COUNTY MAYORS

Powers and Duties
COUNTY MAYOR

- Constitutional Officer
- Duties and Powers determined by General Assembly
  - General Laws
  - General Laws of Local Application
  - Private Acts
  - Charters
State Constitution

Refers to “county executive”

Legislature

Conferred “county mayor”

Metropolitan government charter/ county charter

Conferred by charter
BASIS OF AUTHORITY

- Detailed in Tennessee Code Annotated (TCA)
- Relatively weak general law powers
- Enhanced by county charter or private act
- Metro Mayor - powers determined by Charter
RELATIONSHIP WITH CLB

• Serves as a nonvoting ex officio member of the CLB
• Veto power over legislative resolutions
• Resolutions are submitted to the mayor and must be signed or vetoed or will become effective without the mayor’s signature
• Serves as a nonvoting ex officio member of each committee of the CLB except as provided by law
• May be elected as a chairperson of the CLB
  • May cast a vote in the event of a tie
  • Veto power will be forfeited
DUTIES

- Provide leadership and direction in most policy areas
- Accounting and chief financial officer
- Charged with the care and custody of county property (unless the law specifically provides otherwise)
- Appoints members of county boards and commissions
- Authorized to employ and establish compensation for assistants needed in the performance of duties
ACCOUNTING OFFICER AND GENERAL AGENT

- Custodian of county property
- Control books, papers and instruments of the office
- Audits Claims against the county
- Audits and settles accounts of the county trustee
- Requires officers to settle accounts
- Keeps an account of receipts and expenditures
- Provides a semiannual report of money received and paid out to the CLB and provides a complete statement of the financial condition of the county, once a year.

T.C.A. § 5-6-108.
CHIEF FINANCIAL OFFICER

• Signs county warrants for the general fund
• Examines and settles accounts of county officers
• Reports settlements to the CLB
• Delivers duplicates of settlements to the county clerk

T.C.A. § 5-6-110
Defends salary suits

Letters of Agreement

- Budgeted by CLB if salary system
- Fee officials and mayor/executive if fee system
BUDGET COMMITTEE ROLE

- Committee member
  - 1957 Budget Law
  - 1981 Financial Management Committee
- Charters and Private Acts - may or may not
APPOINTMENT POWERS

Limited by TCA

Department heads

Appoints county attorney

1957 Fiscal Act appointments
Board members
- county legislative body approval
- some not subject to such approval

Approval of delinquent tax attorney selected by trustee

Staff of Office of County Mayor

Provides power to remove
REQUIRED BOARDS & COMMISSIONS

County Board of Education
Election Commission
Planning Commission
County Public Records Commission
County Board of Equalization
Beer Board (may be full CLB)

OPTIONAL OFFICES, BOARDS & COMMISSIONS

Judicial Commissioners
Workhouse Commission
Parks and Recreation Board
Adult Oriented Establishment Board
County Board of Public Utilities
County Board of Sanitation (or Solid Waste)
“REPRESENTATIVE OF THE COUNTY”

Development Districts

Human Resource Agencies

Coordinating Committee for County Growth Plan

Joint Economic and Community Development Board
Summary of Powers

• Leadership Role
• Relationship with CLB
• Accounting Officer and General Agent of the County
• Chief Financial Officer
• Appointment Powers - limited
• “Representative” of the County
LEADERSHIP

A genuine leader is not a searcher for consensus but a molder of consensus.”

– Martin Luther King, Jr.
COUNTY GOVERNMENT
FINANCE OVERVIEW

2022 COOP
BUDGETING

- Budget Types
- Budget Players
- Legal Authority
- Process
## Types of Budgets

<table>
<thead>
<tr>
<th>Operating Budget</th>
<th>Capital Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fiscal Year</td>
<td>Multi-year</td>
</tr>
<tr>
<td>Current Revenue</td>
<td>Long Life Expectancy</td>
</tr>
<tr>
<td>Short-term</td>
<td>Borrowed Funds</td>
</tr>
<tr>
<td>Regular Services</td>
<td>Project Related</td>
</tr>
</tbody>
</table>

**OPERATING BUDGET**
- Fiscal Year
- Current Revenue
- Short-term
- Regular Services

**CAPITAL BUDGET**
- Multi-year
- Long Life Expectancy
- Borrowed Funds
- Project Related
BUDGET PLAYERS

- Department Heads
- Elected Officials
- Other Governments
- Budget Committee
- Oversight Boards
- Director of Finance
- Others
LEGAL AUTHORITY

