# THE MONTGOMERY COUNTY COMMISSION CLARKSVILLE CITY COUNCIL CLARKSVILLE AREA CHAMBER OF COMMERCE

PRESENT THE

2022 LEGISLATIVE AGENDA

TO THE

112TH GENERAL ASSEMBLY
STATE DELEGATION

SENATOR BILL POWERS
REPRESENTATIVE CURTIS JOHNSON
REPRESENTATIVE JAY REEDY
REPRESENTATIVE JASON HODGES

Forwarded by

Montgomery County Mayor Jim Durrett

City of Clarksville Mayor Joe Pitts

Clarksville Area Chamber of Commerce – Paul Turner, Chairman

SEPTEMBER 2021

# LEGISLATIVE LIAISON COMMITTEE MEMBERS CONTACT INFORMATION

#### **MONTGOMERY COUNTY**

Commissioner Chris Rasnic, Chair

931-624-3786 District17@mcgtn.net

Commissioner Loretta Bryant

931-647-1077 District16@mcgtn.net

**Commissioner Joe Creek** 

931-302-9150 District11@mcgtn.net

Commissioner Rashidah Leverett

931-820-0233 District5@mcgtn.net

#### CITY OF CLARKSVILLE

Councilperson Stacey Streetman, Chair

931-206-0950

stacey.streetman@cityofclarksville.com

**Councilperson Ashlee Evans** 

931-206-7853

ashlee.evans@cityofclarksville.com

Councilperson Travis Holleman

931-561-6314

travis.holleman@cityofclarksville.com

**Councilperson Wanda Smith** 

629-333-9556

wanda.smith@cityofclarksville.com

#### **CLARKSVILLE AREA CHAMBER OF COMMERCE**

Paul Turner, Chair

Mark Kelly

**Grayson Smith** 

**Shan Smith** 

Jay Albertia

**Bethany Sigler** 

Charlie Koon

**Phil Harpel** 

Melinda Shepard

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#### LEGISLATIVE SUCCESSES

- \* E-911 User Fee changed back to previous rate of \$1.50 to help fund 911.
- \* Opioid task force created to address limiting the number of pills and dosage prescribed.
- \* Legislation passed granting beer permitting power to Montgomery County for Downtown Commons property.
- \* Dedicated funding for TDOT backlog of projects IMPACT ACT.
- \* Rural broadband and internet service partial but need more.
- \* State Parks Dunbar Cave repairs, Port Royal interstate signage.
- \* Joint procurement ability between local government and federal agencies.
- \* Self-driving vehicles on Tennessee roads.
- \* Defibrillator use state funds for school purchases, annual training required.
- \* Halt military sequestration cuts minimum local affect.
- \* Increase of state reimbursement per inmate, some but need more.
- \* Disclosure of real property depressions or sinkholes of continuous contour lines.
- \* Referendum required of the residents before annexation.
- \* Ephedrine and pseudoephedrine by prescription moved behind pharmacy counter.
- \* Civil refund amended TCA 8-21-901 to authorize sheriffs to collect the same fee for unsuccessful service as successful service.

- \* TMTF renamed and falls under TBI, DEA, and US Attorney's offices, which provides better funding and in-kind resources to confront dangerous drugs.
- \* Broadband and Internet expansion provide broadband and internet service to County areas by local/municipal providers.
- \* Revenue Sales Tax Local Sales Tax Distribution for Internet Sales.
- \* Montgomery County Teen Learning Center Encourage the continued funding and support of Tennessee's Genesis Programs, which includes Montgomery County's Teen Learning Center.
- \* Hotel/Motel Tax Modification.
- \* Capturing Sales Tax Within MPEC.
- \* Correctional Officers added to Early Retirement.
- \* Correctional Officers eligibility for local government option for mandatory retirement age with benefit enhancement.

#### **2022** Legislative Agenda Submissions

The following items are endorsed by Montgomery County, the City of Clarksville and the Chamber of Commerce.

#### A. Expand I-24 from Kentucky State Line to I-65

Extend the truck lane on I-24 east bound up to where the off ramp for Exit 11 begins. It would be about 1000 yards.

Part of Improve Act to widen I-24 from Kentucky line to I-65.

Encourage State to complete extension of Hwy 374 from Hwy 79 to Hwy 149 Lawrence Koontz Memorial Hwy.

#### This is part of Improve Act.

For more detailed information please contact the following: Mayor Jim Durrett, <u>mayordurrett@mcgtn.net</u> or (931) 648-5787 Mayor Joe Pitts, <u>joe.pitts@cityofclarksville.com</u> or (931) 645-7444

#### B. Expand Nashville State Community College - Clarksville Campus

LEGISLATIVE ITEM: To Expand Nashville State Community College - Clarksville Campus

**PURPOSE:** Nashville State Community College (NSCC), Clarksville Campus, exceeded its capacity to serve students in traditional classrooms so four modular units were installed to accommodate the growth. NSCC began in 2017 with a student enrollment of 926 and has grown to 13,398 students as of the 2020-2021 academic year. The rapid growth at NSCC, Clarksville Campus is largely attributed to new academic programs and strategic partnerships with Tennessee Colleges of Applied Technology (TCAT), Austin Peay State University (APSU), Clarksville-Montgomery County School System (CMCSS), and Fort Campbell, KY Army Base.

The administration of NSCC has proposed the funding of The Center for Higher Education on the list of projects to be funded by the State of Tennessee, as funds are available, since 2018. The building did not receive funding for the current fiscal year (FY22).

According to recent data obtained from the Nashville Chamber of Commerce's 2020 Workforce Study (which included Clarksville) Information Technology, Maintenance and Mechatronics, and Nursing will be three of the most in demand sectors and occupations in Clarksville-Montgomery County. Nurses have a projected demand of approximately 3000 jobs by 2024. NSCC is in partnership with TCAT to create an educational pathway for nurses. NSCC believes we can meet the increased demand for nurses at Tennova Medical Center and other regional medical facilities. Additionally, with the large population of active-duty military, veterans, and retirees who continue their education in Clarksville, the Center for Higher Education would include a Veteran's Center that would serve the needs of the military community.

The proposed Center for Higher Education can meet the demands of the Clarksville-Montgomery County workforce; however, NCSS will be unable to offer programs that align with the needs of employers such as Amazon Fulfillment Centers, Tennova Medical Center, Fort Campbell Army Base, and many others if NCSS do not have the facilities to properly prepare the workforce.

Therefore, NSCC, Clarksville Campus request that the Tennessee General Assembly prioritize the funding of the Center for Higher Education at Nashville State Community College, Clarksville Campus for FY 23 to meet the growing demands of the community, the workforce, and the marketplace.

For more detailed information please contact the following: Dr. Rashidah Leverett, County Commissioner, <a href="mailto:district5@mcgtn.net">district5@mcgtn.net</a>, (931) 266-1083.

See Additional Information Attached in "Supporting Documents" Section.



#### 1. Expansion of Broadband

**LEGISLATIVE ITEM-** Expansion of broadband in rural Montgomery County. Allow rural broadband to go outside their service area.

