
Anderson County Board of Commissioners

Regular Agenda **Monday, March 21, 2022 @ 6:30 p.m.**

- 1. Call to Order / Roll Call**
- 2. Prayer / Pledge of Allegiance**
- 3. Appearance of Citizens**
- 4. Approval and Correction of Agendas**
 - Consent Agenda
 - Regular Agenda
- 5. Elections**
 - Nominating Committee
 1. Beer Board - Applicant – James Newlan Term expires 9/24
 2. Board of Zoning Appeals - Applicants – David C. Bellis Term expires 9/27
Mark C. Skove Term expires 9/27
- 6. Departments**
 - Election Commission – by Mark Stephens, Administrator
- 7. Committee Reports**
 - Purchasing Report – by Robby Holbrook, Finance Director
 - Budget Report – by Robby Holbrook, Finance Director
 - HR Advisory Report – by Kimberly Jeffers-Whitaker, HR Director including Employee Insurance BOT minutes (3/1/22).
- 8. Director of Schools** – Written report including BOE Minutes (2/10/22)
- 9. County Mayor**
 1. Appointment of Mr. John Croes to fill the unexpired term of retiring member Earl Cagle. Term expires 12/22.
- 10. Law Director**
 - A. Contract Approvals
 - B. Anderson County Zoning Violations
 - C. Tax Assessment Change Order Correction
 - D. New Lawsuits
 - E. Lawsuit Update
 - F. Resolution Allowing Inmate Workers to Provide Cemetery Maintenance
 - G. Turkey Hunt Resolution Amendment
 - H. Update on Bill allowing Off-Highway vehicles on Highways
 - I. Consent to Place Historical Marker on Poor Farm location
 - J. Letter Opposing SB 2077 and HB2246, Prohibiting Local Restrictions on Utility Infrastructure

11. Committees/Boards Reports

1. Intergovernmental Committee Report – by Chairman Denenberg
2. Information Technology Advisory Board Report
3. Operations Committee Report – by Chairman Isbel
 - Resolution No. 22-03-915
 - Resolution No. 22-03-916
 - Resolution No. 22-03-917

12. New Business

13. Old Business

14. Adjourn

Respectfully Submitted
Joshua Anderson, Chairman

Anderson County Board of Commissioners
NOMINATING COMMITTEE
Minutes

March 7, 2022

Members Present: Joshua Anderson, Catherine Denenberg,
Tim Isbel and Jerry White

Members Absent: Robert Jameson, Chuck Fritts, Phil Yager and Jerry Creasey

Call to Order: Commissioner Anderson, standing in for Chairman Fritts, called the meeting to order.

Anderson County Beer Board

Commissioner Denenberg made a motion to appoint James Newlan to the Beer Board. Seconded by Commissioner Isbel. Motion passed to forward to full commission for approval.

Board of Zoning Appeals

Commissioner Isbel made motions to appoint David C. Bellis and Mark C. Skove to the Board of Zoning Appeals. Seconded by Commissioner Denenberg. Motion passed to forward to full commission for approval.

New Business

None.

Old Business

None.

Adjournment

Meeting Adjourned

REQUEST FORM
CONSIDERATION FOR NOMINATION TO THE
BEER BOARD

Date 2/18/22

Name JAMES NEWLAN

Address 431 MARINER POINT DR, CLINTON

Phone Number 865-310-8114

(Home)

(Work)

Employment History: (if not on resume)

Education: (if not on resume)

Why would you like to serve on this Board/Committee:

I WANT TO GET MORE INVOLVED IN THIS COMMUNITY
AND SERVING ON THIS BOARD WOULD DO THAT.
I AM INTERESTED IN THE BEER BOARD BECAUSE I
ENJOY BEER AND WANT TO ENSURE ESTABLISHMENTS
THAT SELL BEER ARE PROPERLY REGULATED.

PLEASE ATTACH A RESUME TO THIS APPLICATION

(For additional space, use back of form)

** Please return this form to Commission Office, 100 N Main Street, Room 118, Clinton, TN 37716 (Fax: 264-6264) **

JAMES H. NEWLAN

431 Mariner Point Dr.
Clinton, TN 37716

865-310-8114
jimnewlan@yahoo.com

SUMMARY

Extensive experience as planner, technical writer, engineer, and manager in project engineering, maintenance, and metallurgical engineering at DOE facilities. Demonstrated success in planning maintenance work, coordinating with people, procedure writing, and completing projects. Previous Q clearance. Currently retired.

AREAS OF EXPERTISE

- Maintenance Planning
- Procedure Writing
- Project Management
- Rad Worker II
- Criticality Safety
- RCRA
- Supervision
- Metallurgy

EXPERIENCE

ORNL/ETTP, Oak Ridge, TN (Navarro / TFE 2/16-2/18)

Work Planner/Facility Engineer

Planned movements of TRU waste containers and preparation for shipments. Wrote and revised procedures for facility operations and movements of waste containers. Ensured all work packages and procedures were compliant with the Safety Basis and suggested changes to the Safety Basis to make Operations easier. Wrote work packages for Decontamination and Decommissioning as requested.

PORTS, Piketon, OH (Navarro / Omega Consultants 02/15-2/16)

Planner

Planned maintenance jobs for mechanical crafts. Focus was on processing of high uranium components and keeping the building operating. Ensured replacement parts were available and arranged to have them purchased when required. Also provided planning for some organizations that do not normally use planners and filled in for planners who were not available.

WIPP, Carlsbad, NM (Omega Consultants 08/14-10/14)

Planner

Planned maintenance jobs for instruments & controls including a model work package and several work packages for multiple crafts.

JAMES H. NEWLAN cont.

PORTS, Piketon, OH (Value Added Solutions / Omega Consultants 10/11-07/14)
Planner

Planned maintenance jobs for mechanical and electrical crafts. Focus was on keeping antique cranes operating correctly which included obtaining obscure parts and obtaining engineering concurrence for use of parts that were not original equipment. Provided work packages for workers to repair crane breakdowns including on off-shifts and weekends as needed.

Known for quickly and thoroughly planning jobs, including both simple and very complicated jobs, to allow craft people to do their work safely and compliant with the applicable procedures.

LANL, Los Alamos, NM (Omega Consultants 10/10-09/11)
Procedure Writer

Wrote procedures for plutonium processing facility. Edited a DOE Order. Known for getting information from PhDs and making it into procedures that can be followed, and editing to make paragraphs and sections clear while keeping the content correct.

U S Bureau of Census, Knoxville TN 4/10-7/10 and 8/19-8/20
Enumerator

Filled out census forms with people who had not sent in their mailings. Went to many locations way out in the country and in cities to get this information from people. Also worked in second round of getting this information from people who were not found in the first round.

Y-12, Oak Ridge TN (Omega Consultants 11/04-02/07)
(Haselwood Enterprises 6/08-9/09)

Procedure Writer / Planner / SAP Coordinator / Work Window Coordinator

Wrote procedures and work instructions for Fire Department work in nuclear and non-nuclear facilities including work on systems covered by safety bases.

Determined requirements, added maintenance plans and task lists, and made corrections in SAP to meet the actual requirements. Saved over \$40,000 per year by finding tasks that were no longer required and deleting them.

Rocky Flats, Golden CO (EG&G 4/90-6/95, SSOC 7/95-8/96, LATA 8/96-6/03)
Senior Engineer, Project Engineering

Managed projects in criticality safety and hydrogen mitigation to solve these problems to the satisfaction of our management, customer, and regulators. Made presentations to upper management, gained agreement and cooperation from various organizations, created or approved designs and work methodologies, changed training to meet actual requirements, and supervised the actual work.

Manager of General Metallurgy group including 6 engineers and 13 union technicians.

JAMES H. NEWLAN cont.

Sundstrand Aviation Operations, Denver, CO (10/78 -3/90)
Metallurgical Engineer

Supervised 2nd shift metallurgy and chemistry labs.

Conducted quality assurance laboratory work supporting heat treating, plating, electron beam welding, and conventional and non-conventional machining operations.

Wrote failure analysis reports for discrepant parts and made changes to processing to prevent additional failures.

Investigated parts that did not meet required properties and suggested methods to reprocess these parts so they would meet the required properties.

EDUCATION

Colorado School of Mines
B.Sc., Metallurgical Engineering

8/80-5/85

**REQUEST FORM
CONSIDERATION FOR NOMINATION TO THE**

BOARD OF ZONING APPEALS AND/OR
PLANNING COMMISSION

Date 1-24-2022

Name MARK C SKOLE

Address 852 LAKE CITY HWY, CLINTON, TN 37716

Phone Number 865-640-2323 SAME
(Home) (Work)

Employment History: (if not on resume)

SEE RESUME

Education: (if not on resume)

SEE RESUME

Why would you like to serve on this Board/Committee:

I WAS A ZONING BOARD MEMBER AND A PLANNING
BOARD MEMBER FOR MANY YEARS BEFORE I MOVED
TO TENNESSEE 6 YEARS AGO. I WOULD LIKE TO GET
INVOLVED IN LOCAL GOVERNMENT AGAIN.

PLEASE ATTACH A RESUME TO THIS APPLICATION

(For additional space, use back of form)

Mark C Skove

852 Lake City Hwy.
Clinton, TN 37716

Professional Summary

I have spent virtually my entire adult life in positions of leadership. Every job I have ever held has ultimately led to supervisory responsibilities. Serving on various Boards and Committees over a period of many decades has given me enormous experience in working with a wide variety of people on many different subjects and levels. This, along with the training and on the job experience of the last three years, give me the ability to handle the day-to-day operations of Court Services.

Skills

- Personnel Management
- Organization
- Budgeting (time and money)
- Interdepartmental Cooperation
- Scheduling
- Team Planning
- Building
- Self-Starter

Experience

Deputy Sheriff

June 2018-Current

Anderson County Sheriff's Department-Clinton TN

As a Reserve Deputy I performed many varied tasks including, but not limited to, mental health transports, traffic control, escorts, warrant sweeps, ride-alongs, and property watches.

As a part time then full-time employee I have been assigned to Court Services for the past three years.

During this time I have performed Court related services in all three Anderson County locations. I have also been the Bailiff in Child Support, Chancery, Criminal and both General Sessions Courtrooms.