General Law

1981/1957 Acts

Private Act

Charter/Metro
BUDGET CALENDAR

Feb 1
Deliver Forms to EO/DH

Mar 1
Return Forms

Apr 1
Budget Committee Votes

May 1
BOE Delivers Budget

Jul 1
Budget Deadline

Aug 15
Notify LGF

Aug 31
Continuation Budget Deadline

Sep 30
Deadline only if granted extension
BUDGET PROCESS

Planning → Developing → Adopting → Managing → Planning
BUDGET PROCESS
BUDGET COMMITTEE

Appointed

Depends on what law the county operates under

If under 1957, appointed by mayor and confirmed by commission

Otherwise, refer to rules and procedures
Initial Meeting

• Appoint a chairman, vice-chairman and secretary
• Provide the budget calendar for deadlines
• Establish a schedule of meetings
• Communicate expectations and processes
BUDGET COMMITTEE WORK

- REVIEW CY REVENUE AND EXPENSES
- REVIEW THE PROJECTED VALUE OF THE PENNY
- REVIEW DEPARTMENT REQUESTS
REAPPRAISAL S and RATIO STUDIES
Continuous review and periodic revaluation
- 4-, 5-, or 6-year reappraisal cycle
- Requires comprehensive market analysis
- Statistical
- Purpose is to equalize value
- Not a revenue producing scheme
- Certified Tax Rate guarantees reappraisal is revenue neutral
4-YEAR REAPPRAISAL CYCLE (14)
6-YEAR REAPPRAISAL CYCLE (12)

<table>
<thead>
<tr>
<th>County</th>
<th>Year</th>
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<tbody>
<tr>
<td>Chester</td>
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<td>Henderson</td>
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<td>2026</td>
</tr>
<tr>
<td>Wayne</td>
<td>2022</td>
</tr>
</tbody>
</table>
APPRAISAL RATIO STUDIES

- Required by law
- Measures change in real property market value since last reappraisal
- Occur every other year between reappraisals
- Used to equalize personal property and public utility assessments
- Used to determine effective tax rate used in tax relief payments
REAPPRAISAL AND RATIO STUDIES (TAX YEAR 2022)
REAL PROPERTY MARKET ACTIVITY BETWEEN REAPPRAISALS
## 2022 Appraisal Ratios

<table>
<thead>
<tr>
<th>Jurisdiction</th>
<th>Ratio</th>
<th>Jurisdiction</th>
<th>Ratio</th>
<th>Jurisdiction</th>
<th>Ratio</th>
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</table>
## 2022 Appraisal Ratios

<table>
<thead>
<tr>
<th>County</th>
<th>Ratio</th>
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<tbody>
<tr>
<td>Crockett</td>
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<td>Union</td>
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<td>Van Buren</td>
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</tr>
<tr>
<td>Wilson</td>
<td>1.0000</td>
</tr>
</tbody>
</table>
TIMING OF EQUALIZATION ADJUSTMENTS

- Ratios typically released in April/May each year
- Will reduce personal property and public utility assessments
- Real property growth offsets (loss in assessed value absorbed)
- Verification with Assessor (especially when calculating the penny)
REAPPRAISAL AND RATIO STUDIES (TAX YEAR 2023)
CONTACT US

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Property Assessment Consultant
gabe.looney@tennessee.edu

Joe Griffin, RES, AAS, TMA
Property Assessment Consultant
joe.griffin@tennessee.edu
**DEPARTMENT REQUESTS**

<table>
<thead>
<tr>
<th>Salary increases</th>
</tr>
</thead>
<tbody>
<tr>
<td>Capital Expenditures</td>
</tr>
<tr>
<td>Operational increases</td>
</tr>
<tr>
<td>Any changes from the PY budget should be explained</td>
</tr>
</tbody>
</table>

- Supplies
- Travel
- Postage
MAINTENANCE OF EFFORT

T.C.A. requires certain financial mandates for certain local governments offices such as:

- Board of Education
- Sheriff’s Office, Including the Jail
- Highway Department
- Administrator of Elections
- Public Library
- Assessor of Property
- 911 Board
BUDGET AMENDMENTS

• Made prior to any expenditure of funds, unless there is a health or safety emergency.
• Instruction of how and when the budget can be amended needs to be understood.
  • Three methods:
    • County Legislative Body
    • County Mayor (Except Personnel) – Reported to CLB
    • Budget Committee – Reported to CLB
    • Alternative methods cannot be used to approve amendment previously rejected by the CLB.
• Local laws/resolutions may provide for additional alternatives.
OPTIONAL SERVICES

- Airport
- Animal control
- 911 system
- Fire protection
- Industrial development
- Planning
- Recreation
- Sewer system
- Support for non-profit organizations
- Water system
- Workhouse
TN RECOGNIZES THE IMPORTANCE OF IC

An amendment to state law that requires all county governments to establish and maintain internal controls which provide reasonable assurance that over...