**PURPOSE:** Montgomery County is requesting a bill authorizing municipal electrics and electrical cooperatives to provide telecommunication service, including fiber-to-the-premises.

Under present law, the Municipal Electric Plant Law of 1935 authorizes a municipality that operates an electric plant to establish a joint venture or other business relationship with one or more third parties.

We would request a bill rewriting the above provision to authorize such a municipality to provide telecommunication service, including fiber-to-the-premises, either on its own or by joint venture or other business relationship with one or more third parties and in geographical areas that are inside and outside the electric plant's service area.

The bill should rewrite the above provision to remove the limitation of providing services in the jurisdiction specified above.

Present law authorizes a rural electric and community services cooperative to acquire, construct, own, improve, operate, lease, maintain, sell, mortgage, pledge, or otherwise dispose of any system, plant, or equipment for the provision of telephone, telegraph, telecommunications services, or any other like system, plant, or equipment within and/or without the service area of such cooperative in compliance with all applicable state and federal laws, rules, and regulations. Present law also prohibits a cooperative that provides such services from providing subsidies for such services. This bill expands this authority to include broadband internet access service. This bill requires a cooperative to comply with any applicable provisions of contracts with suppliers of electricity prohibiting or otherwise limiting cross-subsidies of services with electricity revenues. This bill removes the present law requirement that the cooperative administer and operate such services as a separate subsidiary.

Under present law, a telephone cooperative has certain powers, such as the power to connect and interconnect its telephone lines, facilities, or system with other telephone lines or systems, and make its facilities available to persons furnishing telephone service within or without this state. This bill additionally authorizes a telephone cooperative to supply or furnish fiber-to-premises, or construct and maintain infrastructure and equipment necessary for supplying or furnishing such service within or outside of its historic service area.

As introduced, it would authorize municipalities operating an electric plant to provide telecommunication services, including fiber-to-the-premises, in geographical areas both within and outside of the electric plant's service area. Amends TCA Title 4; Title 6; Title 7; Title 10; Title 65; Title 67 and Title 68.

For more detailed information please contact the following: Chief of Staff Kyle Johnson, kdjohnson@mcgtn.net, (931) 648-5787

#### 2. Montgomery County Sheriff's Office - Retirement Benefits

**LEGISLATIVE ITEM:** Amend portions of Tennessee Code Annotated Title 8, Chapter 36 (Retirement Benefits), to modify the formula for computing allowances for Group 1 employees that are eligible for Early Service Retirement (Police Officers, Firefighters, Correctional Officers, and Emergency Medical Technicians and Paramedics) in accordance with TCA 8-36-308, in a manner that 25 years of creditable service equals the same benefit as 30 years of service. Furthermore, the new formula shall continue to be applied for service above 25 years up to the maximum years of service allowable for the computation of benefits.

**PURPOSE:** A 2013 study by the National Center for Biotechnology Information revealed that the average life expectancy of polices officers compared to the US population was statistically much less. For instance, a male police officer in the age range of 55 to 59 years of age has a .56383 probability of death meaning a 6.2-year life expectancy while the average US male in the same age range has a .013877 probability of death meaning a 30.6-year life expectancy. That result indicates that an average US male will live 24.4 years longer than a male police officer.

To put this data in retirement perspective, a police officer taking advantage of a 25-year early retirement at the age of 55 will likely only draw retirement benefits for a little over six years till 61 years of age. Whereas a non-police officer will likely draw retirement benefits for an average of 30.6 years, or until nearly 86 years of age.

Although the study mentioned above was limited to law enforcement officers, it is well-recognized by Federal, state, and local governments that public safety officers such as firefighters, emergency medical technicians and paramedics, law enforcement officers, and correctional officers experience greater risk factors to physical and mental health due to injuries, hypertension, stress, etc.

This change in formula for a 25-year retirement, seeks to only slightly enhance the benefit received for the reminder of a public safety officer's life.

For more detailed information please contact the following:
Commissioner Loretta Bryant, <u>district16@mcgtn.net</u> or (931) 647-1077
Emergency Services Director Jimmie Edwards, <u>jwedwards@mcgtn.net</u> or (931) 920-1800
Sheriff John Fuson, <u>jsfuson@mcgtn.net</u> or (931) 648-0611 x 13501
Chief Deputy John Smith, <u>jrsmith@mcgtn.net</u> or (931) 648-0611 x 13502

#### 3. Montgomery County Sheriff's Office - Body Worn Camera Grant

**LEGISLATIVE ITEM:** Encourage the state to establish a fund that will award cost-sharing grants to Police Departments and Sheriff's Offices for the purpose of incentivizing the implementation of body worn cameras (BWC).

**PURPOSE:** It has been widely held and demonstrated that body worn cameras (BWC's) used by law enforcement officers improves the civility of citizen encounters and enhance citizen perception of law enforcement transparency and legitimacy. Many agencies across the country, to include Tennessee, have implemented BWC programs. However, many challenges exist that impede an agency's ability to fully roll out a program. Some of the challenges include, but are not limited to, policy development, BWC selection, retention and storage of video, public records requests, legal discovery, etc. The least common denominator with all these issues is funding.

A fund, perhaps managed by the Office of Criminal Justice Programs (OCJP), with input from Tennessee Chiefs of Police and Sheriffs Association can establish selection criteria and award requirements to guide and aid law enforcement agencies.

For more detailed information please contact the following: Commissioner Joe Creek, <u>district11@mcgtn.net</u> or (931) 302-9150 Sheriff John Fuson, <u>jsfuson@mcgtn.net</u> or (931) 648-0611 x 13501 Chief Deputy John Smith, <u>jrsmith@mcgtn.net</u> or (931) 648-0611 x 13502

#### 4. Montgomery County Sheriff's Office - Residential & Work Restrictions for Sex Offenders

**LEGISLATIVE ITEM:** To amend TCA 40-39-211 (Residential and work restrictions for Sexual Offenders) by adding 'land or property owned by one, or more of the entities or other language having the same effect, that are listed in the same TCA paragraph (a)(1).

**PURPOSE:** Many local governments, school districts, non-profits, etc., purchase land or property with the intent for future development. Future developments include but are not limited to the entities described in TCA 40-39-211(a)(1) (public school, private or parochial school, licensed day care center, other childcare facility, public park, playground, recreation center, or public athletic field available for use by the general public.) that a convicted sexual offender is prohibited from working or living within 1000 feet.

Currently, a violent sexual offender is not prohibited from establishing a residence or employment directly adjacent to land owned by any organization that has the intent to improve, or develop property listed in the previous paragraph under TCA 40-39-211(a)(1). Therefore, whenever the land or property is improved thereby making the land or property usable as one of the entities listed in TCA 40-39-211(a)(1), the Sexual Offender is not in violation of the law.

The Sheriff's Office recently investigated a case where a violent sex offender lived near property owned by a parochial school. The investigation concluded that the offender did live within less than 1000 feet of the property. However, the Residential and Work Restrictions for Sexual Offenders statute, as written, was not violated by the offender's residency. In addition, because the offender has already established residency, the future construction of a school would 'grandfather' the offender and allow continued residency.