While assigned to Civil Process in the second half of 2018 I served over 3,000 papers and posted an 87% served vs. return rate.

Working in Juvenile Court for the last 17 months I have gained great insight into the day-to-day operations of Court Services and Civil Process.

Installer, Design Consultant, Lead Carpenter, Project Coordinator

June 2012-August 2015

Creative Remodelling Designs, Inc.-Denville NJ

Responsible for the design, scheduling, construction and turnkey delivery of medium and high-end sunrooms and associated home improvements overseeing multiple crews and sub-contractors.

Owner

March 2003-June 2012

Old School Contracting, LLC-Newton NJ

Responsible for all aspects of running a medium size construction company specializing in residential and light commercial projects. These duties included marketing, sales, employees and payroll, contracts, procurement, permits and inspections on multiple projects simultaneously.

Also included was interfacing with customers, professionals, government officials and state agencies.

President

July 1978-June 2003

Green Ridge Contracting, Inc later Green Ridge Construction, Inc.-Newton, NJ

Same duties as Old School Contracting with the addition of land development and new home construction.

Government and Fleet Sales Specialist

June 1972-July 1978

Ford Export Corp.-Newark, NJ

Worked with overseas heavy truck dealers to provide competitive bids for vehicles in the export truck market.

Prepared bids for GSA requests for fleet vehicles for US departments.

Additional Relative Experience

Municipal and County Governments-Sussex County, NJ

January 1980-December 2000

Served as Zoning Board Chairman, Planning Board Chairman, Township Committee member and Mayor of Green Township, NJ

Served as Chairman of the Sussex County Planning Board

Local, Regional and National service organizations

August 1991-Current

Served as Chairman, President and Operational Vice President of various local, regional and national organizations all under the auspices of the National Speleological Society.

Education

Graduate Bedford High School, Bedford, OH class of 1967.

Attended Defiance College, Defiance, OH 1967-1971- Major: Business

Administration Minor: Marketing

[illegible]

David C. Bellis

Objective

I would like to leverage my experience with information and data analysis, information management, project management, and experience gained while working the past 47 years with the Federal government and government contractors to support my community.

Experience:

01/01/2012 – Present KeyLogic Associates Oak Ridge, TN
Contractor to the U. S. Department of Energy –
Office of Scientific & Technical Information (OSTI)

Consultant to OSTI's Classified Program Manager

- Support the Department of Energy's classified and sensitive scientific and technical information (STI) program
 - Serve as an OSTI Derivative Classifier, Derivative Declassifier
 - Interact with DOE HQ program offices, DOE National Laboratories, Operations Offices to coordinate STI program, data submissions, information requests, approvals, etc.
-

02/16/2000 – U. S. Department of Energy – Office of Scientific Oak Ridge, TN
12/31/2011 & Technical Information (OSTI)

Classified Program Manager

- Managed the Department of Energy's classified scientific and technical information program
 - Served as OSTI's Classification Officer
 - Worked with HQ program offices, National Laboratories, Operations Offices to coordinate classified STI program, data submissions, information requests, approvals, etc.
-

07/03/1988 – 02/15/2000 U. S. Department of Energy – Office of Oak Ridge, TN
Scientific & Technical Information (OSTI)

Computer Analyst

- Information Technology project management
 - Database Administration
 - Technical Contract Task Monitor for Information Technology tasks
-

07/28/1975 – 07/02/1988 U. S. Department of Agriculture – National Washington, D.C.
Agricultural Statistics Service

Statistician

- Responsible for conducting statistical surveys, training field enumerators to collect data, quality review of raw data, identify outliers, etc. Worked in Montgomery AL from 07/1975 through 01/1979; Portland, OR from 01/1979 through 07/1983; Albany NY to attend graduate school 07/1983 through 12/1984; Washington D.C. 01/1985 through 07/1988.
 - Data analysis, statistical estimation and forecasting; technical writing
 - Worked in database management and development and IT project management.
-

Education:

1983 – 1984	Rensselaer Polytechnic Institute	Troy, NY
Masters of Science – Computer Science		

1973 - 1974	University of Central Florida	Orlando, FL
Bachelors of Science - Statistics		

1971-1972	Seminole Community College	Sanford, FL
Associates of Science		

References:

References are available on request.

**Anderson County Board of Commissioners
Purchasing Committee Meeting Minutes
March 14, 2022
4:30 p.m.
Room 312 of the Courthouse**

Members Present: Tim Isbel (Committee Chair), Phil Yager, Catherine Denenberg.

Members Absent: Denver Waddell, Steve Mead.

A. Contracts Approved by Law Director-

1. **Bonfire Pay/ First American-** 2nd Amendment to contract # 21-0055 for price revisions.

Commissioner Yager made a motion to approve and forward to County Commission with a recommendation for approval. Commissioner Denenberg seconded the motion. Motion passed unanimously.

B. Contracts Pending Law Director Approval

1. **BMC Office Technology, County Clerk, Contract #22-0057-** Request to add two additional printers.

Commissioner Denenberg made a motion to approve and forward to County Commission with a recommendation for approval. Commissioner Yager seconded the motion. Motion passed unanimously.

C. Other Business

1. **Request the Approval of the Destruction of 40 Scott Air Bottles at EMA's request.**

Commissioner Denenberg made a motion to approve and forward to County Commission with a recommendation for approval. Commissioner Yager seconded the motion. Motion passed unanimously.

D. New Business

1. **Request from Mayor Frank for lease agreement with the City of Clinton for the soccer fields for practice only pending Law Director approval.**

Commissioner Denenberg made a motion to approve and forward to County Commission with a recommendation for approval. Commissioner Yager seconded the motion. Motion passed unanimously.

E. Old Business

ANDERSON COUNTY GOVERNMENT SUMMARY OF BUDGET AMENDMENTS

March 10, 2022

<u>PAGE NO.</u>	<u>ITEM NO.</u>	<u>FUND - DEPARTMENT</u>	<u>AMOUNT</u>
Group 1 Consent Agenda - Transfers (No Commission Action Necessary)			
1	1	Fund 118 - EMS	\$ 7,600.00
1	2	Fund 118 - EMS	\$ 27,500.00
2	3	Fund 118 - EMS	\$ 4,500.00
2	4	Fund 122 - Drug Fund	\$ 500.00
3	5	General Fund 101 - Sheriff's Dept.	\$ 1,000.00
3	6	General Fund 101 - Sheriff's Dept.	\$ 2,000.00
3	7	General Fund 101 - Sheriff's Dept.	\$ 500.00
4	8	General Fund 101 - Sheriff's Dept.	\$ 2,000.00
4	9	General Fund 101 - Conservation	\$ 1,100.00
4	10	General Fund 101 - Preservation of Records	\$ 500.00
5	11	Fund 141 - Office of Technology	\$ 25,000.00
5	12	Fund 141 - Office of Technology	\$ 4,350.00
6	13	Fund 141 - Fiscal Services	\$ 10,000.00
6	34	General Fund 101 - Juvenile	\$ 1,000.00
Group 2 - Appropriations - School (Commission Approval by Board Vote)			
8	15	Fund 141 - Fiscal Services	\$ 12,000.00
8	16	Fund 143 - Central Cafeteria	\$ 350,000.00
9	17	Fund 143 - Central Cafeteria	\$ 100,000.00
Group 3 - Transfer - School (Commission Approval by Board Vote)			
6	14	Fund 141 - Fiscal Services	\$ 1,067,809.00
Group 4 - Appropriations - NonSchool (Commission Approval by Board Vote)			
9	18	Fund 115 Library	\$ 619.40
10	19	General Fund 101 - Trustee	\$ 22,778.00
10	20	General Fund 101 - Animal Care	\$ 10,000.00
11	21	General Fund 101 - Animal Care	\$ 1,000.00
11	22	General Fund 101 - Senior Center	\$ 1,500.00
12	23	General Fund 101 - Senior Center	\$ 12,000.00
12	24	General Fund 101 - Mayor	\$ 6,499.90
13	25	Fund 116 - Solid Waste/Mayor	\$ 6,499.90
13	26	Fund 121 - Mayor - ARP Funds	\$ 92,000.00
14	27	Fund 116 - Solid Waste	\$ 33,000.00
15	28	Fund 116 - Solid Waste	\$ 26,442.00
15	29	General Fund 101 - Finance	\$ 3,666.00
16	30	Fund 131 - Highway	\$ 75,000.00
16	31	Fund 131 - Highway	\$ 451,042.00
18	35	Fund 118 - EMS	\$ 19,114.00
18	36	General Fund 101 - Sheriff's Dept.	\$ 2,772.00
18	37	General Fund 101 - Circuit Clerk	\$ 4,105.52
Group 5 - Transfers - NonSchool (Commission Approval by Board Vote)			
17	32	General Fund 101 - Election (Payroll)	\$ 8,000.00
Group 6 - Appropriations - General Fund Unassigned Fund Balance (Commission Approval by Board Vote)			
17	33	Fund 101 - DA/Family Justice Center	\$ 13,928.00
Group 7 - Miscellaneous			
19	A	2022/23 Proposed Budget	Motion Passed
19	C	New Business/ 4 Amendments	Motion Passed
20	D	Old Business	Nothing
Group 8 - Additional Items not discussed during budget committee (requires 3/4 majority vote)			
21	38	Fund 128 - Tourism Transfer	\$ 1,200.00

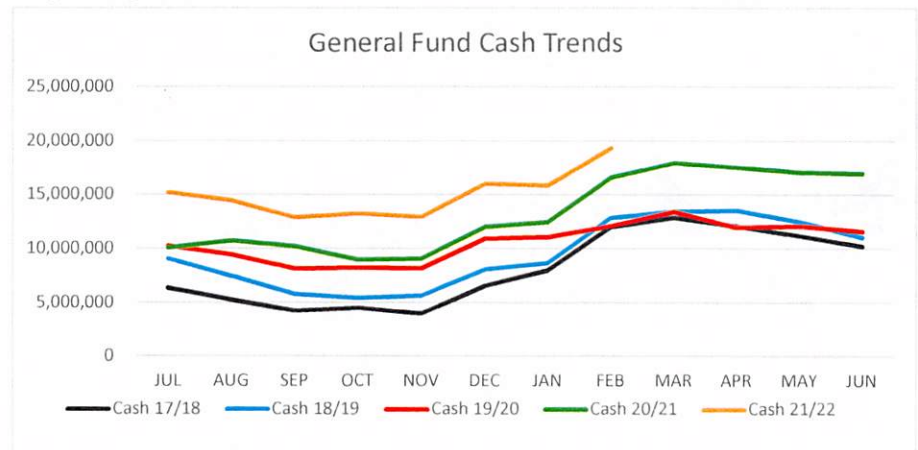
**ANDERSON COUNTY GOVERNMENT
CASH AND FUND BALANCE REPORT
February 28, 2022**

