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NEW INFORMATION RESOURCES FROM MTAS AND BEYOND

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The Metropolitan Revolution: How Cities and Metros Are Fixing Our Broken Politics and Fragile Economy  |  Request this item
That Difficult Conversation: 11 Tips for Protecting Your Organization When Talking About Poor Performance  |  Request this item

To see a list of ALL new materials recently added to the library holdings click HERE
Twenty-nine-year Dallas Cowboys head coach, Tom Landry, once said, “Setting a goal is not the main thing. It is deciding how you will go about achieving it and staying with that plan.” Much can be inferred from what Coach Landry said, but one thing is certain. Achievement takes sticking to a plan.

Recently, MTAS joined its other UT Institute for Public Service (IPS) agencies (the County Technical Assistance Service, the Center for Industrial Services, the Naifeh Center for Effective Leadership and the Law Enforcement Innovation Center) in a process that will lead to a new strategic plan for all of IPS. Just like your organization at city hall, we’ll use that plan to guide us in allocating resources effectively, determining the kinds of services we need to deliver and how best to deliver them, and keeping track of how well we’re doing at what we’re supposed to do. But there’s something a little different about our plan development process…and that’s where you, our MTAS stakeholders, come in.

In late July, I hope you’ll give us three hours of your time and join with staff members from all the IPS agencies (yes, that means MTAS too) to share your input with us because this plan I’m talking about will be built mainly on comments, input, and feedback that you, our stakeholders, along with our employees, provide the planning team.

There are three opportunities for you to join us in this listening stage of the planning process. The first listening session will be in Jackson on July 26 at the UT West Tennessee Research and Education Center at 12:30 p.m. CDT. The next day, July 27, Nashville will host two sessions, both at the Avon Williams (Downtown) Campus of Tennessee State University. One begins at 9:30 a.m. and the second begins at 12:30 p.m. CDT. On July 28, the last session will be in Oak Ridge at the Glaser Building (1201 Oak Ridge Turnpike) beginning at 12:30 p.m. EDT.

Lunch will be provided at all four sessions, so we need to know which one you’ll attend. Call me (615-972-9219) or e-mail me (jim.thomas@tennessee.edu) and I’ll register you for one of the sessions.

Those three hours I asked for...well, I’m going to look upon them as your personal investment in MTAS. You’re going to expect a return and you have my commitment you’ll get it because you helped us be the best we can be for you...our customers and stakeholders.

With Best Regards,
Jim Thomas
The Department of Labor issued the long-awaited final overtime rule May 18. The rules increase the salary level threshold to $47,476, slightly more than a 100 percent increase of the old threshold of $23,660. The rules also set the total annual compensation requirement for highly compensated employees at $134,004. Finally, the rules establish a mechanism for an automatic increase in the minimum salary threshold for exempt employees every three years. Employers must comply with the new rule by December 1.

Now that the new rules are out, cities should:

• Take an immediate look at the costs of employee reclassification vs. salary increases, as well as weigh those impacts and how they may affect service delivery and the budget in the short and long term;
• Communicate how the new rules may alter how supervisors must manage newly non-exempt employees to remain compliant with the FLSA;
• Train newly non-exempt employees on the requirements for working in the new classification; including expectations of avoiding compensable activity without prior authorization, and the expectations regarding tracking and reporting time worked; and,
• Anticipate that every three years they must monitor changes to the minimum salary level. Beginning January 1, 2020, the updates to the salary levels will occur automatically, and this should remain a point of focus when budgeting and setting long-term plans.

Employers will also be able to use nondiscretionary bonuses [1] to satisfy up to 10 percent of the standard salary level. Such payments may include; nondiscretionary incentive bonuses tied to productivity and profitability. Longevity and Christmas bonuses most often qualify as nondiscretionary due to the establishment of an expectation of receiving such bonuses. However, for employers to credit nondiscretionary bonuses and incentive payments toward a portion of the standard salary level test, the final rule requires such payments to be paid on a quarterly or more frequent basis and permits the employer to make a catch-up payment.