The following is a suggested change in an attempt to remedy future occurrences of this type. The language in bold is suggested to be added, and the wording lined through is suggested to be deleted.

40-39-211(a)(1) While mandated to comply with the requirements of this chapter, no sexual offender, as defined in § 40-39-202, or violent sexual offender as defined in § 40-39-202, shall knowingly establish a primary or secondary residence or any other living accommodation or knowingly accept employment within one thousand feet (1,000') of property owned by of the property line any public school, private or parochial school, licensed day care center, other child care facility, public park, playground, recreation center, or public athletic field available for use by the general public.

- (2) For purposes of this subsection (a), "playground" means any indoor or outdoor facility that is intended for recreation of children and owned by the state, a local government, or a not-for-profit organization, and includes any parking lot appurtenant to the indoor or outdoor facility.
- (3) It is a defense to prosecution under subsection (a) that if the property owned by the entities listed in (1) of this subsection is not intended for use by children or where children are likely to be.

For more detailed information please contact the following: Commissioner Chris Rasnic, <u>district17@mcgtn.net</u> or (931) 624-3786 Sheriff John Fuson, <u>jsfuson@mcgtn.net</u> or (931) 648-0611 x 13501 Chief Deputy John Smith, <u>jrsmith@mcgtn.net</u> or (931) 648-0611 x 13502

# 5. Montgomery County Sheriff's Office – More Severe Penalties for Threatening to Commit Crime

**LEGISLATIVE ITEM:** To amend portions of Tennessee Code Annotated to enhance penalties for threatening to commit a crime that is likely to result in death or serious injury.

**PURPOSE:** Currently in Tennessee, a simple communication of a threat is considered Harassment punishable as a Class A misdemeanor unless committed while incarcerated which is punishable as a Class E felony. The only time communication of threat may be considered an Assault is if the threat is in such nature that causes a person to fear imminent bodily injury.

Other states have enacted statutes that capture threats made to schools, churches, or other groups, that would likely cause death or serious injury. In some instances, threats that also cause evacuations of buildings and public transportation systems. Threats of this type are generally considered terroristic in nature and should be treated with greater penalties.

The Harassment statute, TCA 39-17-308, or the Terrorism Prevention and Response Act of 2002 in Title 39, Chapter 13, Part 8 should be amended to better define these offense and appropriate penalties.

The State of Kentucky has a statute currently in place that provides appropriate penalties. In 2009, there was proposed language to amend the Tennessee code that died in committee. The following text is the draft written in 2009 for Tennessee that we would like to see reintroduced.

SENATE BILL 69 By Bunch AN ACT to amend Tennessee Code Annotated, Title 39, relative to terroristic threats and acts, BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE: SECTION 1. Tennessee Code Annotated, Title 39, Chapter 17, Part 3, is amended by adding a new, appropriately designated section: Section 39-17-318. (a) A person commits the offense of a terroristic threat who threatens to: (1) Commit any crime of violence; (2) Release any hazardous substance as defined by 42 U.S.C. § 9601; (3) Burn or damage property with the purpose of terrorizing another or causing the evacuation of a building, place of assembly or facility of public transportation; or (4) Cause serious public inconvenience in reckless disregard of the risk of causing such terror or inconvenience. (b) No person shall be convicted under subsection (a) solely on the uncorroborated testimony of the party to whom a terroristic threat is communicated. (c) A person commits the offense of a terroristic act who: (1) Uses a burning or flaming cross or other burning or flaming symbol or flambeau with the intent to terrorize another or another's household; (2) Shoots at or throws an object at a conveyance that is being operated or that is occupied by passengers; or (3) Releases any hazardous substance as defined by 42 U.S.C. § 9601 or releases any simulated hazardous substance under the guise of a hazardous - 2 - 00077071 substance for the purpose of terrorizing another or causing the evacuation of a building, place of assembly, or facility of public transportation. (d) A violation of subsection (a) is a Class E felony. (e) A violation of subsection (c) is a Class D felony; however, if any person suffers serious physical injury as a direct result of an act giving rise to a violation of subsection (c), the violation shall be classified as a Class A felony. (f) A person shall be guilty of the offense of a terroristic threat or act who commits or attempts to commit a terroristic threat or act with the intent to retaliate against any person who: (1) Attends a judicial or administrative proceeding as witness, attorney, judge or party for the purpose of producing any record, document, or other object in a judicial or official proceeding; or (2) Provides to a law enforcement officer, adult or juvenile probation officer, prosecuting attorney, or judge any information relating to the commission or possible commission of an offense under the laws of this state or of the United States or any information relating to the commission of a violation of the conditions of bail, pretrial release, probation or parole. (g) (1) A violation of subsection (f) by the commission of a attempted commission of a terroristic threat is a Class C felony. (2) A violation of subsection (f) by the commission of or attempted commission of a terroristic act is a Class B felony. SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

For more detailed information please contact the following: Commissioner Chris Rasnic, <u>district17@mcgtn.net</u> or (931) 624-3786 Sheriff John Fuson, <u>jsfuson@mcgtn.net</u> or 931-648-0611 x 13501 Chief Deputy John Smith, <u>jrsmith@mcgtn.net</u> or 931-648-0611 x 13502

#### 6. Create Regional Juvenile Justice Center

LEGISLATIVE ITEM: To create a Regional Juvenile Justice Center.

PURPOSE: In May 2021, Montgomery County received a finalized feasibility study based on the recommendations from the 2019 Legislative Agenda. Justice Planners Consultancy Firm was hired by Montgomery County to determine whether Montgomery County needed a Juvenile Justice Center. The data from the study indicated Montgomery County needs a facility based on population growth, travel cost associated with juvenile detainees, and the severity of crimes committed by juveniles. For many years, the Montgomery County Juvenile Court has contracted with Middle Tennessee Juvenile Detention Center that is located in Columbia, Maury County, TN. However, due to the increase and severity of juvenile crimes, Montgomery County has had to increase its contracts with facilities in Rutherford and as far away as Putnam counties. While the contract is covering our temporary needs, operations of this magnitude are not sustainable therefore, for many reasons a regional facility would be preferable.

Having a Regional Juvenile Justice Center would make it easier for the juvenile's family and attorney to have easier access to visitations and maintain a continuity in county services should there be any. Additionally, a regional facility in or near Montgomery County would decrease the number of law enforcement officers taken off the road to transport juveniles to and from various juvenile facilities outside of the regional area for detention or evaluations. The regional facility would allow for more streamlined procedures if the facility housed rooms for juveniles to speak to their attorneys, continue to attend school, obtain rehabilitative treatments, resources for parents and overwhelmed care takers, access to the Department of Children Services (DCS) and to decrease the communication and decision-making lag time between the juvenile court employees and the judge on call.

The findings of the feasibility study indicated that juvenile crime would increase by 2040. By serving regional counties, this will ensure that Montgomery County taxpayers are not shouldering the total financial burden.

Therefore, the Montgomery County Commission requests the Montgomery County Delegation of the Tennessee General Assembly to appropriate state agencies to fund a Regional Juvenile Justice Center to serve Montgomery, Houston, Stewart, Cheatham, Robertson Counties and make recommendations on the next steps in this process.