FUND	DESCRIPTION	NON- SPENDABLE	RESTRICTED FUNDS	COMMITTED FUNDS	ASSIGNED FUNDS	UNASSIGNED FUND BALANCE	TOTAL FUND BALANCE	CASH
101	General Fund	\$ -	\$ 961,201	\$ 3,255,506	\$ 3,192,382	\$ 7,040,688 *	\$ 14,449,777	\$ 19,370,998
115	Library Fund	\$ -	\$ 279,071		\$ -	\$ -	\$ 279,071	\$ 464,527
116	Solid Waste/Sanitation Fund	\$ -	\$ 281,964	\$ -	\$ -	\$ -	\$ 281,964	\$ 834,850
118	Ambulance Fund	\$ -		\$ -	\$ -	\$ 627,799	\$ 627,799	\$ 1,174,040
121	American Rescue Plan							\$ 7,341,037
122	Drug Control Fund	\$ -	\$ 151,386	\$ 8,754	\$ -	\$ -	\$ 160,140	\$ 172,482
127	Channel 95 Fund	\$ -	\$ -	\$ -	\$ 68,290	\$ -	\$ 68,290	\$ 70,935
128	Tourism Fund	\$ -	\$ 237,796	\$ -	\$ 200,000	\$ -	\$ 437,796	\$ 631,705
131	Highway Fund	\$ 44,257	\$ 269,737	\$ 2,170,918	\$ -	\$ -	\$ 2,484,912	\$ 5,086,636
141	General Purpose School Fund	\$ -	\$ -	\$ 11,245,357	\$ -	\$ -	\$ 11,245,357	\$ 23,910,484
143	Central Cafeteria	\$ 126,069	\$ 1,786,700	\$ -	\$ -	\$ -	\$ 1,912,769	\$ 2,349,824
151	General Debt Service Fund	\$ -	\$ 515,512	\$ -	\$ -	\$ -	\$ 515,512	\$ 55,760
152	Rural Debt Service Fund	\$ -	\$ 337,093	\$ -	\$ -	\$ -	\$ 337,093	\$ 1,605,767
156	Education Debt Service Fund	\$ -	\$ 179,076	\$ 118,995	\$ -	\$ -	\$ 298,071	\$ 834,439
171	Capital Projects Fund	\$ -	\$ 135,905	\$ -	\$ -	\$ -	\$ 135,905	\$ 1,652,536
177	Education Capital Projects Fund	\$ -	\$ 261,535	\$ 5,996	\$ -	\$ -	\$ 267,531	\$ 613,886
263	Employee Benefit Fund	\$ 38,412	\$ -	\$ -	\$ 1,154,648	\$ -	\$ 1,193,060	\$ 1,628,343

* General Unassigned Fund Balance limit of \$5.5MM requiring 2/3 (11) votes for budget amendments.

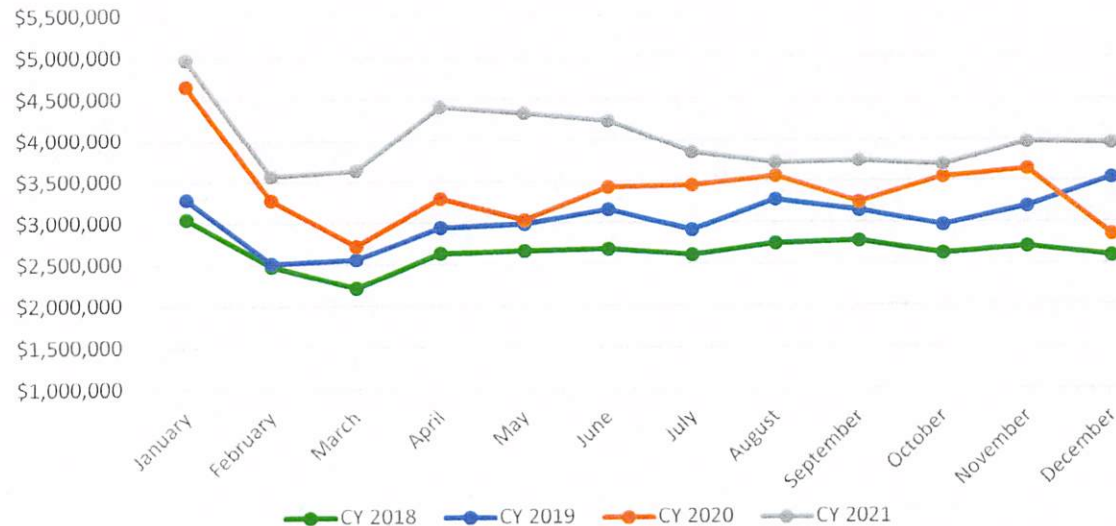
**Cash Trends
February**

Cash 17/18	11,985,112
Cash 18/19	12,866,164
Cash 19/20	12,107,039
Cash 20/21	16,608,323
Cash 21/22	19,370,998



	Anderson Co.	Clinton	Rocky Top	Norris	Oak Ridge	Oliver Springs	Out of State	Total	
2021									
January	\$691,871.40	\$854,569.43	\$85,449.26	\$50,747.19	\$3,189,118.59	\$109,064.61	\$0.00	\$4,980,820.48	7%
February	\$413,424.62	\$676,048.10	\$92,017.51	\$35,736.38	\$2,257,224.79	\$98,481.85	\$0.00	\$3,572,933.25	9%
March	\$488,539.04	\$647,647.04	\$71,405.00	\$30,856.85	\$2,310,754.03	\$85,812.20	\$0.00	\$3,635,014.16	34%
April	\$624,772.56	\$812,005.66	\$97,027.21	\$40,761.43	\$2,716,162.53	\$112,327.65	\$0.00	\$4,403,057.04	34%
May	\$673,349.68	\$807,388.91	\$95,601.75	\$38,539.38	\$2,616,176.72	\$98,852.41	\$0.00	\$4,329,908.85	43%
June	\$615,785.15	\$796,440.98	\$93,263.38	\$41,701.20	\$2,591,565.86	\$99,347.49	\$0.00	\$4,238,104.06	24%
July	\$407,603.66	\$785,470.40	\$91,806.89	\$40,670.36	\$2,432,412.87	\$94,819.67	\$0.00	\$3,852,783.85	12%
August	\$456,077.54	\$802,749.42	\$97,586.84	\$43,571.75	\$2,182,189.29	\$97,660.79	\$44,262.69	\$3,724,098.00	5%
September	\$539,632.32	\$755,635.19	\$83,993.88	\$40,787.96	\$2,178,398.70	\$98,324.41	\$50,309.65	\$3,747,082.11	16%
October	\$470,538.70	\$752,477.64	\$85,136.07	\$39,407.18	\$2,206,948.54	\$93,698.08	\$47,405.21	\$3,695,611.42	4%
November	\$467,327.65	\$798,314.42	\$87,797.36	\$39,262.25	\$2,481,292.11	\$96,989.76	\$1,278.48	\$3,972,262.03	9%
December	\$483,069.51	\$810,960.52	\$91,963.07	\$41,383.87	\$2,371,212.97	\$101,528.62	\$58,556.19	\$3,958,674.75	39%
Totals:	\$6,331,991.83	\$9,299,707.71	\$1,073,048.22	\$483,425.80	\$29,533,457.00	\$1,186,907.54	\$201,812.22	\$48,110,350.00	18%
2022									
January	\$615,812.45	\$892,295.96	\$93,316.61	\$49,900.80	\$2,843,125.00	\$115,470.14	\$75,812.88	\$4,685,733.84	-6%
February								\$0.00	-100%
March								\$0.00	-100%
April								\$0.00	-100%
May								\$0.00	-100%
June								\$0.00	-100%
July								\$0.00	-100%
August								\$0.00	-100%
September								\$0.00	-100%
October								\$0.00	-100%
November								\$0.00	-100%
December								\$0.00	-100%
Totals:									-100%

Local Option Sales Tax - Total Net Collections



BUDGET COMMITTEE MINUTES

MARCH 10, 2022

Members Present:

Shain Vowell, Commissioner – Chairman
Denver Waddell, Commissioner
Catherine Denenberg, Commissioner
Jerry Creasey, Commissioner
Bob Smallridge, Commissioner
Jerry White, Commissioner
Robert Jameson, Commissioner

Members Absent: Chuck Fritts, Commissioner

Meeting Facilitator: Robby Holbrook, Finance Director

TRANSFERS (Approved through Consent Agenda)

THE 1st ITEM, to be presented to the Anderson County Budget Committee, was a written request from Nathan Sweet, Emergency Medical Services, that the following **TRANSFER** in Ambulance Fund 118 be approved.

Decrease Expenditure Codes:

118-55130-399	Other Contracted Services	\$6,600.00
118-55130-499	Other Supplies and Materials	500.00
118-55130-711	Furniture and Fixtures	<u>500.00</u>
		\$7,600.00

Increase Expenditure Codes:

118-55130-338	Repairs and Maintenance Vehicles	\$2,600.00
118-55130-388-1000	Repairs and Maintenance Vehicles	4,000.00
118-55130-453	Vehicle Parts	<u>1,000.00</u>
		\$7,600.00

Justification: Adding to vehicle maintenance codes, having an increase in work and parts for ambulances.

Motion by Commissioner Catherine Denenberg, seconded by Commissioner Bob Smallridge, and passed to approve the transfer requests.

THE 2nd ITEM, to be presented to the Anderson County Budget Committee, was a written request from Nathan Sweet, Emergency Medical Services, that the following **TRANSFER** in Ambulance Fund 118 be approved.