- Obligations and costs are in compliance with applicable law
- Funds, property, and other assets are safeguarded against waste, loss, unauthorized use, or misappropriation; and
- 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.
- Note: The state statute does not require counties to adopt a specific internal control policy. But it requires that internal controls be documented.
WHO IS RESPONSIBLE?

County Management (elected/appointed officials) are responsible for:

- design, implementation, and maintenance of adequate internal controls over the office/department in which they are elected/appointed.
BENEFITS OF EFFECTIVE INTERNAL CONTROLS

- Reduce opportunities for fraud and waste
- Help management make better informed decisions
- Establish performance standards
- Helps ensure compliance with applicable laws, regulations, policies, and procedures
- Eliminate adverse publicity
- Protect county assets
- Promote effectiveness and efficiency of operations
- Ensure reliability of financial reporting
- Promote transparency and accountability
COUNTY ENVIRONMENTAL COMPLIANCE
COUNTIES HAVE A KEY ROLE IN ENVIRONMENTAL PLANNING AND COMPLIANCE

39,000 local governments around the country make daily decisions that impact Environmental Quality

Examples:
- Siting Development Projects
- Public Infrastructure Planning and Funding
- Decisions about Land Use—development to accommodate transportation, housing, workforce and education needs
- Water and Sewer
- Waste Management
HOW WILL YOUR COMMUNITY GROW?

COSTS

“Pollution Mitigation”
- Cleanup and Redevelopment

Infrastructure Improvements
- Capital Improvements
- Development and Reuse
- Preparedness

Regulatory Compliance
- Air
- Land
- Water

NEEDS

Strong Economy
- Workforce and Employment Training/Good Jobs
- Affordable Places to Live

Cost Effective Government
- Affordable Public Works Services

Stronger Communities
- Great Places
- Healthy lifestyles
- Healthy environment
- Quality of Life

Challenge to balance needs and costs—both current and future.
To help counties implement and follow federal, state, and local environmental regulations with efficiency and cost-effectiveness.

Environmental regulations implemented through:

- Solid Waste Departments
- Highway Departments
- Public Works Departments
- Stormwater Departments
- Planning Departments
- Regional and State Transportation Organizations
WATER

- Water Quantity
- Water Quality
- Source Water Protection

Tennessee Counties with Potential Need for Water Supplies

- Counties with emerging water conflicts and/or shortages
- Counties with priority need for additional water supply
- Water supply studies or regionalization already underway

Source: Tennessee Department of Environment and Conservation
CLEAN WATER ACT
REQUIREMENTS FOR US STATES

• Have a plan to maintain water quality
• Protect against the degradation of high-quality waters and water bodies that already meet the fishable/swimmable standards
• Clean up polluted or impaired waterways

The Commissioner shall have the power, duty, and responsibility to...
HOW COUNTIES IMPLEMENT WATER QUALITY STANDARDS

Through MS4’s and Stormwater Ordinances

Through Public Works Best Practices: Erosion Control, Pollution Prevention Measures

Through Development Permitting: Construction and Post Construction Practices

Through Rural County Conservation Districts and Natural Resources Conservation Service (NRCS): BMP’s for Agriculture

Through Zoning and Zoning Overlays: can require development to locate away from high-quality water bodies, impaired waterways, or wellhead protection areas.

-Can restrict steep slope developments, require setbacks, determine Septic Drain locations, and control Landfill

Through Subdivision regulations: During and Post Construction Developers are required to have Stormwater management and Erosion and Sediment Controls.
SOLID WASTE MANAGEMENT

As a result, the number of landfills in Tennessee decreased dramatically from almost 158 in 1988 to 36 active now.

The siting and expansion of new landfills is an important land-use issue for local communities.
MUNICIPAL SOLID WASTE

Consists of household garbage, industrial waste, household hazardous waste, and construction waste.

If not handled properly can become a public health hazard.

Disposing of waste is not cheap, and the cost of disposing of solid waste continues to increase.