From the DOL Wage and Hour Division - https://www.dol.gov/sites/default/files/overtime-government.pdf

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[1] Regarding bonuses for purposes of calculating overtime pay, section 7(e) of the FLSA provides that non-discretionary bonuses must be included in the regular rate of pay. Non-discretionary bonuses include those that are announced to employees to encourage them to work more steadily, rapidly, or efficiently, and bonuses designed to encourage employees to remain with a facility. Few bonuses are discretionary under the FLSA, allowing exclusion from the regular rate (see 29 CFR 778.200 and 778.208).

Referral bonuses paid for recruitment of new employees are not included in the regular rate of pay, if all of the following conditions are met: (1) participation is strictly voluntary; (2) recruitment efforts do not involve significant time; and (3) the activity is limited to after-hours solicitation conducted among only friends, relatives, neighbors, and acquaintances as part of the employees' social affairs.

https://www.dol.gov/whd/StateLocalGovernment/media/OT%20Examples%20final.htm
2015 I-Codes Now Published

By Jeff Broughton, MTAS Municipal Management Consultant


In accordance with T. C. A. § 68-120-101, a municipality that has chosen to adopt and enforce building construction and safety codes must have adopted the ICC International Residential Code for one-family and two-family construction, the ICC International Building Code for construction other than one-family and two-family dwellings, and the ICC International Fire Code or the National Fire Protection Association (NFPA) Uniform Fire Code.

It is important that the municipality’s building, construction and safety code documents be dated within seven years of the most recent editions, unless otherwise approved by the state fire marshal in writing. Local governments are not required to adopt standards more stringent than those enforced by the state, such as a mandatory sprinkler requirement for one-and two-family dwellings.

With the release of the 2015 I-Codes and the NFPA 2015 Fire Code, any municipality enforcing the 2006 edition (or earlier) of any of these codes should adopt later editions – such as 2009, 2012 or 2015, in order to comply with state law.

FMLA Poster Revised

The Family Medical Leave Act (FMLA) provides that all covered employers must post, in a conspicuous location, a copy of the most current FMLA poster. A covered employer is any employer with at least 50 employees working within a 75-mile radius of the employer’s primary work site.

The notice and notification requirement, however, apply to all governmental agencies regardless of size. The FMLA poster summarizes the major provisions of the act including leave entitlement, benefits and protections, eligibility requirements, requesting leave, employer responsibilities and DOL enforcement. It must be posted at all locations even if there are no eligible employees.

The old poster (February 2013) is still good and can be used to fulfill the posting requirements, however a newer version (April 2016) is available at https://www.dol.gov/whd/regs/compliance/posters/fmlaen.pdf.

What’s in Your Municipal Information Toolbox?

Please join us for this free half-hour information webinar to learn about resources that are offered by the MTAS Research and Information Center.

August 9, 2016 | 2 PM Eastern | REGISTER

Also, the previously offered session was recorded; the video recording and handout are available on the MTAS website Ask-A-Librarian page HERE.
Enroll Now for the 2016 Tennessee Municipal Administration Certificate

It’s not too late to enroll in the 2016 Tennessee Municipal Administration Certificate program. Any classes taken since January 1 will apply toward a certificate completion. MTAS Online courses can also count toward completion requirements. Full certification requires 32 hours of course work - 16 hours on the Leadership and Management track and 16 hours on the Public Administration track.

Last year, 16 individuals earned their certification. They are: Loretta Bell (Moscow), Katie Hilty (Franklin), Jessie Rosales (Lakeland), Amber Scott-Kelso (Lenoir City), April Atkins (Grand Junction), Nora Clifton (Memphis), Catherine Durant (Arlington), Debra England (Harrogate), Pamela Hardy (Crump), Tammie Hightower (Somerville), DeAnn Kraft (Franklin), Jeff McCormick (Goodlettsville), Lisa Parker (Pleasant View), Russell Peterson (Brentwood), Jeff Robertson (Collinwood), and Brinn Roten (Savannah).