Decrease Expenditure Code:

118-55130-708	Communication Equipment	\$27,500.00
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Increase Expenditure Code:

118-55130-425	Gasoline	\$27,500.00
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Justification: Price of gasoline has increased, call volume is also much higher than previous increasing our use of gasoline. Five year average for EMS was \$118,000, anticipate this year to be close to \$190,000, which we will be back for more transfers in the coming months. Delaying purchase of new radios for ambulances due to the rising cost of gasoline. Radio purchases are necessary, we will need to make that purchase in the future.

Motion by Commissioner Catherine Denenberg, seconded by Commissioner Bob Smallridge, and passed to approve the transfer requests.

THE 3rd ITEM, to be presented to the Anderson County Budget Committee, was a written request from Nathan Sweet, Emergency Medical Services, that the following **TRANSFER** in Ambulance Fund 118 be approved.

Decrease Expenditure Code:

118-55130-307	Communication	\$4,500.00
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Increase Expenditure Codes:

118-55130-307-0100	Communication-Cellular	\$3,200.00
118-55130-307-0200	Communication-Internet	<u>1,300.00</u>
		\$4,500.00

Justification: Balancing out communication codes to hopefully get us through the end of the year.

Motion by Commissioner Catherine Denenberg, seconded by Commissioner Bob Smallridge, and passed to approve the transfer requests.

THE 4th ITEM, to be presented to the Anderson County Budget Committee, was a written request from Sheriff Barker/ Tyler Mayes, Sheriff's Department, that the following **TRANSFER** in Drug Fund 122 be approved.

Increase Expenditure Code:

122-54150-451	Uniforms	\$500.00
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Decrease Expenditure Code:

122-54150-340	Medical Services	\$500.00
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Justification: To purchase provide uniform money for new ACSO Drug Task Force members.

Motion by Commissioner Catherine Denenberg, seconded by Commissioner Bob Smallridge, and passed to approve the transfer requests.

THE 5th ITEM, to be presented to the Anderson County Budget Committee, was a written request from Sheriff Barker/ Tyler Mayes, Sheriff's Department, that the following **TRANSFER** in General Fund 101 be approved.

Increase Expenditure Code:

101-54110-414	Duplicating Supplies	\$1,000.00
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Decrease Expenditure Code:

101-54110-435	Travel	\$1,000.00
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Justification: This amendment will cover the remainder of the year for our copy machines.

Motion by Commissioner Catherine Denenberg, seconded by Commissioner Bob Smallridge, and passed to approve the transfer requests.

THE 6th ITEM, to be presented to the Anderson County Budget Committee, was a written request from Sheriff Barker/Tyler Mayes, Sheriff's Department, that the following **TRANSFER** in General Fund 101 be approved.

Increase Expenditure Code:

101-54110-340	Medical Services	\$2,000.00
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Decrease Expenditure Code:

101-54110-336	Radio Maintenance	\$2,000.00
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Justification: This amendment covers the required psychological and physical exams for new employees.

Motion by Commissioner Catherine Denenberg, seconded by Commissioner Bob Smallridge, and passed to approve the transfer requests.

THE 7th ITEM, to be presented to the Anderson County Budget Committee, was a written request from Sheriff Barker/ Tyler Mayes, Sheriff's Department, that the following **TRANSFER** in General Fund 101 be approved.

Increase Expenditure Code:

101-54490-414	Duplicating Supplies	\$500.00
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Decrease Expenditure Code:

101-54490-499	Other Supplies	\$500.00
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Justification: This amendment will cover copying costs for our dispatch center for the remainder of the year.

Motion by Commissioner Catherine Denenberg, seconded by Commissioner Bob Smallridge, and passed to approve the transfer requests.

THE 8th ITEM, to be presented to the Anderson County Budget Committee, was a written request from Sheriff Barker/Tyler Mayes, Sheriff's Department, that the following **TRANSFER** in General Fund 101 be approved.

Increase Expenditure Code:

101-54210-335	Building Maintenance	\$2,000.00
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Decrease Expenditure Codes:

101-54210-349	Printing	\$1,000.00
101-54210-421	Food Prep Supplies	<u>1,000.00</u>
		\$2,000.00

Justification: This amendment covers building maintenance supplies at the Detention facility for the remainder of the year.

Motion by Commissioner Catherine Denenberg, seconded by Commissioner Bob Smallridge, and passed to approve the transfer requests.

THE 9th ITEM, to be presented to the Anderson County Budget Committee, was a written request from Ben Taylor, Conservation, that the following **TRANSFER** in General Fund 101 be approved.

Increase Expenditure Code:

101-51240-307	Conservation Commission- Communication	\$1,100.00
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Decrease Expenditure Code:

101-51240-452	Conservation Commission- Utilities	\$1,100.00
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Justification: Cable and internet was purchased for VRBO rental and the cost increased.

Motion by Commissioner Catherine Denenberg, seconded by Commissioner Bob Smallridge, and passed to approve the transfer requests.

THE 10th ITEM, to be presented to the Anderson County Budget Committee, was a written request from Mayor Terry Frank, Preservation of Records, that the following **TRANSFER** in General Fund 101 be approved.

Increase Expenditure Code:

101-51910-355	Preservation of Records-Travel	\$500.00
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Decrease Expenditure Code:

101-51910-499-3002	Preservation of Records-Other Supplies & Materials	\$500.00
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Justification: This request is to cover travel expenses for the county archivist who was selected, by the TN State Library and Archives, to attend the spring 2022 session of the Tennessee Archives Institute, March 21-22, 2022, in Nashville, TN.

Motion by Commissioner Catherine Denenberg, seconded by Commissioner Bob Smallridge, and passed to approve the transfer requests.

THE 11th ITEM, to be presented to the Anderson County Budget Committee, was a written request from Wade Haney, Office of Technology, that the following **TRANSFER** in General Purpose School Fund 141 be approved.

Decrease Expenditure Code:

141-72250-499	Other Supplies and Materials	\$25,000.00
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Increase Expenditure Code:

141-72250-718	Motor Vehicles	\$25,000.00
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Justification: To transfer funds for purchase of vehicle to replace 20 year old van in day to day to support technology within Anderson County Schools.

Motion by Commissioner Catherine Denenberg, seconded by Commissioner Bob Smallridge, and passed to approve the transfer requests.

THE 12th ITEM to be presented to the Anderson County Budget Committee, was a written request from Wade Haney, Office of Technology, that the following **TRANSFER** in General Purpose School Fund 141 be approved.

Decrease Expenditure Code:

141-72250-399	Other Contracted Services	\$4,350.00
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Increase Expenditure Codes:

141-72250-355	Travel	\$2,000.00
141-72250-524	Professional Development	<u>2,350.00</u>
		\$4,350.00

Justification: To transfer funds for travel to attend Gabbart Communications Conference and funds for memberships in Tennessee Educational Technology Association. Gabbart Communications Conference will be held June 12-14 in Durant, Oklahoma. This organization hosts the Anderson County Schools website and provides communication training which benefits not only the ACS website users but also Channel 95 users. Memberships in TETA for our technology staff allow attendance to state conferences at a reduced conference rate.

Motion by Commissioner Catherine Denenberg, seconded by Commissioner Bob Smallridge, and passed to approve the transfer requests.

THE 13th ITEM, to be presented to the Anderson County Budget Committee, was a written request from Julie Minton, Fiscal Services, that the following **TRANSFER** in General Purpose School Fund 141 be approved.

Increase Expenditure Code:

141-72310-399	Other Contracted Services	\$10,000.00
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Decrease Expenditure Code:

141-72310-513	Workers Compensation Insurance	\$10,000.00
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Justification: To transfer funds as needed for contracted services such as copier contracts and TSBA online policy maintenance.

Motion by Commissioner Catherine Denenberg, seconded by Commissioner Bob Smallridge, and passed to approve the transfer requests.

THE 34th ITEM, to be presented to the Anderson County Budget Committee, was a written request from Tracy Spitzer, Juvenile Court, that the following **TRANSFER** in General Fund 101 be approved

Decrease Expenditure Code:

101-53500-355-1000	Juvenile Court-Travel	\$1,000.00
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Increase Expenditure Code:

101-53500-351-1000	Juvenile Court-Rentals	\$1,000.00
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Justification: Due to COVID we are out of our monies to pay Canon for the copiers. We have had to reset a significant amount of cases, which has increased our use of our copies made.

Motion by Commissioner Denver Waddell, seconded by Commissioner Catherine Denenberg, and passed to approve the transfer requests.

APPROPRIATIONS REQUIRING FULL COMMISSION APPROVAL

THE 14th ITEM, to be presented to the Anderson County Budget Committee, was a written request from Julie Minton, Fiscal Services, that the following **TRANSFER (PAYROLL/ MAJOR LINE ITEM)** in General Purpose School Fund 141 be approved.

Increase Expenditure Codes:

141-71200-163	Special Education-Educational Assistants	\$60,000.00
141-71200-171	Special Education-Speech Pathologists	128,509.00

141-72110-105	Attendance Director	300.00
141-72120-105-COSH	Health Services Director-	4,000.00
	Coordinated School Health	
141-72130-130	Other Student Support Social	58,000.00
	Workers	
141-72210-189	Regular Instructional Support	48,000.00
	Other Salaries and Wages	
141-72220-124	Special Education Support School	46,000.00
	Psychologists	
141-72220-162	Special Education Support Clerical	13,000.00
	Support	
141-72230-105	Vocational Education Director	1,800.00
141-72410-104	Principal Salary	115,000.00
141-72410-139	Assistant Principal Salary	416,000.00
141-72410-161	School Secretary Salary	108,000.00
141-72610-189	Operations Other Salaries and	25,000.00
	Wages	
141-72620-105	Maintenance Director	2,200.00
141-72620-161	Maintenance Secretary Salary	21,000.00
141-72710-162	Transportation Clerical Support	<u>21,000.00</u>
		\$1,067,809.00

Decrease Expenditure Code:

141-71100-116	Regular Instruction Teacher Salary	\$662,000.00
141-71100-128	Regular Instruction Homebound	64,509.00
	Teacher Salary	
141-71100-163	Regular Instruction Educational	30,000.00
	Assistants	
141-71200-116	Special Education Teacher Salary	48,000.00
141-71200-128	Special Education Homebound	12,000.00
	Teacher Salary	
141-72110-162	Attendance Clerical Support	300.00
141-72120-131	Health Services Medical Personnel	106,000.00
141-72210-162	Regular Instruction Support Clerical	25,000.00
	Support	
141-72220-105	Special Education Support Director	14,000.00
141-72220-131	Special Education Support Medical	22,000.00
	Personnel	
141-72220-189	Special Education Support and Other	13,000.00
	Salaries	
141-72230-189	Vocational Education Support Other	1,800.00
	Salaries and Wages	
141-72610-166	Operations Custodial Personnel	<u>69,200.00</u>
		\$1,067,809.00

Justification: To transfer funds to balance payroll codes within the General Purpose School Fund. Several positions have been transferred within budget to accommodate new programs while others have been budgeted in an incorrect category. We are currently working to align with state guidelines required by Department of Education and Comptroller's Office. Benefits will be reconciled with a later amendment.