For more detailed information please contact the following:
Dr. Rashidah Leverett, County Commissioner, <u>district5@mcgtn.net</u>, (931) 266-1083.
Mrs. Danette Thigpen Woodcock, Juvenile Court Director, (931) 648-7714 x 11228

#### Montgomery County Juvenile Justice Center Preliminary Analysis Executive Overview

The Montgomery County Juvenile Court provides a myriad of services to the citizens of Montgomery County, and accomplishes a large range of services ranging from diversion to counseling as well as programs that are designed to improve the lives of children and families. This is despite a common public misconception that the juvenile justice system is predominantly reliant and focused on detention. A major impediment to the efficiency of the juvenile justice system in Montgomery County is the lack of a centralized facility to act as a juvenile justice center. Such a facility would house all of the services that impact the lives of the children touched by the Juvenile Court. Currently, assuming a bed is available, children who are detained must be transported over an hour away to other counties such as Maury, Rutherford, and Williamson which places a hardship on all involved. The detained children are housed away from their community, making family visitation difficult at best.

Given the lack of a centralized juvenile justice center, Montgomery County engaged Justice Planners to complete an assessment of the system to establish a foundation for public policy planning regarding such a facility. Our task was to answer the question, "Does Montgomery County Tennessee need a juvenile justice center that would be utilized for teaching, resources and detention?" We conducted a statistical analysis of key measures of the activities of the Juvenile Court, culminating in a series of forecasts of future Court functions. Interviews were conducted with more than 20 key system stakeholders to get their opinion of the need for a juvenile justice center in Montgomery County. There was near-unanimous support among stakeholders interviewed for a juvenile justice center that would be utilized for teaching, resources, and detention.

Between 2021 and 2052, the Montgomery County's overall population is expected to increase 65%, with a 64% increase projected for ages 18 and below. The active caseload of the Montgomery County Youth Services staff has increased significantly (81%) between 2017 and 2020 pre-pandemic. Given the caseload sizes, the detention population is very small. It is clear that, in line with the Juvenile Justice Reform Act's guidelines, the decision to detain youths is taken seriously and is used only as a last resort by the Court. However, despite the efforts to minimize detention, the detention population was increasing slightly before the pandemic's onset.

Our forecasts indicate that the caseloads and detention populations will be under significant pressure to grow, due to the growing population of the county as a whole. A juvenile justice center is needed in Montgomery County, but must be accompanied by a menu of academic and therapeutic programs for youth (both in custody and out of custody) and their families.

MCYS regularly receives children who are detained for status offenses such as being a runaway or unruly offense. Such children are inappropriate (and not eligible) for detention in a secure facility. In addition, there are also children who are in crisis or for some other reason cannot be home. There currently exists no alternative method for MCYS to house/keep safe such children who have often experienced trauma and need a variety of services.

# 7. Private Act to Allow Liquor by the Drink and Package Sales in the Unincorporated Area of Montgomery County

**LEGISLATIVE ITEM**: Requesting a Private Act to allow liquor by the drink and package sales in the unincorporated area of Montgomery County

**PURPOSE:** To have the Tennessee Legislature pass legislation that will allow Montgomery County to provide for the legal sale of liquor, wine, liquor by the drink and retail sales as currently legally allowed with in the incorporated areas of Montgomery County (City of Clarksville Tennessee).

Montgomery has received several requests from business owners to allow for the sale of liquor by the drink in the unincorporated areas of Montgomery County. In order to be in compliance with state law, the private act should include package sales as well. The unincorporated area of Montgomery County has seen significant commercial growth over the past 10 years; however, this has limited some of the growth for businesses that desire to serve liquor by the drink.

The City of Clarksville, as a municipality, is allowed to provide for the sales of Liquor, Wine and Beer by the drink and in retail Package stores. In the remaining area of Montgomery County, only on and off premises sales of beer is allowed. The County of Montgomery is unique in that it is experiencing substantial residential and commercial growth both within the city and in the unincorporated areas of the county, particularly near Interstate 24 and in areas near the border of the incorporated area, but not only adjacent thereto.

Based upon demand, commercial and retail growth is limited by the lack of any legislation that allows for any alcohol sales, except beer within the unincorporated area of the County costing the county tax revenues that would be substantial.

The legislature should pass legislation that by Population distinction relevant to Montgomery County and its single incorporated body, General Law or a Private act that would allow for the legal sale of liquor, wine, liquor by the drink and retail sales as currently legally allowed with in the incorporated areas of Montgomery County (City of Clarksville Tennessee).

For more detailed information please contact the following: Mayor Jim Durrett, mayordurrett@mcgtn.net or (931) 648-5787





# CITY OF CLARKSVILLE 2022 Legislative Agenda

Presented to the

Clarksville/Montgomery County Delegation

Senator Bill Powers, SD-22
Deputy Speaker & Representative Curtis Johnson, HD-68
Representative Jason Hodges HD-67
Representative Jay Reedy, HD-74

For the

112th Tennessee General Assembly

#### **Legislative Liaison Ad-hoc Committee Members**

Councilperson Stacey Streetman, Chair
Councilperson Ashlee Evans
Councilperson Travis Holleman
Councilperson Wanda Smith
& Clarksville City Council
Mayor Joe Pitts

1. Widening of I-24 from Kentucky State Line to I-65. Next to start is the Technical Report from SR76/Montgomery County to SR45/Davidson County

#### 2. EXPANSION OF NASHVILLE STATE COMMUNITY COLLEGE

NSCC has grown in student enrollment over the years and installed portable classrooms to handle the overflow. The administration of the school has a new classroom building on the list of projects to be funded by the state of Tennessee, as funding is available. The building did not make the cut for the current fiscal year (FY22) and request the state of Tennessee fund the new building on the Clarksville campus in FY23.

- **3. ROAD PROJECTS** Encourage the Tennessee Department of Transportation to obligate funding for the following projects:
  - Widening of I-24 from Kentucky State Line to I-65. Next to start is the Technical Report from SR76/Montgomery County to SR45/Davidson County
  - SR374/Warfield/Richview (from S of Dunbar Cave Rd. to SR 112/Madison St.)
     the Technical Report is completed. Next to start is the PE-NEPA;
  - SR237/Rossview Rd. (from W of Keysburg Rd. to SR374/Warfield Blvd.) the MPO will produce the Technical Report. Next to start is the PE-NEPA;
  - SR48/Trenton Rd. (from near SR374/101st Pkwy. to near I-24) the PE-NEPA and Design are underway. Next to start is the Right-of-Way;
  - SR12/US41A Bypass (from SR76/MLK Blvd to SR 13/Riverside Dr.) the MPO will have technical report produced. Next to start is the PE-NPEPA.

#### 4. ONGOING ACCESS TO STATE INFORMATION SYSTEM

Allow the City electronic access to the County information through the State Information System by amending TCA 67-1-1704.

67-1-1704. Disclosure for administrative purposes - Tax collection.