“The TMAC program was a valuable experience, providing a wealth of information and encouraging me to achieve my maximum potential,” said Loretta Bell, court clerk in Moscow. “The teachers made each class a fun-filled learning event while providing required CEUs for other areas as well. It was an experience I will definitely repeat!”

Brentwood Division Chief (Training, Risk & Emergency Management) Russell Peterson stated, “The value of the TMAC program is that it provides you an opportunity to learn about important topics in public management while also learning from the experiences of other managers who are attending the course!”

For more information about this calendar year’s certificate program, visit http://mtas.tennessee.edu/Training/Map/2016TMACFLYER.pdf

To enroll, visit http://www.mtas.tennessee.edu/web2012.nsf/frmEmailTMAC?openform

Contact Kurt Frederick, MTAS training consultant at 615-253-6385 or kurt.frederick@tennessee.edu.
TREEDC HOLDS 2ND Annual Conference

Future Energy Revolution NOW was the theme of the 2nd Annual Tennessee Renewable Energy and Economic Development Council (TREEDC) International Conference at Tennessee Technological University in Cookeville.

The conference was jointly organized and presented by TREEDC and the Tennessee Environmental Council. Billed as Tennessee’s Clean Energy Conference, it brought together industries, governmental entities, energy producers and distributors, university leaders, and the general public to discuss the future configuration of energy in Tennessee and around the world. The conference also hosted a delegation from the Philippines. Leadership for the conference included representatives from the Environmental Protection Agency (EPA), Tennessee Valley Authority (TVA), Tennessee Valley Public Power Association (TVPPA), Tennessee Electric Cooperative Association (TECA), the solar industry, the State of Tennessee Department of Environment and Conservation and the Department of Economic and Community Development.

Keynote addresses were presented by Pete Marte, CEO of Hannah Solar, and Matt Kisber, president of Silicon Ranch. A special panel consisted of back-to-back presentations by Jack Simmons, CEO and president of both TVPPA and Seven States Power Corporation, and Joe Hoagland, vice president, stakeholder Relations, TVA. Afterwards, they were joined by David Callis, TECA, Beverly Bannister of Region 4, EPA, and John McFadden, CEO, Tennessee Environmental Council, for a discussion on Emerging Energy Configurations.

Other highlights of the conference included an Alternative Fuel Vehicles (AFV) Showcase which provided opportunities to view, learn about, and drive the AFVs on display. A report was also presented on the 21st session of the Conference of the Parties to the United Nations Framework Convention on Climate Change, held in Paris, France (COP21).

Pictured:

(TOP) From left to right – Matt Kisber, Silicon Ranch Solar, Dr. Norie Validor, Technological University of the Philippines (TUP) - Visayas, Dr. Selfa Briones TUP-Taguig City, Doug Jackson, Hannah Solar and Warren Nevad, MTAS

(MIDDLE) Dunlap Mayor/TREEDC President Dwain Land (motioning in center), Thomas Austin, Acres Energy and Dr. April Alcazar address the Delegates at the PAEPI conference

(BOTTOM) MTAS Consultant Warren Nevad (center with orange tie) and officials from San Beda College, Eastern Samar State, Batangas State University and Lyceum of the Philippines University
Legislature Passes Local Government Financial Statutes

By Kay Stegall, MTAS Finance and Accounting Program Manager

Accounting Systems (Public Chapter No. 41)

A new law requires local governments to close accounting records and have them ready for audit within 60 days of year end. This statute was effective July 1, 2015, which means municipal accounting systems should be closed for the 2016 fiscal year beginning on June 30, 2016, or at the latest, by August 31, 2016. It is important to have all transactions recorded and make any necessary year-end adjustments. CMFOs can refer to the Government Accounting II CMFO program materials, as well as audit adjustments from previous years, for guidance on year-end closing and adjusting journal entries.