Motion by Commissioner Catherine Denenberg, seconded by Commissioner Robert Jameson, and passed to refer to the Anderson County Board of County Commissioners with a recommendation for approval.

THE 15th ITEM, to be presented to the Anderson County Budget Committee, was a written request from Julie Minton, Fiscal Services, that the following **APPROPRIATION** in General Purpose School Fund 141 be approved.

Decrease Reserve Code:

141-39000	Unassigned Fund Balance	\$12,000.00
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(Amendment will be from 141-34660 Committed for Instruction and a JE will replenish the reserve for 39000)

Increase Expenditure Code:

141-72210-355	Regular Instructional Support-Travel	\$12,000.00
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Justification: To appropriate funds to reimburse expenses for meals for Anderson County Employees attending the Professional Learning Communities at Work Institute in Charlotte, North Carolina in June. Several programs are contributing to the cost of this conference which will benefit our instructional program.

Motion by Commissioner Catherine Denenberg, seconded by Commissioner Robert Jameson, and passed to refer to the Anderson County Board of County Commissioners with a recommendation for approval.

THE 16th ITEM, to be presented to the Anderson County Budget Committee, was a written request from Margaret Burrell, School Nutrition, that the following **APPROPRIATION** in Central Cafeteria Fund 143 be approved.

Increase Revenue Code:

143-47114	Food Service-USDA	\$350,000.00
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Increase Expenditure Codes:

143-73100-422	Food Service-Food Supplies	\$100,000.00
143-73100-524	Food Service-Staff Development	4,000.00
143-73100-709	Food Service-Data Processing	51,000.00
	Equipment	

143-73100-710	Food Service-Food Supplies	<u>195,000.00</u>
		\$350,000.00

Justification: A. Higher reimbursement rates went in to effect in January 2022.

B. Food cost increase for the year are at 7-10% and this reflects that estimate.

C. Additional Planned Training.

D. New equipment and software for Point of Sale and Back of House.

E. Food Service Equipment can be bought if it becomes available, but in the next amendment this will be adjusted back down \$100k.

Motion by Commissioner Catherine Denenberg, seconded by Commissioner Robert Jameson, and passed to refer to the Anderson County Board of County Commissioners with a recommendation for approval.

THE 17th ITEM, to be presented to the Anderson County Budget Committee, was a written request from Margaret Burrell, School Nutrition, that the following **APPROPRIATION** in Central Cafeteria Fund 143 be approved.

Decrease Revenue Code:

143-43525	Food Service A La Carte	\$100,000.00
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Decrease Expenditure Codes:

143-73100-422	Food Service-Food Service Equipment	\$100,000.00
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Justification: A. With all students eating at no charge this year, the a la carte sales are significantly less also. B. The food service equipment purchases will be decreased, but still a healthy balance if purchases are needed. This will leave around \$300k in the code for use.

Motion by Commissioner Catherine Denenberg, seconded by Commissioner Robert Jameson, and passed to refer to the Anderson County Board of County Commissioners with a recommendation for approval.

THE 18th ITEM, to be presented to the Anderson County Budget Committee, was a written request from Susan Miceli, AC Library Board, that the following **APPROPRIATION** in Library FUND 115 be approved.

Decrease Reserve Code:

115-34535-2000	Local Restricted Reserve	\$619.40
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Increase Expenditure Codes:

115-56500-437-2000	Periodicals	\$245.00
115-56500-709-2001	Data Processing	299.40
115-56500-320-2001	Memberships	<u>75.00</u>
		\$619.40

Justification: This is to cover a shortfall in three line items. The periodicals are to cover our news bank subscription. Some of our other periodicals were more expensive this year leaving not quite enough in the line item. The second is for software maintenance on our self-check station. The third is to cover a membership for TLA, so that conference attendance will be at the member rate this year.

Motion by Commissioner Bob Smallridge, seconded by Commissioner Jerry Creasey, and passed to refer to the Anderson County Board of County Commissioners with a recommendation for approval.

THE 19th ITEM, to be presented to the Anderson County Budget Committee, was a written request from Regina Copeland, Trustee, that the following **APPROPRIATION** in General Fund 101 be approved.

Increase Expenditure Codes:

101-52400-162	County Trustee's Office- Clerical Personnel	\$11,598.00
101-52400-201	County Trustee's Office- Social Security	26.00
101-52400-206	County Trustee's Office- Life Insurance	10,756.00
101-52400-207	County Trustee's Office- Medical Insurance	99.00
101-52400-208	County Trustee's Office- Dental Insurance	131.00
101-52400-212	County Trustee's Office- Employer Medicare	<u>168.00</u> \$22,778.00

Increase Revenue Code:

101-45610	In Lieu Of Salary- Trustee	\$22,778.00
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Justification: I am needing to add a full time person at our Oak Ridge location. The tax parcels have increased significantly county wide causing us to be busier with Trustee tax payments. My Oak Ridge office also runs the drive thru for not only Trustee but we also do express services for the Clerk's office. We take Oak Ridge city tax payments there for city and county tax relief and freeze.

Motion by Commissioner Jerry Creasey, seconded by Commissioner Catherine Denenberg, and passed to refer to the Anderson County Board of County Commissioners with a recommendation for approval.

THE 20th ITEM, to be presented to the Anderson County Budget Committee, was a written request from Mayor Terry Frank, Animal Care & Control, that the following **APPROPRIATION** in General Fund 101 be approved.

Decrease Reserve Code:

101-39000	Unassigned Fund Balance	\$10,000.00
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(Amendment will be from 101-34530-ANML Restricted for Animal Control and a JE will replenish the reserve for 39000)

Increase Expenditure Codes:

101-55120-425	Gasoline	\$4,000.00
101-55120-399-ANML	Other Contracted Services	<u>6,000.00</u>
		\$10,000.00

Justification: With increased fuel costs, this amendment is required to get us through the end of the current fiscal year. Also, more funds are needed for spay/neuter and other medical expenses through the end of the FY.

Motion by Commissioner Catherine Denenberg, seconded by Commissioner Robert Jameson, and passed to refer to the Anderson County Board of County Commissioners with a recommendation for approval.

THE 21st ITEM, to be presented to the Anderson County Budget Committee, was a written request from Mayor Terry Frank, Animal Care & Control, that the following **APPROPRIATION** in General Fund 101 be approved.

Increase Revenue Code:

101-48610-ANML	Donations	\$1,000.00
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Increase Expenditure Code:

101-55120-399-ANML	Other Contracted Services	\$1,000.00
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Justification: Appropriating donations received for medical bills.

Motion by Commissioner Catherine Denenberg, seconded by Commissioner Robert Jameson, and passed to refer to the Anderson County Board of County Commissioners with a recommendation for approval.

THE 22nd ITEM to be presented to the Anderson County Budget Committee, was a written request from Mayor Terry Frank, Senior Center, that the following **APPROPRIATION** in General Fund 101 be approved.

Increase Revenue Code:

101-48610-PRGFE	Program Fees	\$1,500.00
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Increase Expenditure Code:

101-56300-499-PRGFE	Program Fee Materials	\$1,500.00
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Justification: Setting up revenue code and expenditure code for program fees (e.g. Painting classes, pottery) to offset the cost of materials.

Motion by Commissioner Catherine Denenberg, seconded by Commissioner Robert Jameson, and passed to refer to the Anderson County Board of County Commissioners with a recommendation for approval.

THE 23rd ITEM, to be presented to the Anderson County Budget Committee, was a written request from Mayor Frank, Senior Center, that the following **APPROPRIATION** in General Fund 101 be approved.

Decrease Reserve Code:

101-39000	Unassigned Fund Balance	\$12,000.00
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(Amendment will be from 101-34635-SENR Committed for Senior Center and a JE will replenish the reserve for 39000)

Increase Expenditure Code:

101-56300-399	Other Contracted Services	\$12,000.00
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Justification: Appropriating design fees to: 1) Re-engage Studio Four Design for completion of kitchen, and demo/conversion of galley kitchen to useable space- \$2,500; 2) creation of Site Master Plan (\$9,500) by Lose Design for 96 Mariner Point Drive to include data collection; on-site meetings; alternative concept plans for exterior open spaces; image boards for concept visualization; feedback meeting; creation of final Site Master Plan based on feedback meetings.

Motion by Commissioner Catherine Denenberg, seconded by Commissioner Robert Jameson, and passed to refer to the Anderson County Board of County Commissioners with a recommendation for approval.

THE 24th ITEM, to be presented to the Anderson County Budget Committee, was a written request from Mayor Frank, that the following **APPROPRIATION** in General Fund 101 be approved.

Increase Expenditure Code:

101-99100-590-SDAG	Transfer Out to Other Funds	\$6,499.90
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Decrease Reserve Code:

101-39000	Unassigned Fund Balance	\$6,499.90
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(Amendment will be from 101-34690-SDAG Committed for Other Purpose and a JE will replenish the reserve for 39000)

Justification: The attendant building at the Briceville convenience center is deteriorating and in need of replacement for both the personnel and beautification of the community. Costs have

escalated on prefabricated buildings, so we propose to build for cost savings. This amendment covers cost of materials.

Motion by Commissioner Catherine Denenberg, seconded by Commissioner Robert Jameson, and passed to refer to the Anderson County Board of County Commissioners with a recommendation for approval.