(d) Upon request in writing, returns and tax information may be disclosed to duly authorized officials of a unit of local government of this state for the purpose of ascertaining whether proper local taxes or the tax imposed by § 67-4-704 is being paid. Upon written request, tax information may also be disclosed to duly authorized officials of a unit of local government of this state to the extent necessary to ascertain whether allocations from state levied taxes are being distributed to the correct unit of local government; provided, that such information shall not include the taxpayer's returns, receipts, income, tax liability,

tax payments, or other financial information. For purposes of ascertaining whether proper local severance taxes are being paid pursuant to chapter 7, part 2 of this title, "authorized officials of a unit of local government" means the county mayor or a member of the county governing body. No unit of local government nor any official or employee of a unit of local government who receives returns or tax information under this subsection (d) shall disclose such information to any person other than the person to whom it relates, except as otherwise may be authorized by law. Any official or employee of a unit of local government who has or has had, at any time, access to any return or tax information under this subsection (d) shall be subject to all of the penalties and restrictions applicable to an officer or employee of the state under § 67-1-1709.

#### 5. CALCULATION OF CERTIFIED TAX RATE AND TAX INCREASES

The calculation of the certified tax rate does not take in account appeals or the ability to collect funds after an appeal, or allow the advertising of the tax rate increase to be included with the budget notification. Amend TCA 67-5-1701 to allow jurisdictions an estimate to help with tax rate, not additional advertising/time.

67-5-1701. General Provisions.

(a) (5) In calculating the certified tax rate, the governing body of the county or municipality may adjust the calculation, according to a method approved by the state board of equalization, to reflect extraordinary assessment changes anticipated from appeals to the state or local boards of equalization. The state board of equalization shall order recapture of an excessive adjustment in the following year if the certified tax rate is found to have been overstated due overestimation of the appeals adjustment, and in these cases the jurisdiction may exceed the recapture rate only after public hearing.

# 6. ADMINISTRATIVE PROCESSING FEE INCREASE PROPOSAL TO THE TENNESSEE DEPARTMENT OF SAFETY

Increase the administrative processing fee, from \$4 to \$10 per transaction, provided to local partners for providing DMV services. The citizen pays the fee in addition to the driver's license renewal fee for the convenience of utilizing the City Hall location. The City retains the fee as per state law. The TCA needing to be amended is below:

55-50-331. Examination for, and issuance, renewal and contents of, licenses -- Conditional licenses.

(a) Notwithstanding this chapter to the contrary, the department has oversight of the issuance, examination and renewal of all driver licenses provided for in this chapter. The department is authorized to contract for the provision of any service related to the issuance, examination and renewal of driver licenses

subject to applicable contracting statutes and regulations. The commissioner has the discretion to solicit outside consulting services in order to accomplish on a competitive basis the design and application of the system and implementation of this system. Any entity so contracting with the department is authorized to charge an additional fee of four dollars (\$4.00), which shall be retained by the entity for administrative costs.

#### 7. OPEN RECORDS CHARGE FOR INSPECTION

As currently written, TCA 10-7-503 allows a public records coordinator to charge a copying fee and an hourly labor fee for a request wherein a requestor requests copies of multiple documents which is time consuming for the coordinator to locate, review, potentially redact, copy and produce.

Because of the voluminous public records requests that are made on state and local governments, and due to the costs associated therewith in labor fees to process the requests, it is requested that 10-7-503 subsection (a) (7)(A)(i) should be amended to remove the portion of the sentence whereby it states that "A governmental entity shall not ... assess a charge to view a public record unless otherwise required by law" and shall add language to 10-8-503 subsection (a)(7)(B) to make it clear that the coordinator shall be allowed to assess fees to located, review, redact, copy and produce records for inspection and/or copying.

#### **ITEMS OF INTEREST**

- 1. PRIVATE UTILITIES Request a time limit be imposed on private utility companies to address the need for them to respond to local government projects where utilities need to be moved. The utilities would have no more than 30 days from the issuing of the "notice to proceed" to begin to move their equipment or infrastructure from the site. Failure to begin construction would result in liquidated damages payable to the City.
- 2. CONVICTED FELONS RIGHT TO VOTE AND HOLD PUBLIC OFFICE Discontinue disenfranchising convicted felons by no longer taking away their right to vote or hold public office upon conclusion of sentence
- **3. CANNABIS** Repeal TCA 39-17-418 through a Ballot Initiative for the decriminalization of simple possession or casual exchange of marijuana for personal use
- **4. DEPOSIT FOR BOTTLES AND PLASTIC** Put a mandatory deposit on beverage containers to provide an incentive to recycle and a disincentive to litter

# **Road Projects**

# ADDITIONAL COMBINED CITY & COUNTY ROAD PROJECTS

**LEGISLATIVE ITEM**: Encourage the Tennessee Department of Transportation to obligate funding for the following projects:

**PURPOSE:** Support the Region and State economic vitality by enabling competitiveness, productivity, and efficiency. Increase the safety and security of the transportation system. Protect and enhance the environment, promote energy conservation, improve air quality and overall quality of life.

The road projects listed below are currently part of the FY23-26 Transportation Improvement Plan. We ask for your **continued support** of these projects and to ensure funding is available for timely completion.

- 1. SR374 / Warfield / Richview (from S of Dunbar Cave Rd. to SR 112 / Madison St.) the Technical Report is completed. Next to start is the PE-NEPA;
- 2. SR237 / Rossview Rd. (from W of Keysburg Rd. to SR 374 / Warfield Blvd.) the MPO will have the Technical Report produced. Next to start is the PE-NEPA;
- 3. SR48 / Trenton Rd. (from near SR374 / 101<sup>st</sup> Pkwy. To near I-24) the PE-NEPA and design underway. Next to start is the Right-of-Way;
- 4. I-24 widening (from KY state line to SR76 / exit 11) the Technical Report is completed. Next to start is the PE as a "Design-Build";
- 5. SR12 / US41A By-Pass (from SR76 / MLK Blvd. to SR13 / Riverside Dr.) the MPO will have the Technical Report produced. Next to start is the PE-NEPA.

For more detailed information please contact the following individual:

Jim Durrett, Montgomery County Mayor at <a href="mayordurrett@mcgtn.net">mayordurrett@mcgtn.net</a> or 931-648-5787

Joe Pitts, City of Clarksville Mayor at <a href="mayordurrett@mcgtn.net">joe.pitts@cityofclarksville.com</a> or 931-645-7444



# CLARKSVILLE URBANIZED AREA METROPOLITAN PLANNING ORGANIZATION

Stan Williams
MPO Director
stanwilliams@cityofclarksville.com

329 MAIN STREET CLARKSVILLE, TN 37040 PHONE: (931)645-7448 Jill Hall Transportation Planner jill.hall@cityofclarksville.com

August 9, 2021

Re: Legislative agenda items

Dear Mayor Durrett,

Road projects: Encourage the Tennessee Department of Transportation to obligate funding for the following phases in the FY23-26 Transportation Improvement Plan:

- 1. SR374/Warfield/Richview (from S of Dunbar Cave Rd. to SR112/Madison St.) the Technical Report is completed. Next to start is the PE-NEPA;
- 2. SR237/Rossview Rd. (from W of Keysburg Rd. to SR374/Warfield Blvd.) the MPO will have the Technical Report produced. Next to start is the PE-NEPA;
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Councilwoman Streetman and Mayor Pitts were also provided this list. Should you have any questions, contact me at your convenience.