MTAS MAP Classes titled “Year-End Closing” have been scheduled across the state. Please look for one in your area and register.

Internal Controls (Public Chapter No. 112)

An amendment to TCA 9-18-102 required local governments to establish and maintain internal control procedures. Local governments should be in compliance by June 30, 2016. Procedures should ensure that:

(1) Obligations and costs are in compliance with applicable law;
(2) Funds, property, and other assets are safeguarded against waste, loss, unauthorized use, or misappropriation; and,
(3) Revenues and expenditures are properly recorded and accounted for to permit the preparation of accurate and reliable financial and statistical reports and to maintain accountability over the assets.

CMFOs can use the CMFO Internal Control materials, the MTAS Internal Controls Toolkit, the Sample Internal Control Manual, the old and the updated Comptroller’s City Manual, and GFOA best practices for examples of how to document internal processes.
City Operations: How to Determine If You Are Winning or Losing

“Make performance measurement and management a natural part of your organization’s culture because you can’t manage what you can’t measure.”

-- Sharon Rollins, MTAS Technical Program Manager

According to Harry Hatry’s 1978 article in the Public Administration review, “unless you are keeping score, it is difficult to know whether you are winning or losing. This applies to ball games, card games, and no less to government productivity . . . Productivity measurements permit governments to identify problem areas, and as corrective actions are taken, to detect the extent to which improvements have occurred.” This is the case nationally and in local government in Tennessee.

In response to the need for performance measurement in municipal government, during the month of April, MTAS offered a unique class as a part of the MAP program titled City Operations – How to Determine If You Are Winning or Losing. The course assists municipal elected officials and staff in assessing the performance of their cities.

This class, facilitated by MTAS Technical Program Manager Sharon Rollins, and MTAS Grants and Training Specialist Dr. Chris Shults, provided a detailed look at performance measurement, management, and benchmarking.

Elements of the course included why use performance measurement, and the four types of measurements – workload, efficiency, effectiveness and productivity. Benchmarking strategies were also addressed during this class, which can prove invaluable in comparing against external standards.

During the four-hour course, participants had the opportunity to put their newly acquired skills into practice through application-based group projects. In these projects, participants worked through the performance measurement process and then addressed challenges such as lack of clear goals and objectives, lack of resources, confusion and staff concerns.

Rollins said that everyone should “make performance measurement and management a natural part of your organization’s culture because you can’t manage what you can’t measure.”

Interested in Performance Measurement and Benchmarking Your Services with Other Cities in Tennessee?

If so, the Tennessee Municipal Benchmarking Project is for you. Join other cities in Tennessee as they use data to improve services and share best practices. Email Frances Adams-O’Brien at frances.adams-obrien@tennessee.edu for more information. Also explore the TMBP webpage at http://mtas.tennessee.edu/web2012.nsf/Web/Benchmarking.
Training Highlights

Annual Municipal Court Clerk Conferences

*Abb Oglesby, MTAS Municipal Courts Specialist*

MTAS recently hosted two Municipal Court Clerk Conferences in conjunction with the Administrative Office of Courts. These annual conferences provide continuing education for those clerks in courts with both standard municipal court jurisdiction, as well as those with concurrent general sessions jurisdiction.

Topics presented ranged from Jurisdiction of Tennessee Courts to Records Management. One clerk remarked, “[t]his class is something that is becoming more important in my job - record requests are really increasing on a daily basis.”

For the opening session, the Tennessee Department of Safety and Homeland Security (TDOS) provided an expert panel to answer questions regarding the interplay of court clerks and the department. One clerk who attended the panel session said, “I truly enjoyed the panel! Lots of good questions answered.” The relationship between court clerks and TDOS is essential to maintain compliance with reporting traffic violations in Tennessee. MTAS looks forward to working with the Department of Safety in continuing to provide this much-needed information to municipal clerks.