THE 25th ITEM, to be presented to the Anderson County Budget Committee, was a written request from Mayor Terry Frank, Solid Waste, that the following **APPROPRIATION** in Solid Waste Fund 116 be approved.

Increase Revenue Code:

116-49800	Transfers in	\$6,499.90
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Increase Expenditure Code:

116-55732-499-SDAG	Other Supplies & Materials-Convenience Centers	\$6,499.90
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Justification: The attendant building at the Briceville convenience center is deteriorating and in need of replacement for both the personnel and beautification of the community. Costs have escalated on prefabricated buildings, so we propose to build for cost savings. This amendment covers cost of materials.

Motion by Commissioner Catherine Denenberg, seconded by Commissioner Robert Jameson, and passed to refer to the Anderson County Board of County Commissioners with a recommendation for approval.

THE 26th ITEM, to be presented to the Anderson County Budget Committee, was a written request from Terry Frank, Mayor, that the following **TRANSFER** in American Rescue Plan Act Fund 121 be approved.

Increase Expenditure Code:

121-91401-399-GA001	American Rescue Plan Act Grant #1	\$92,000.00
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Decrease Expenditure Code:

121-91401-799-GA001	American Rescue Plan Act Grant #1	\$92,000.00
	Other Capital Outlay	

Justification: Requesting funding for professional engineering services for performance of a Comprehensive Water Sewer Utility Master Plan, in order to 1.) Prioritize expenditures for water and sewer with current county ARPA funding. 2.) Capitalize on additional funding that will become available through TDEC for collaborative local planning and implementation. Initial phase goals: to identify list of water and sewer projects by data collection and evaluation; reviewing existing wastewater systems files and data; performing initial investigation of the existing water infrastructure; reviewing water system and files; creating a combined system map of Anderson County. This project would better position Anderson County for capturing additional funding from TDEC.

Motion by Commissioner Catherine Denenberg, seconded by Commissioner Bob Smallridge, and passed to refer to the Anderson County Board of County Commissioners with a recommendation for approval.

THE 27th ITEM, to be presented to the Anderson County Budget Committee, was a written request from Geoff Trabalka, Solid Waste, that the following **APPROPRIATION** in Solid Waste Fund 116 be approved.

Decrease Reserve Code:

116-34530	Restricted For Public Health & Welfare	\$33,000.00
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Increase Expenditure Codes:

116-55732-409	Crushed Stone	\$10,000.00
116-55732-467	Fencing	3,500.00
116-55732-399	Other Contracted Services	6,000.00
116-55751-312	Recycling Centers- Contracted	10,500.00
	With Private Agencies	
116-55732-499	Other Supplies and Materials	<u>3,000.00</u>
		\$33,000.00

Justification:

116-55732-409- Appropriation is for gravel at Blockhouse Valley Center, Brown Flats, and Cagis Creek. This code began the FY at \$1500.00 and was all but depleted after one load of gravel was delivered to the Blockhouse Valley Center (1 load- 21 tons @ \$65/ton=\$1365) 5 more loads are needed to maintain the yard due to wash out from excessive rains- approx. \$6825, 1 load at Brown Flats- approx.. \$1365, and 1 load at Cagis Creek-approx. \$1365. Total Approx. \$9,555.

116-55732-467- Appropriation is for Fencing work Glen Alpine to replace one section of gate and attach wheel to prevent dragging and constant wind damage- \$1000, and to add a higher “back-stop” at the rear of the facility (upon approval from Norris Beautification Committee/Commissioners Waddell and Anderson) to prevent high winds from carrying items outside the perimeter of existing fence- \$2500. This code began the FY at \$2000 and has been all but depleted working on fences at Cagis Creek and Glen Alpine.

116-55732-399- Appropriation is to add funds for Electrical work to wire in new Attendant building at Briceville Convenience Center-\$3000, and to replace funds used in the last month for Electrical work at the Marlow and Briceville Convenience Centers to rewire and replace breakers that shut the compactors down for 2 and 3 days respectively while parts were shipped- \$3000. Both centers breaker issues happened within days of each other (identical issues due to wiring and breaker age), and other centers may begin to see similar issues as age of wiring and breakers is similar.

116-55751-312- Appropriation is for additional funds to get through the end of FY 2022/2023 for Recycling processing- \$4000 (WestRock) due to increased recycling post COVID. E-Waste Disposal- \$5000 (E-Cyclers/Scott Recycling) due to increased recycling post COVID, avg. 2 small loads per year, but have already sent out a tractor trailer load this year and nearly have another

load ready to ship. Used oil disposal at Convenience Centers- \$1500 (Universal Environmental Services) due to increased disposal.

116-55732-499- Appropriation is to add funds for additional tools and supplies (garbage bags- \$300, shrink wrap- \$400, baling wire- \$300) due to additional garbage pickup, E-waste disposal, and paper and cardboard baling for recycle. Additional funds for materials for Attendant Building at Briceville Convenience Center- \$2000 (paint, drywall, lights, and fixtures).

Motion by Commissioner Jerry Creasey, seconded by Commissioner Bob Smallridge, and passed to refer to the Anderson County Board of County Commissioners with a recommendation for approval.

THE 28th ITEM, to be presented to the Anderson County Budget Committee, was a written request from Geoff Trabalka, Solid Waste, that the following **APPROPRIATION** in Solid Waste Fund 116 be approved.

Decrease Reserve Code:

116-34530	Restricted for Public Health & Welfare	\$26,442.00
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Increase Expenditure Code:

116-55732-399	Other Contracted Services	\$26,442.00
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Justification: 116-55732-399- Appropriation is to transfer funds to pay for increase of cost of attendants at Convenience Centers per request of Waste Connections. Waste Conn. Raised wages to retain and also hire new employees in the current escalating wage labor market to meet the obligations for the AC Waste Hauling & Conv. Ctr. Contract. Additionally, due to federal regulations requiring insurance, centers will reduce operating hours from 11 hrs. /day to 10 hrs. /day or cost of health insurance will be passed onto AC as an increased Operational Cost for Conv. Ctrs. The Solid Waste Board will meet to discuss potential long term changes; either funding increases permanently, or further adjusting operations of convenience centers to reduce contract payments.

Motion by Commissioner Jerry Creasey, seconded by Commissioner Bob Smallridge, and passed to refer to the Anderson County Board of County Commissioners with a recommendation for approval.

THE 29th ITEM, to be presented to the Anderson County Budget Committee, was a written request from Robby Holbrook, Finance Director, that the following **APPROPRIATION** in General Fund 101 be approved.

Increase Expenditure Code:

101-52100-790	Accounting & Budgeting- Other Equipment	\$3,666.00
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Decrease Reserve Code:

101-39000 Unassigned Fund Balance \$3,666.00

(Amendment will be from 101-34615 Committed- Gov Deals and a JE will replenish the reserve for 39000)

Justification: Lost server room battery with latest power outage. Insurance recovery will be used to replace cost of battery. See attached quote. Quote is for 2 batteries as one was lost in Circuit Clerk.

Motion by Commissioner Catherine Denenberg, seconded by Commissioner Robert Jameson, and passed to refer to the Anderson County Board of County Commissioners with a recommendation for approval.

THE 30th ITEM, to be presented to the Anderson County Budget Committee, was a written request from Gary Long, Highway Superintendent, that the following **APPROPRIATION** in Highway Fund 131 be approved.

Increase Expenditure Code:

131-63100-418 Machinery & Equipment Parts \$75,000.00

Decrease Reserve Code:

131-34550 Restricted For Highway \$75,000.00

Justification: To maintain county roads through next budget.

Motion by Commissioner Denver Waddell, seconded by Commissioner Catherine Denenberg, and passed to refer to the Anderson County Board of County Commissioners with a recommendation for approval.

THE 31st ITEM, to be presented to the Anderson County Budget Committee, was a written request from Gary Long, Road Superintendent, that the following **TRANSFER (Major Line Item)** in Highway Fund 131 be approved.

Increase Expenditure Code:

131-62000-402 Asphalt \$451,042.00

Decrease Expenditure Code:

131-68000-713 Capital Outlay Hwy Construction \$451,042.00

Justification: To maintain county roads through next budget.

Motion by Commissioner Denver Waddell, seconded by Commissioner Catherine Denenberg, and passed to refer to the Anderson County Board of County Commissioners with a recommendation for approval.

THE 32nd ITEM, to be presented to the Anderson County Budget Committee, was a written request from M. Stephens, 51500 Election Commission, that the following **TRANSFER (Payroll)** in General Fund 101 be approved.

Increase Expenditure Code:

101-51500-169	Part Time Help	\$8,000.00
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Decrease Expenditure Code:

101-51500-106	Deputy Registrars	\$8,000.00
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Justification: The transfer is necessary to cover the additional part time help needed by the office. The Election Commission has currently been missing one full time Deputy since October, and has been utilizing part time help to offset the shortage.

Motion by Commissioner Bob Smallridge, seconded by Commissioner Catherine Denenberg, and passed to refer to the Anderson County Board of County Commissioners with a recommendation for approval.

THE 33rd ITEM, to be presented to the Anderson County Budget Committee, was a written request from District Attorney General Clark, Family Justice Center/DA's Office, that the following **APPROPRIATION** in General Fund 101 be approved.

Decrease Reserve Code:

101-39000	General Fund	\$13,928.00
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Increase Expenditure Codes:

101-53600-105	Salary	\$10,333.33
101-53600-201	Social Security	640.67
101-53600-204	Retirement	413.33
101-53600-206	Life Insurance	13.00
101-53600-207	Medical Insurance	2,229.17
101-53600-208	Dental Insurance	95.33
101-53600-209	S/T Disability	48.67
101-53600-210	Unemployment	4.67
101-53600-212	Medicare	<u>149.83</u>
		\$13,928.00

Justification: This request is to appropriate funds for Family Justice Center Director's salary and benefits, for the months of May 2022 and June 2022, onto the County's payroll for the District Attorney's office continuing the promising domestic, elder and child abuse work of the FJC by employing the Executive Director of the Family Justice Center as an Anderson County position for the months of May and June, 2022 and continuing thereafter following the expiration of the initial three year grant.