Sincerely,

J. Stan Williams

**Transportation Planning Director** 

Cc: Jeff Tyndall



# CLARKSVILLE URBANIZED AREA METROPOLITAN PLANNING ORGANIZATION

Stan Williams MPO Director stanwilliams@cityofclarksville.com 329 MAIN STREET CLARKSVILLE, TN 37040 PHONE: (931)645-7448 Jill Hall Transportation Planner jill.hall@cityofclarksville.com

August 9, 2021

Re: Legislative agenda items

Dear Councilwoman Streetman and Mayor Pitts,

Road projects: Encourage the Tennessee Department of Transportation to obligate funding for the following phases in the FY23-26 Transportation Improvement Plan:

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Should you have any questions, contact me at your convenience.

Sincerely,

J. Stan Williams

Transportation Planning Director

Cc: Jeff Tyndall

# Continue to Support

#### **CONTINUE TO SUPPORT THE FOLLOWING ITEMS:**

#### REIMBURSEMENT FOR CUSTODY OF TDOC INMATES

**LEGISLATIVE ITEM:** We are requesting the Tennessee State Legislature to consider increasing the daily reimbursement rate of Tennessee Department of Corrections inmates being held in the Montgomery County Jail.

#### MONTGOMERY COUNTY STATE PARKS AND NATURAL AREAS

**LEGISLATIVE ITEM:** A request to our state delegation for continued assistance and support for local state parks and natural areas located within Montgomery County.

# PUBLIC SAFETY: REQUEST TO ALLOW EMS TO BE A PART OF BRIDGE PROGRAM

**LEGISLATIVE ITEM:** Urge legislators to include Emergency Medical Personnel in the 25/55 Bridge Program for retirement.

#### SEX OFFENDER LAWS REGARDING CUSTODY

**LEGISLATIVE ITEM:** To verify parentage of registered sex offenders. Montgomery County Sheriff's Office discovered cases where sex offenders are residing with children under the age of 13 who are claiming to have parented said minor. However, there is currently no system to verify the parentage of a sex offender living with a minor who claims that the minor is their biological child.

Secondly, there are cases where the sex offender's name is listed on the minor child's birth certificate, however, there parentage has not been verified through DNA testing.

#### BAN OF BOOKING PHOTO REMOVAL FEES

**LEGISLATIVE ITEM:** Prohibition of Fee Requirements for the Removal of Public Booking Photos. It shall be an unlawful practice for any person engaged in publishing or otherwise disseminating a booking photograph through a print or electronic medium to solicit, require, or accept the payment of a fee or other consideration from a subject individual to remove, correct, modify, or to refrain from publishing or otherwise disseminating that booking photograph.

A person operating a private business shall not utilize a booking photograph or a photograph of an inmate taken originally obtained from a public agency for commercial purposes.

#### CONTINUE TO SUPPORT THE FOLLOWING ITEMS:

#### UNEMPLOYMENT COMPENSATION

LEGISLATIVE ITEM: To revise all legislation so that County as previous employer will be notified and allowed to contest unemployment claims. We would like to encourage the State of Tennessee to allow reimbursable employers that are Government entities the ability to contest claims that are brought before the State. Currently, the unemployment tax law allows government organizations and non-profits to opt out of the premium base tax system and into what they called a "reimbursing employer" which means the entity would be self-insured. One of the major disadvantages of this is the reimbursing employers do not get "relief of charges". This means that if your employee resigns or terminates and goes to work elsewhere and then is terminated there then files for unemployment, the government entity could be charged a portion of that employee's unemployment benefits even though the employee voluntarily left or was terminated. Because of the status of being a "reimbursing employer" we lose our ability to contest the claim.

#### **SMOKING BAN**

**LEGISLATIVE ITEM**: To ban smoking and vaping in all public parks. We know that the youth of our community are likely more affected in their health by the presence of smoking and vaping in our communities. We would like to prohibit the use of tobacco products to include vaping on any public park, public greenway or public property that is able to be used by the youth of our community. This prohibition would not apply to any buildings, sidewalks or roads contained in that publicly owned property. We believe that this would support the need to have a greater emphasis on the health and wellbeing of citizens in our communities.

#### SCHOOL CONSTRUCTION

LEGISLATIVE ITEM: Financial assistance from the State of Tennessee to help fund school construction and repairs for schools that are in the top five percent growth in Tennessee. Public education serves an integral role in the success of local communities and the State of Tennessee. Across the State of Tennessee many communities have an immediate need to build new school buildings as well as to repair existing older school buildings. Due to this immediate need, school districts are forced to utilize portable classrooms for their students which are not the optimal environment for our students. Many Tennessee counties have this need due to considerable industrial and business growth over the past several years. With such growth, there has been a marked increase in people moving to Tennessee counties to live and raise their families. Tennessee counties which have not shared in the population growth still have a need to either repair older school buildings, or where possible, construct new ones to better serve their communities. While local governments across the State of Tennessee have tried to meet the financial demand for such needs, local communities need the financial assistance from the State of Tennessee to help fund school building construction and repairs. Local communities need the State's investment in school construction and repair to continue to move Tennessee and its citizens forward.

# SUPPORTING DOCUMENTS



# CLARKSVILLE CAMPUS EXPANSION



# NASHVILLE STATE COMMUNITY COLLEGE CLARKSVILLE CAMPUS EXPANSION

Nashville State has been a dedicated member of the Clarksville-Montgomery County community since 2012. The campus opened with 257 students and enrollment has grown to more than 800. By 2017, the campus exceeded its capacity for serving students; and a four-classroom modular was installed to accommodate demand.

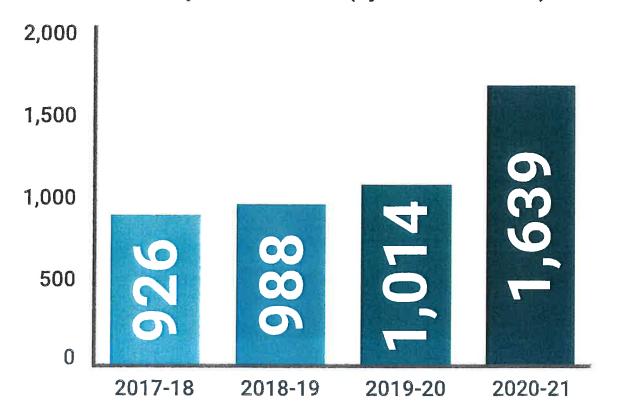
By adding new academic programs and workforce training, as well as expanding resources to support student success, the proposed expansion will create a community-based Center for Higher Education that will allow strategic partnerships with TCAT, CMCSS, Ft. Campbell, and APSU to better meet the needs of the area.

