35 per day "per diem" for housing state prisoners in local jails is inadequate reimbursement for funding the total cost of housing such prisoners. The association, through the work of its Jail Cost Management Committee, hopes to initiate discussions with the new Administration and legislature on a funding mechanism that one day will better reflect the actual cost of providing this service for the state. TCSA urges lawmakers to authorize new cost saving measures to help reduce the financial burden, particularly rising inmate medical costs, that counties face in dealing with the cost of housing all prisoners.

Emergency Services

TCSA will continue protecting the needs of locally owned hospitals and other county medical care facilities and service providers. This includes maintaining all Health Trauma System Fund reserves for their original purposes. We support the long-range revenue distribution involving the state Board of Emergency Communications and the local Board of Emergency Services that stabilizes operational funding needs as well as infrastructure enhancements.

Transportation Funding

The issue of transportation and its funding has reached a critical point in Tennessee, and county highway departments are continuing to scale back or cancel resurfacing projects and reduce staffing until additional revenues become available. Tennessee fuel tax collections continue to hover at their lowest rates since FY2001-2002. More than half the

county highway departments in Tennessee are solely supported by fuel tax revenues, and all 95 of those departments are facing escalating costs for materials by as much as 149 percent while their revenues are shrinking. While the state was allocated more than \$573 million for transportation projects through the federal Recovery Act, county highway departments did not directly receive any of this federal stimulus funding for operational support at the local level. While many state and interstate transportation projects have been funded through the use of ARRA funds, very little has been done at the county level because revenues are considerably lower than they have been for the past decade. TCSA recognizes that the federal Recovery Act is only a temporary infusion of funds and that a long-term plan for transportation funding must come forward. For that reason, TCSA endorses a federal multi-year surface transportation reauthorization bill proposed in September, including the \$50 billion investment in highway, bridge, transit, high-speed rail, and aviation infrastructure that would be added in the first year, according to the Administration. While TCSA does not traditionally weigh in on federal proposals except through the National Association of Counties (NACo), the issue of transportation in Tennessee at both the state and local levels has reached the breaking point.

TCSA and its affiliate organizations recognize the importance of the local government transportation infrastructure and how it relates to the state's economic and community development success, the impact it has on safe and efficient transportation of school children, the essential element in providing emergency services to our taxpayers and the daily life value it adds to the citizens of our counties. The vast majority of vehicle trips in Tennessee begins and ends on a road maintained by a local government.

The association supports the continued review by the state Senate and House Transportation Committee's funding subcommittee and its efforts to have a long-term funding solution for both state and local highway maintenance. TCSA also supports mass transit initiatives, which exist in some form in all 95 Tennessee counties.

Environment

TCSA recognizes the increasing burden and responsibility counties are shouldering in regards to protecting our natural environment and balancing the impact economic growth has on our natural resources. Counties are dealing with regulations and requirements in regards to storm water management and the clean air act while still struggling with long-standing problems such as solid waste management and the disposal of waste tires and household hazardous waste. For these reasons, TCSA encourages the General Assembly to insure that local governments have the resources and funding mechanisms available to meet the demands of establishing new programs to protect environmental resources across our state. TCSA supports resources being distributed and available to local governments that ensure their ability to carry out these responsibilities, including the Administration's continuing efforts to revisit the current Waste Tire Grant Program and the solid waste disposal operations to make adjustments, corrections or changes that will ensure the success of this local program.

Collective Bargaining

TCSA reaffirms its position in opposition to mandatory collective bargaining. Present law allows counties and cities, if they so desire, to bargain with local government employee unions. TCSA opposes any legislation which would officially recognize a labor organization's ability to enter into enforceable memorandums of understanding with local governments. Such legislation could result in demands by local government unions that would require property tax increases and result in work slowdowns and/or interruptions of essential services. TCSA is concerned about those burdensome costs associated with implementing collective bargaining agreements mandatorily on local governments.

State Shared Revenues

TCSA supports the continued funding of state shared taxes and the funding of grant/assistance programs which benefit county governments and their citizens. This revenue sharing partnership enables counties to provide essential services to residents of our state. Without this state/local partnership, many of the services and program needs of county government go unmet or require substantial increases in local property taxes. The difficulty of this position is noted considering the inequity that results from the mandates placed upon counties to provide fundamental services such as public education and correctional facilities while receiving no portion of the state sales tax (shared only with municipalities by the state).

School Board Taxing Authority

TCSA opposes efforts to extend local taxing authority to school boards. Instead, the association recognizes K-12 education funding as a service of the entire community and, therefore, supports maintaining the existing taxing authority of the county legislative body. TCSA does not endorse the disruption of the current taxing system in those counties with special school districts already in place.

Federal Stimulus Funding

TCSA recognizes that after June 30, 2011, America Recovery & Reinvestment Act (ARRA) funds the state had used for filling certain budget gaps will no longer exist. In some instances the state used ARRA funds to maintain programs and services that would have otherwise been cut in whole or in part during the past two years. TCSA asks the Administration and General Assembly to be protective of local services by local governments as these federal funds are eliminated and as we wait on improved state revenue forecasts.