Motion by Commissioner Catherine Denenberg, seconded by Commissioner Robert Jameson, and passed to refer to the Anderson County Board of County Commissioners with a recommendation for approval.

THE 35th ITEM, to be presented to the Anderson County Budget Committee, was a written request from Nathan Sweet, Emergency Medical Services, that the following **APPROPRIATION** in Ambulance Fund 118 be approved.

Increase Revenue Code:

118-46980-TRMT1	TNRMT Grant	\$19,114.00
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Increase Expenditure Code:

118-55130-790-TRMT1	Other Equipment TNRMT	\$19,114.00
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Justification: Awarded safety grant from TN Risk Management for the purchase of powered stair chairs. Is a nonmatching grant.

Motion by Commissioner Denver Waddell, seconded by Commissioner Catherine Denenberg, and passed to refer to the Anderson County Board of County Commissioners with a recommendation for approval.

THE 36th ITEM, to be presented to the Anderson County Budget Committee, was a written request from Sheriff Russell Barker/Steve Owens, Sheriff's Office, that the following **APPROPRIATION** in General Fund 101 be approved.

Increase Revenue Code:

101-47590-9007	Other Federal through State	\$2,772.00
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Increase Expenditure Code:

101-54110-716-9007	Law Enforcement Equipment	\$2,772.00
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Justification: To allocate funds for the purchase of four hand held radar units.

Motion by Commissioner Denver Waddell, seconded by Commissioner Catherine Denenberg, and passed to refer to the Anderson County Board of County Commissioners with a recommendation for approval.

THE 37th ITEM, to be presented to the Anderson County Budget Committee, was a written request from Rex Lynch, Circuit Court, that the following **APPROPRIATION** in General Fund 101 be approved.

Decrease Reserve Code:

101-39000	Data Processing Reserve	\$4,105.52
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(Amendment will be from 101-34520-6000 Data Processing Reserve and a JE will replenish the reserve for 39000)

Increase Expenditure Code:

101-53100-709	Data Processing Equipment	\$4,105.52
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Justification: To replace the server batteries. This is covered under the County's insurance and will be reimbursed in full as a claim has been filed. This amount covers Circuit Court Clerk's half.

Motion by Commissioner Denver Waddell, seconded by Commissioner Catherine Denenberg, and passed to refer to the Anderson County Board of County Commissioners with a recommendation for approval.

SECTION A, 2022/23 Proposed Budgets

Finance Director Robby Holbrook presented the proposed departmental budgets that met the Budget Guidelines, including submission of a "no increase budget".

Motion by Commissioner Catherine Denenberg, seconded by Commissioner Robert Jameson, and passed to approve all departmental budgets in Fund 101 General Fund that met the Budget Guidelines.

Motion passed unanimously via voice vote.

Motion by Commissioner Robert Jameson, seconded by Commissioner Bob Smallridge, and passed to approve the budgets for Fund 115-Public Library, Fund 118-Ambulance Service, Fund 122-Drug Control, and Fund 127-Other General Government Special Revenue.

Motion passed unanimously via voice vote.

SECTION B, New Business

Finance Director Robby Holbrook presented a transfer request on behalf of the Juvenile Court/Tracy Spitzer. This is reflected as "THE 34th ITEM" above.

Finance Director Robby Holbrook presented an appropriation request on behalf of EMS Director Nathan Sweet. This is reflected as "THE 35th ITEM" above.

Finance Director Robby Holbrook presented an appropriation request on behalf of Sheriff Russel Barker and Lieutenant Steve Owens. This is reflected as "THE 36th ITEM" above.

Finance Director Robby Holbrook presented an appropriation request on behalf of Circuit Court Clerk Rex Lynch. This is reflected as "THE 37th ITEM" above.

SECTION D, Old Business

None.

Meeting Adjourned.



Robby Holbrook, Finance Director

ANDERSON COUNTY BUDGET AMENDMENT REQUEST

Page ____ of ____

TYPE OF AMENDMENT

TRANSFER: ☒
 DEPARTMENT: Conservation Board/Tourism

APPROPRIATION: ☐
 FROM: Stephanie Wells
 DATE: 2/7/22

INCREASE	CODE DESCRIPTION	AMOUNT
128-58110-399	Other Contracted Services	\$1,200.00
TOTAL		\$1,200.00

DECREASE	CODE DESCRIPTION	AMOUNT
128-58110-355	Travel	\$1,200.00
TOTAL		\$1,200.00

Motion _____

☐ To Approve

☐ To Refer

☐ With ☐ w/o

Seconded _____

Motion _____

Detailed Justification: The funds will be used for an appraisal on the Anderson County Welcome Center.

Impact on next year's budget : None

38
 page 21

Anderson County Employee Insurance Board of Trustees Meeting Minutes - March 1, 2022

Members Present: Mayor Terry Frank, Robby Holbrook, Tyler Mayes, Kim Jeffers-Whitaker

Members Absent: Rick Meredith

Others Present: CBIZ Team (Nadea Rule, Kari Pressley, Seamus McNally), Andrew Stone, Krystal Burkhart

Call to Order - Mayor Frank called the meeting to order at 2 p.m.

Approval of Prior Meeting (January 24, 2022) Minutes: Motion by Robby Holbrook, seconded by Tyler Mayes. Motion carried unanimously

Items for Action/Discussion

1. Ancillary Approval: Discussion by CBIZ team on Vendor selection for County Group Life and Employee Paid Items.
Motion by Robby Holbrook to continue with current vendor: USAble. Seconded by Tyler Mayes. Motion carried unanimously.
2. CBIZ Actuarial for 2022/2023 Self-Funded Plan. Requesting approval for Medical, Rx, and Clinic.
Tyler Mayes – table discussion on a Bronze/HDHP until next year.
Motion by Tyler Mayes, seconded by Robby Holbrook, to accept plans as presented, less the Bronze/HDHP, with Silver Premium adjustments (contingent on CBIZ review), and to keep ER rates as currently set. Motion carried unanimously.
3. TeleHealth to continue with Premise or transfer to BCBS
Motion by Tyler Mayes to renew with Premise telehealth program, seconded by Robby Holbrook. Motion carried unanimously.
4. Vision plan update to provide new frames at 12 months as opposed to current plan at 24 months, with Premium update.
Motion by Tyler Mayes to update plan, seconded by Robby Holbrook. Motion carried unanimously.
5. Air Ambulance Coverage. Discussion held on potential vendor. With update in laws on in-network/out-of-network, discussion was tabled. No action taken.
6. Retiree Spousal coverage – HR Director Whitaker requested postponement of discussion to the next meeting.
7. Approval of Thrive Health and Wellness Center contract renewal with Premise for term 2/27/2022 thru 2/26/2023.
Motion by Tyler Mayes to approve continuance of coverage with Premise, seconded by Robby Holbrook. Motion carried unanimously.

Next Meeting - Meeting on March 3rd contingent on CBIZ review of premiums. Meeting on March 11th cancelled.

Adjourn - There being no further business the meeting was adjourned at 3:56 p.m.

Dr. Tim Parrott, Director

MEMORANDUM

TO: County Commission Members
Terry Frank, County Mayor
Robbie Holbrook, Finance Director

FROM: Dr. Tim Parrott, Director of Schools *T. L. Parrott*

DATE: March 2022

RE: Report to County Commission

Attendance

Student attendance is at 6064 with 22 early graduates.

GEAR UP TN



CHS Gear Up visits the new TCAT Facility. Eighty staff and students visited throughout the day with TCAT vice-president Patrick Wade.

Clinton High School



CHS had an amazing showing at HOSA Regionals with 15 of our students placing in the top 5 to advance to State Competition. State Competition will be held March 28-30.

- M. Edenfield - 5th place - Human Growth and Development
- C. Breeden - 3rd place - Medical Spelling
- S. Miller - 1st place - Pathophysiology
- S. Quiles - 3rd place - Clinical Nursing
- S. Ayers - 1st place -

Medical Assisting

- R. Marsee - 5th place - Pharmacy Science
- H. Britt-Kimbriel - 3rd place - Sports Medicine
- L. Shultz & H. Phillips - 1st place - Cert Skills
- T. Zody & J. Patton - 3rd place - EMT
- B. Holliefield, T. Roach, K. Daniels - 3rd place - Health Education
- Hall - Health Care Issues Exam

Clinton High School Future Business Leaders of America had eight students compete in regional competitions in January. All eight competitors placed in their events and will compete at the state level in April.

Here is a list of the competitors and their competitions:

Accounting I

Ethan Slaven, 1st

Sophia Whitaker, 6th

Introduction to Public Speaking

Ellie-Anne Yarbrough, 1st

Brandon Cook, 4th

Job Interview

Lily Avison 4th

Journalism

Autumn Hill 6th

Personal Finance

Emilee Metcalf, 5th

Securities and Investments

Makaylee Rich, 2nd



Anderson County High School



Approximately one Saturday each month, Anderson County High School hosts a full-length practice ACT in the ACHS Media Center. Students register voluntarily and attend from 8 am to 12. Upon completion each student receives a detailed test score that includes a list of each of the questions that they missed and teachers on campus that can help improve certain sub scores. Saturday, February 5th we had 28 students devoting their free-time and energy to brightening their future by improving their ACT score. Participants ranged from freshmen to seniors, and the average composite score was a 20 - with scores reaching as high as a 33!

ACCTC

Esports, a form of competition using video games, is a growing industry in the US. The ACCTC esports team, the Crushers, is just starting their third season. The team competes against teams nationwide through the High School Esports League and has participated in games such as Rocket League, Minecraft, Chess, and Madden. To raise funds, the team will be hosting its first annual March Madness NBA 2K tournament. Students will compete in the esports arena during the month of March and the Final Four will be played in the ACCTC commons area.



Innovation Academy

❤️🎉 Proud Parent Moment!! Sammy not only has finished mechanics 4 in High School, Could have Graduated Early but stayed on to be his Mechanics Teachers assistant. He has now started his 1st Job Today and will be headed to College before we know it. **Congrats** Sammy we are Very Proud of you!! Go Get All the Good Life has lined up for you. We Love you!