# MEETING THE DEMAND

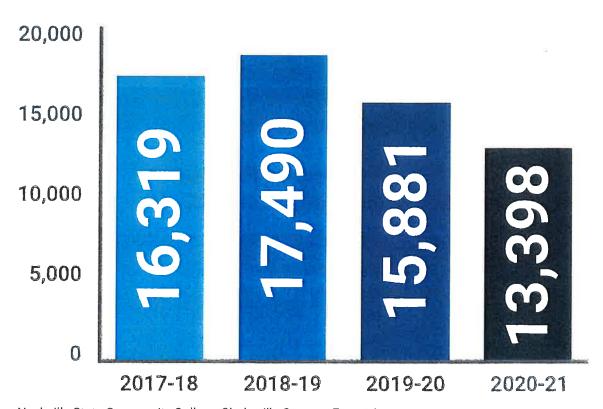


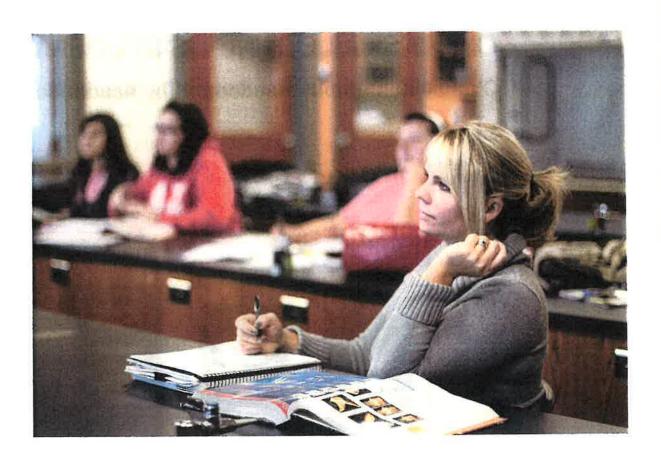
## CLARKSVILLE CAMPUS STUDENT PROFILE

## **Clarksville Campus Headcount (by Academic Year)**



## **Clarksville Campus Credit Hours (by Academic Year)**





# **Top Certificate Programs at Clarksville Campus in 2020-21**

- 1 **EARLY CHILDHOOD EDUCATION**
- 2 PARALEGAL STUDIES
- 3 MEDICAL CODING

# **Top Associate Degree Programs** at Clarksville Campus in 2020-21

- 1 HEALTH SCIENCES (TN TRANSFER / UNIVERSITY PARALLEL)
- 2 BUSINESS
- 3 PARALEGAL STUDIES

## **CAMPUS**

#### Current

- One science lab
- Three computer labs/classrooms
- Nine faculty offices
- No library
- · No tutoring space
- No veterans center
- No multipurpose classroom

#### **Proposed**

- Renovation of current campus
- Nursing simulation lab
- Nine new classrooms
- 17 faculty offices
- Four science labs and two prep rooms
- Six computer labs/classrooms
- ADA testing center
- Library with tutoring space
- Veterans center
- Industrial Process Control lab
- Student gathering space
- Multipurpose classroom (seats 100+)
- Expanded parking
- Access road to Wilma Rudolph Blvd.

## **PROGRAMS**

#### Current

- Tennessee Transfer Programs A.A./A.S.
- Early Childhood Education, A.A.S.
- Business: Logistics A.A.S.
- Paralegal Studies A.A.S.
- Computer Information Technology A.S.
- Industrial Readiness Training

### **Proposed**

- Nursing A.S.N.
- Industrial Process Control A.A.S.
- Computer Programming A.A.S.
- Secondary Education A.S.T.

## **PARTNERSHIPS**

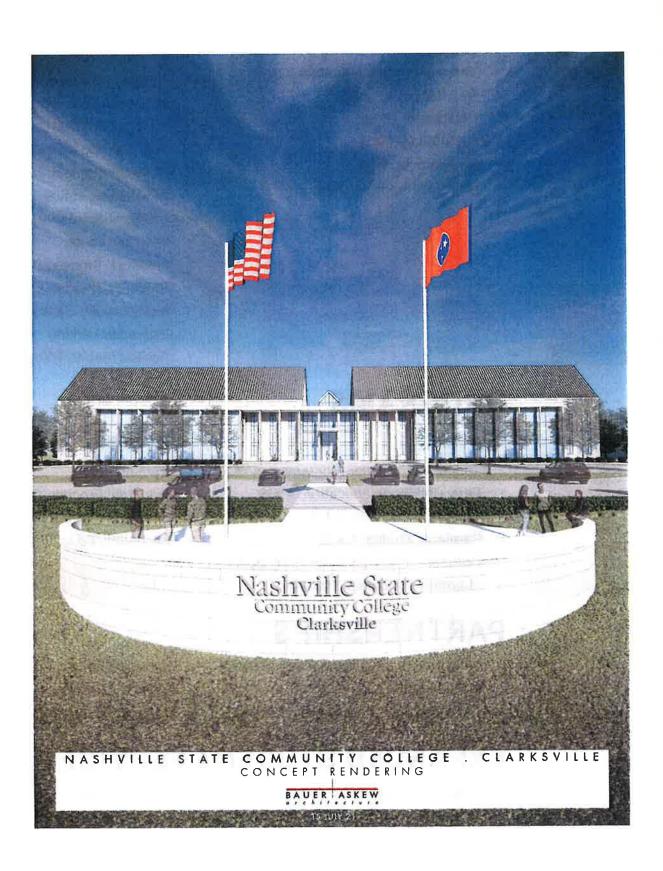
- Early College High School with CMCSS
- Nursing with TCAT
- Grow Your Own Teacher with CMCSS
- Black Male Bridge Program with APSU
- Greater Together CMCSS, APSU, TCAT
- Mechatronics at Fort Campbell

## **EXPANDED STUDENT SERVICES**

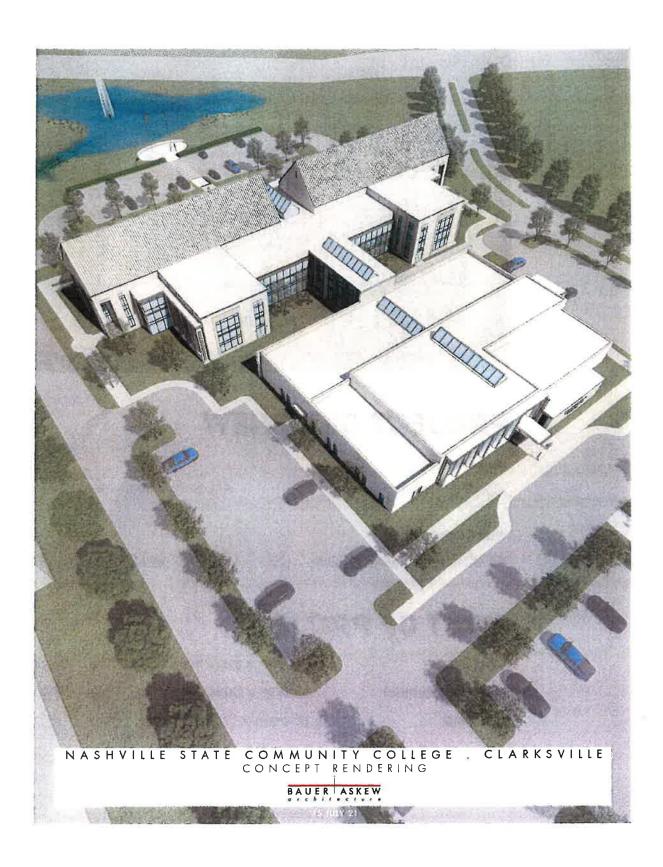
- Veterans lounge
- ADA testing center
- Campus Cupboard food pantry
- Bookstore