The clerks will have an additional opportunity for continued education in the fall with the Municipal Court Clerk Introductory Sessions in Smyrna, Collegedale, Cookeville, Johnson City, Knoxville, Bartlett and Jackson. Additional information for these classes are available on both the MTAS training website and the MTAS training course catalog.

Planning and Zoning

During the month of May, Dan Hawk, MTAS contract instructor, delivered training to 207 planning and zoning officials across the state. Some of the topics for this Municipal Administration Program (MAP) course included how a planning and zoning board meeting is conducted, how a board of zoning appeals meeting is conducted, and understanding each member’s responsibility. During these classes, participants were afforded the opportunity to participate in a mock planning and zoning board meeting. In these mock sessions, real-life planning and zoning issues were discussed, and meeting circumstances changed as they do in real board meetings. These classes allowed the planning and zoning and the board of zoning appeals board members to obtain their required annual training hours.

Courses were held at Algood City Hall, TBI Headquarters in Nashville, and the new MTAS offices in Knoxville.

For additional MTAS class offerings please contact either Kurt Frederick at kurt.frederick@tennessee.edu (615-253-6385) or Patrick Mills at patrick.mills@tennessee.edu (865-964-9833).
Elected Officials Meet for Training in Jackson

The Elected Officials Academy (EOA), facilitated by MTAS, proves to be beneficial to newly elected officials and those who want to stay current on trending issues affecting municipalities. That is why 18 elected officials recently attend at EOA in Jackson. Other cities represented were Alamo, Bells, Brighton, New Johnsonville, Greenfield, Henderson, Three Way, Mason, Milan, Piperton, Rossville, Dresden, and Samburg.

Participants shared what they enjoyed about the class:

“Explanation of ways to improve crime prevention.”

“Personal experience not just “book statements.”

“It was explained in a way that was easy to understand.”

“It was an open discussion.”

This weekend session included five, two-hour classes on human resources, fire, police, water and waste water, and public works. All five classes were packed with information specifically geared toward what the elected official needs to know.

The EOAs are a great way to meet other elected officials in the area and to get better acquainted with MTAS management and technical consultants. The EOA is offered in two levels. The first level includes classes on council at work, ethics and open meetings, codes charters and open records, foundation and structure of local governments, and finance. The second level EOA dives into specific services and functions of a municipality and offers participants the chance to ask questions of MTAS management and technical consultants.

If you are interested in the EOA, please contact Dr. P.J. Snodgrass at pj@utk.edu, Doug Brown at doug.brown@tennessee.edu, or contact your MTAS management consultant for assistance or more information.
### Training Opportunities

**July - September 2016**

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<th>Event</th>
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**Bringing a Human Perspective to the Americans with Disabilities Act (ADA)**

All cities are required to comply with the Americans with Disabilities Act (ADA), but understanding what it’s really like for persons with disabilities to enter a city hall or other public building can be alarming. About 19 percent of the population faces some type of disability and has a need to access city services. This course is intended to share best practices on how cities can better serve persons with disabilities and become more keenly aware of those needs in planning for the future. Participants also will receive information on the legalities of ADA and how municipalities might minimize risk by being more proactive. This is a new course offering from MTAS.

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**National Flood Insurance Program Administrative and Legislative Training**

This is a FREE four-hour floodplain management training course being held throughout the state, but you must register to attend. The course is designed to provide a training opportunity for local officials responsible for administering their local floodplain management ordinance. This course is jointly offered by the Tennessee Department of Environment and Conservation, MTAS and the County Technical Assistance Service.

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**FOR A FULL LIST OF TRAINING OPPORTUNITIES, VISIT**

http://www.mtas.tennessee.edu/web2012.nsf/Web/Training+Course+Calendar