



White County Courthouse

County Spotlight: *White*

Population: 23,102
County Seat: *Sparta*

Did you know...

The Tennessee General Assembly established White County in 1806 from a part of Smith County. The new county was named for John White, one of the first settlers in the area.

Sparta was the hometown of bluegrass legend Lester Flatt. Flatt, along with sidekick Earl Scruggs, wrote and recorded "The Ballad of Jed Clampett" which was used as the theme song for the television series "The Beverly Hillbillies."

*For more information, visit:

<http://www.spartatn.com>
<http://tennesseencyclopedia.net>

State Economic Forecast Bleak – Counties not Immune

On November 12 and 13, the fiscal review committee of the state legislature heard testimony from a number of experts regarding the state's economic outlook. Dr. Matt Murray of the UT Center for Business and Economic Research began the hearings with statistics that show the state is in rare circumstances. The economy and the state's tax base are setting records for poor performance. For instance, housing starts in Tennessee are at their lowest level since 1945. State tax collections are down, with projections indicating that revenue may fall up to \$800 million below budget estimates.

Local governments are impacted as well. Counties and cities were represented on day two of the hearings as David Connor of the Tennessee County Commissioners Association and Chad Jennings of the Tennessee Municipal League briefed the committee on the difficulties local governments are experiencing in the current environment. Connor worked with Lynne Holliday and Mike Meyers of CTAS to develop his presentation based on data from the state Department of Revenue and anecdotal evidence from other CTAS consultants. The findings he presented show that 37 counties are experiencing actual losses in local option sales tax collections for the first quarter of this fiscal year compared to the first quarter of last year. The counties experiencing reduced collections comprise approximately 58% of the total local options sales tax base. "All four of the major metropolitan areas are showing losses so far in sales tax, but so are many medium and small population counties," said Connor. "Gas tax revenues are also down significantly and combined with the tremendous inflation that highway departments are seeing in their materials – asphalt, diesel fuel, steel – it's really becoming a challenge for highway departments to keep up with necessary maintenance."

Connor recommends that county officials keep a close watch on revenue collections as the fiscal year progresses and warns that there may be unpleasant surprises throughout the year. "Some of our taxes, like business taxes, get reported on a quarterly basis. Counties need to be ready to respond if these taxes come in significantly below projections." If you need assistance in determining how sales tax is performing in your county, contact your CTAS consultant.

The Americans with Disabilities Act (ADA) Amendments Act of 2008

The Americans with Disabilities Act Amendments Act of 2008 (the “Amendments”) was signed by the President on September 25, 2008, and will go into effect on January 1, 2009. These Amendments change the definition of the term “disability” by rejecting the holdings in several Supreme Court decisions and portions of EEOC’s ADA regulations. The basic definition of “disability” remains the same - an impairment that substantially limits one or more major life activities, a record of such an impairment, or being regarded as having such an impairment. However, there will be some changes to the way the definition is interpreted. The more significant changes and clarifications are:

- The EEOC must revise that portion of its regulations defining the term “substantially limits.”
- The definition of “major life activities” is expanded by including two non-exhaustive lists:
 - the first list includes many activities that the EEOC has recognized (e.g., walking) as well as activities that EEOC has not specifically recognized (e.g., reading, bending, and communicating); and
 - the second list includes major bodily functions (e.g., “functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions”).
- Mitigating measures other than “ordinary eyeglasses or contact lenses” shall not be considered in assessing whether an individual has a disability.
- An impairment that is episodic or in remission is a disability if it would substantially limit a major life activity when active.
- An individual subjected to an action prohibited by the ADA (e.g., failure to hire) because of an actual or perceived impairment will meet the “regarded as” definition of disability, unless the impairment is transitory and minor.
- Individuals covered only under the “regarded as” prong are not entitled to reasonable accommodation.
- The definition of “disability” should be interpreted broadly.

Source: EEOC Notice Concerning Americans with Disabilities Act Amendments Act of 2008
www.eeoc.gov/ada/amendments_notice.html

Online Group Now Available for Fire Services

Fire management consultants with the University of Tennessee Institute for Public Service (IPS) recently created the “Tennessee Fire Service Google Group” as a communications tool for state fire and emergency service officials. The site contains topic discussions, photos, files and useful web links. Subscribers to the group receive an email of each new site posting and have access to over 700 archived discussions. The varying topics have included grant opportunities, upcoming training both in the state and nationally, legal issues/legislative updates, job postings, and changes in regulations and codes. Much of what is posted is submitted to the site moderators from state and local emergency officials who have requested the information be shared. The group currently has over 1100 subscribers, ranging from fire service personnel to EMS and EMA directors and state officials.

In addition to this site, four groups were created to communicate with specific areas within fire services. Three are dedicated to Mutual Aid: Executive Team Members, District Coordinators, and County Coordinators. The fourth site is a user group for fire department management software assistance. This group allows users to post questions and solutions to software issues as they manage their fire department data.

To view the “Tennessee Fire Service Google Group” site or request free membership to the group, visit: <http://groups.google.com/group/tennesseefireservice?hl=en>. For additional information, contact CTAS Fire Management Consultant Kevin Lauer at Kevin.Lauer@tennessee.edu.

COUNTY PRIVATE ACT UPDATES

Private Acts are acts passed by the state legislature that affect a particular county. CTAS compiles and maintains thorough records of all the private acts in effect for a particular county. These compilations are continuously being updated. The following is a listing of the private acts that have been updated in 2008. The new compilations can be accessed from the CTAS website under "Legislative Information."

- Bedford
- Benton
- Blount
- Bradley
- Campbell
- Cannon
- Carroll
- Carter
- Cheatham
- Clay
- Crockett
- Decatur
- Dickson
- Dyer
- Fayette
- Fentress
- Grainger
- Hamblen
- Hamilton
- Hawkins
- Henry
- Lincoln
- Maury
- Meigs
- Montgomery
- Perry
- Robertson
- Tipton
- Wayne
- Weakley
- Williamson
- Wilson

Have comments or suggestions for this newsletter?
Contact Claire Marsalis at Claire.marsalis@tennessee.edu.

CALENDAR OF EVENTS

- Nov. 18 Emotional Intelligence, Jackson
- Nov. 19 TN Association of School Business Officials (TASBO) Conference, Chattanooga
- Dec. 3 TN County Hwy Officials Association (TCHOA) Region II Meeting, Cumberland Mountain State Park
- Dec. 3-4 Annual Renewal Conference, Cool Springs
- Dec. 4 TCHOA Region I Meeting, Gatlinburg
- Dec. 9 TCHOA Region III Meeting, Lawrenceburg
- Dec. 11 TCHOA Region IV Meeting, Jackson
- Dec. 16-18 Association of County Mayors (ACM) Strategic Leadership Conference, Nashville

NEW FMLA REGULATIONS ISSUED

The U. S. Department of Labor published its new Family and Medical Leave Act (FMLA) regulations on November 17. These new regulations will go into effect in mid-January of 2009. In addition to clarifying and changing some existing provisions of the law, these regulations implement the new 26 weeks of unpaid FMLA for relatives of seriously injured or ill military personnel. Additional information should be posted soon on the DOL website: <http://www.dol.gov/esa/whd/fmla/>

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