- Welcome center
- Tutoring support
- Library and study areas
  - Testing for industry certifications

# **CONCEPT RENDERING - FRONT**



# **CONCEPT RENDERING - BACK**





# **PROJECT OVERVIEW**

#### Renovation

20,309 ft<sup>2</sup> (existing building) - 476 ft<sup>2</sup> (front entry demo) = 19,833 ft<sup>2</sup>

**New Construction** 

72,737 ft<sup>2</sup> (expanded campus) - 19,833 ft<sup>2</sup> (existing) = 52,904 ft<sup>2</sup>

## **COST OF PROJECT**

**Renovation** 19,833 ft<sup>2</sup> x  $$250/\text{ft}^2$  = \$4,958,250

**New Construction** 52,904 ft<sup>2</sup> x \$400/ft<sup>2</sup> = \$21,161,600

**Site Work** 8.25 acres x \$300,000/acre \$2,475,000

\$28,594,850

5% Contingency = \$1,429,743

Construction Budget \$30,024,592



# NASHVILLE STATE COMMUNITY COLLEGE CAN MEET THE DEMAND

The proposed Center for Higher Education and programs align with growing local needs and will meet the workforce demand in the Clarksville-Montgomery County area. According to the Nashville Chamber of Commerce's 2020 Workforce Study, which included the Clarksville MSA, Healthcare and Information Technology are two of the three highest demand sectors and occupations.

- Nurses at all levels (LPN, RN, and BSN) are one of the most in-demand occupations, with a projected job growth of 2,954 jobs by 2024. The College has worked with TCAT to create an educational pathway.
- Within the Information Technology sector, software coding and development were highlighted as in-demand occupations. Working with CMCSS to possibly create an Early College, with a focus on creating an IT pathway.
- The Tennessee Education and Workforce Maps (2020) indicates Industrial Maintenance and Mechatronics as having the highest demand, with 2,785 projected annual job openings. The College has recently started providing an IPCT certificate on campus.

Without this campus expansion, and labs and student support spaces, it will not be possible to meet these critical workforce and community needs.



Clarksville-Montgomery County Convention & Visitors Bureau • Clarksville Area Chamber of Commerce Clarksville-Montgomery County Industrial Development Board

July 27, 2021

Montgomery County Mayor Jim Durrett 1 Millennium Plaza Clarksville, TN 37040 City of Clarksville Mayor Joe Pitts 1 Public Square, 4th Floor Clarksville, TN 37040

Dear Mayor Durrett and Mayor Pitts,

On behalf of the Clarksville-Montgomery County Economic Development Council, please accept this letter of support for Nashville State for their Clarksville Campus Expansion. The ability to meet the work force requirements for our growing industry, general businesses, and healthcare is critical as we continue to recruit new companies and encourage our existing companies to expand.

Nashville State is a vital partner and our need for them to expand is essential to meet or growing employment need. Not only is it a necessity for them to grow the capacity of their current curriculum, but we need them to expand offerings to include more Health Care, Computer Science, Industrial Maintenance and Advanced Mechatronics. This expansion of certification opportunities will likely need more space; space that will quickly produce a return on investment because these newly trained students will quickly enter the workforce.

Our vision is that every Clarksville-Montgomery County citizen has a pathway to enter the workforce with academic and certification opportunities that will advance their capacity with an advancing salary for an entire career. Nashville State has proven to be a stalwart partner and with additional capital funds to support their expansion, they can continue to grow with us and fulfill this vision.

Best.

Buck Dellinger

CEO

Clarksville-Montgomery County Economic Development Council



# **Dr. Angela M. Huff**Interim Director of Schools

Clarksville-Montgomery County School System

To The Honorable County Mayor Jim Durrett and The Honorable City Mayor Joe Pitts:

It is with great pleasure and enthusiasm that I write a letter of support for the expansion plan for the Clarksville Campus of Nashville State Community College. Clarksville-Montgomery County Schools has continued to expand our partnership with Nashville State Community College Clarksville Campus since the school's inception in 2012. The school district partners with Nashville State Community College Clarksville at all of our high schools with the ability to offer our students dual enrollment and dual credit opportunities, certification opportunities in Mechatronics and Elementary Education AST, and current planning and exploration of Early Middle College with a proposed opening in 2022-23 school year focused on Informational Technology certifications and apprenticeships designed to meet the workforce demand in Montgomery County.

Students of Clarksville-Montgomery County Schools have benefited from dual enrollment and dual credit opportunities in partnership with Nashville State Community College Clarksville Campus. Our high school principals and counselors are complimentary of the services provided and the willingness of Nashville State Community College Clarksville staff to be flexible and innovative in their approach to support the workforce and college demands at each of our comprehensive high schools. If given a choice, our principals and counselors overwhelmingly choose to work with Nashville State Community College Clarksville staff in support of our students' opportunities to be college and career ready upon graduation.

Clarksville-Montgomery County Schools has current partnerships with Nashville State Community College Clarksville Campus that provide opportunities and solutions to county and regional workforce demands. The partnership in dual credit and certification in our mechatronics program of studies provides students to be college and career ready upon graduation and/or post-secondary career readiness. Hankook has viewed the mechatronics programs at Northeast and Kenwood High Schools and has deemed our students to be right on track to support needs within their industrial work place. This summer and fall Nashville State Community College is supporting the educational opportunity for forty high school seniors, classified employees, and/or community members to earn their Elementary Education Associates Degree as part of Clarksville-Montgomery Counties School System "Grow Your Own Teacher Pipeline". This is a dual partnership with Austin Peay University that will see these students certified as teachers in our school system within three years. The expansion plan would provide opportunities for our students to obtain a Secondary Education Associate Degree in the future that is necessary to meet the current workforce demands of Clarksville Montgomery County Schools.

The expansion of Nashville State Community College Clarksville Campus would support current partnership and planning with Clarksville-Montgomery County Schools development of an Early Middle College focused on Informational Technology. Both institutions have a workforce demand in Information Technology and such a partnership would provide pathways and apprenticeships that would serve that workforce demand. The ability to demonstrate the effectiveness of career pathways around apprenticeships for our students provides those students with a debt free certification, a pathway to a job with a solid working wage, a solution to a workforce demand, and an opportunity to demonstrate to the industrial manufactures in Montgomery County that we can be part of a solution to current workforce demand issues within the county.

I enthusiastically support the expansion of Nashville State Community College Clarksville Campus. The expansion provides further opportunities to partner with our high schools in the areas of dual credit and dual enrollment, supports the certification opportunities for our students in Mechatronics, Elementary and Secondary Associate Degree completion, and provides future opportunities in the area of Information Technology and apprenticeships to address regional and countywide workforce demands.

Respectfully,

Orngula Hu Angela Huff, Ph.D.

Interim Director of Schools