Managing household waste is typically the third-largest component of a local government budget—after education and public safety.
COSTS OF SOLID WASTE MANAGEMENT

Americans generate about 4.43 pounds of waste/day

Local Governments typically pay over $40 per ton to bury garbage and over $120 per ton to manage solid waste
SOLID WASTE MANAGEMENT ACT OF 1991

**County Responsibilities:**
- Proper management of solid waste collection, transfer, transport, processing, and disposal
  (Includes recycling, diversion, waste tire management and problem waste collection)

**Solid Waste Region Responsibilities:**
- Must have Solid Waste Plan
- Must meet 25% Waste Reduction Goal
- Must provide for Community Education
COLLECTION, TRANSPORTATION AND DISPOSAL

Each county must assure that a collection system is available to all residents
- How transported
- Where disposed
- How financed
WASTE REDUCTION/RECYCLING

• Counties must divert 25% of Waste (T.C.A. 68-211-821)
• Methods for calculating waste reduction (T.C.A. 68-211-835)
RESTRICTIVE WASTES

- Whole tires are banned from Tennessee landfills
- Other problem wastes include oil, batteries, and “E-wastes”
- Household Hazardous Waste collection events are available if scheduled with TDEC
FINANCING SOLID WASTE

Solid Waste Management Fund (T.C.A. 68-211-821)
Local Funding Options (T.C.A. 68-211-835)
Used Oil Collection Fund (T.C.A. 68-211-1005)
Waste Tire Funding (T.C.A. 67-4-1610)

Recycling Rebates (five most populous counties according to the annual census)

Grants:
- Recycling Equipment
- Material Recovery Facility
- Used Oil
- Development Districts
- Household Hazardous Waste
- Planning Grants
How CTAS can help...

Technical Assistance Areas

• Facility Siting and Regulatory Compliance Issues
• Waste Reduction
• Bids and Equipment Specification
• Training
• Cost Effectiveness
• Benchmarking
• Safety
County Officials Orientation Program
2022

Hosted by University of Tennessee County Technical Assistance Service
in coordination with the Tennessee County Services Association and the
County Officials Association of Tennessee
PUBLIC SAFETY CONSULTING SERVICES

August 2022
MOST COMMON JAIL RELATED REQUESTS

Jail Staffing
Requests for Proposals/Qualifications
Technical Assistance
Jail Needs Assessments
Jail Budget Review
Law Suits
TCI’s County Corrections Partnership
Internal Controls
TENNESSEE CORRECTIONS INSTITUTE

Tennessee Code Annotated 41-4-140
Minimum Standards for Local Correctional Facilities:

- Physical Plant
- Administration/Management
- Personnel
- Security
- Discipline
- Sanitation/Maintenance
- Food Services
- Mail and visiting
- Inmate Programs and Activities
- Medical Services
- Admission, Records and Release
- Hygiene
- Supervision of Inmates
- Classification
WHAT CAN YOU DO?

- Is the jail well maintained?
- Ask what facility problems affect the jail operation.
- Does the jail have adequate staffing?
- Is there an adequate written policy and procedure manual?
- Is the jail budget clearly defined?
- Does your jail have an objective inmate classification system?
- Remember – Jail crowding is not just a Sheriff’s problem.
MOST COMMON NON-JAIL ISSUES FOR SHERIFFS

Personnel
- Hiring, Firing – CTAS as a sounding board
- Excessive Overtime/Comp-time
  Staffing
  Scheduling properly
  Using as a reward in-lieu of funded pay raise

Exempt versus Non-Exempt
- Not the same as “Hourly versus Salary”
  Some Salary employees DO receive Overtime
Audit Issues

- Managing the Drug Fund
- Evidence Disposal
  - Property room management
  - Cash – Firearms – Drugs – Vehicles
  - All have very specific disposal requirements and CTAS offers in-depth training classes

Letters of Agreements

Purchasing - RFPs
MOST COMMON NON-JAIL ISSUES FOR SHERIFFS

Interlocal Agreements

Records Management - Retention
KEVIN LAUER

Fire and Emergency Services Consultant
REQUIRED EMERGENCY SERVICES

Emergency Management Office/ Program
- Director requirements set by statute
  T.C.A. § 58-2-133
Mitigation, Preparation, Response and Recovery for emergencies and disasters
Mayor is responsible for the disaster response
Local Emergency Planning Committee (LEPC)
PUBLIC SAFETY SERVICES

Fire Protection
- Transition to Countywide Fire Department
- Career and Volunteer staff model
- Station location analysis
- Management/Structure analysis

Emergency Medical Services
- Private vs. County
- Billing practices

Building and Fire Codes
- Commercial and Residential buildings
- Fire Prevention Code
- Wildland/Urban Interface
JOINT PROJECTS

Large Jail Projects

Multi-agency Projects
– Dispatch Consolidation
– Assessment Center for Hiring/Promoting Personnel

Training
– Incident Command for Elected Officials
– Emergency Management Overview for Counties
CONTACT

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- Jim Hart
  (423) 413-7902
  jim.hart@tennessee.edu

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