The screenshot to the left is Sam C.'s mom's Facebook post after we sent her the picture of how BRAC honored an important accomplishment in Sam's life. This family is a shining example of love and support of their student. Sam started out as an Opportunity Credit student in the fall of 2019. He did so well with us that he became a full-time part of the BRAC family. Sam graduates in May and we will miss him!

Total Class of 2022 IA Graduates to date: 15!



👍❤️🎉 118

42 Comments

MIDDLE SCHOOLS

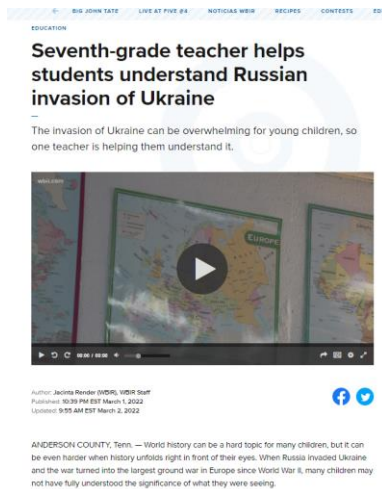
Clinton

Teachers and students alike carved out a few minutes on March 22 to *celebrate Read Across America Day*, otherwise known as Dr. Seuss's Birthday. Reading is foundational to the success of all students, and we were happy to make time each day just to focus on that single, fundamental, skill. Kids curled up in their classrooms with a good book, and teachers spent their time in the lobby reading their own books. A few great students got in a few extra minutes with their favorite teacher as well.

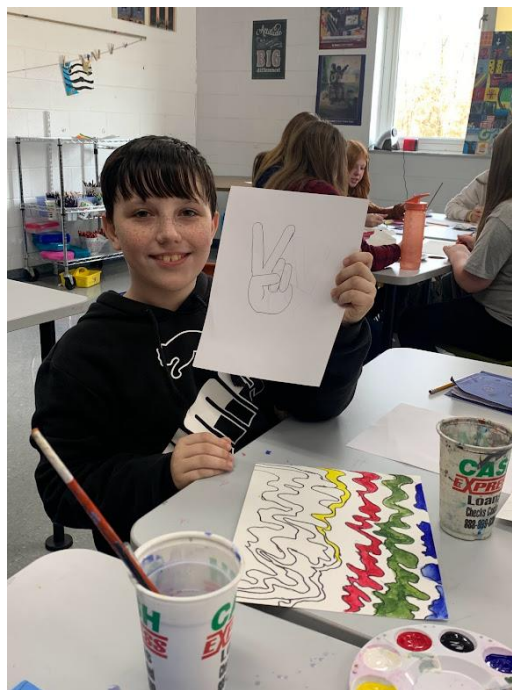
Lake City

WBIR Channel 10 News came to Lake City Middle School to interview Mr. Hopper, 7th Social Studies, and a couple of his students. He has been having class discussions and teaching students about the crisis in Ukraine and the impact it can have, and is having, on the world. Building background knowledge, teaching geography, and researching the relationships between Russia and Ukraine are strategies Mr. Hopper has been using to help his students understand the potential major influences that the conflict is getting ready to spark. One of his students has

personal connections to Ukraine, and has family there, which she shared on air. What a neat experience- sharing thoughts and concerns on the news! Link: [News Interview](#)



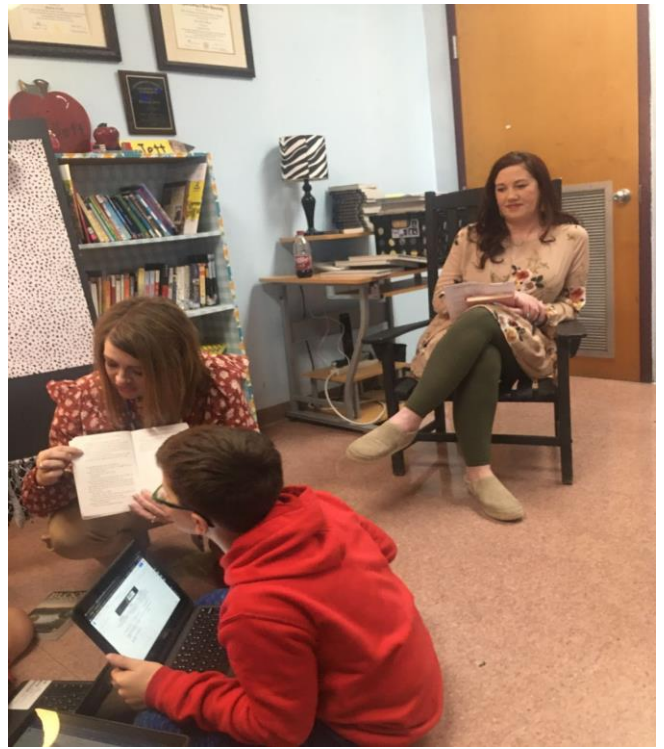
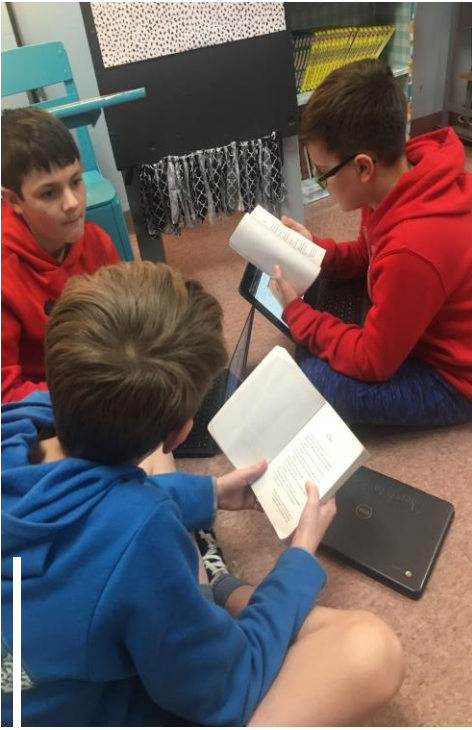
Tuesday, February 22, 2022 (2-22-22), was celebrated in numerous ways at Lake City Middle School. We took full advantage of this “unprecedented milestone” opportunity to incorporate fun activities throughout the day. These activities included Trivia and Math challenges, students and staff twinning, writing “What do you want to do when you’re 22,” drawing peace signs in Art class, learning about the science of twins, facts about the 22nd President and 22nd Amendment, and treating students to double stuffed Oreos... to name a few! It was a fun way to recognize the uniqueness of the day!



Norris

Anderson County Middle Schools were honored to host Grainger County teachers and instructional coaches two weeks ago. Grainger County Schools recently adopted *Wit and Wisdom*, and they were referred to our middle schools for an implementation model. The

educators expressed admiration for not only students' engagement but also our teachers' instructional prowess. They were gracious, complimentary, and excited to bring back new ideas. Norris Middle was proud to be part of the team that welcomed them in!



Norwood

Norwood Middle students and staff had a fun time celebrating a date you only see once in a lifetime - 2/22/2022! Students and teachers dressed up as twins, wore tutus, solved riddles at the :22 minute mark of every hour, and solved math problems involving the number 2.

6th and 7th grade students had the opportunity to visit JA Biz Town and participate in the business simulations. Students were required

to complete checkbook transactions, work at a place of business, apply for a business loan, and decide how to deviate their income. We appreciate the Clinton High School students for volunteering their time to help make this trip very successful!





8th grade students also visited JA Biz Town and participated in the *Get Hired* event. Students learned skills such as resume writing, how to give a proper handshake, interview skills, and how to fill out a job application. At the completion of the event, they learned whether or not they were hired and what skills they needed to improve on.

ELEMENTARY SCHOOLS

Andersonville



Let the games begin! Mrs. Jordan's PE classes played in the Olympics. They competed in hockey, skeleton, biathlon, and more.

AES congratulated Melissa Matchette for receiving the Above and Beyond recognition for the month of February.





Kindergarten students came to school older and wiser this month. After 100 days we are ready for anything!

AES is thankful to have our SRO. NASRO (National Association of School Resource Officers) announced that February 15 is School Resource Officer Appreciation Day. Thank you officer David!



Briceville



Congratulations to these two 4th grade students who were chosen to represent BES at the county 4-H public speaking contest. We are very proud of you and all your hard work!

February 18th was a Stone Soup kind of day in Headstart! Not only did they get to enjoy a good book, but they got to make their very own soup and taste test it. Our littles are blessed with the wonderful Mrs. Jill and Mrs. Angel to give them so many fun opportunities to learn.





It was a terrific TWOS



day (2-22-22) at BES!



Correlating with the study of Simple Machines, Head start had a special visitor, Mr. Bobby, who showed the children how a dolly helps him to move heavy furniture and boxes.



Claxton

Claxton is off to an amazing start! In less than 24 hours, this community has contributed over \$4,420 toward books for the kiddos and supplies for the school through a program called "Book Blast."



Claxton celebrated Twosday. We had tutus, twins, tie-dye, and ties around our school today to celebrate 2-22-22.



Earlier this year Ms. Fields' 3rd grade class worked hard to enter the ORAU Extreme Classroom Makeover contest. The winner and runner-up will be announced soon. In the meantime, this 3rd class is needing help choosing the Viewers' Choice Award winner. The teacher whose video gets the most votes by midnight on Friday, March 11, will receive a check for \$2,500.

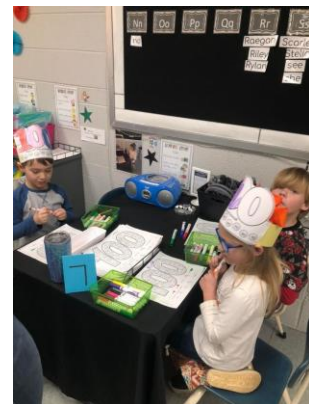
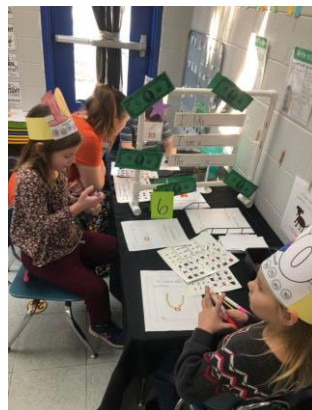
Mrs. Ashley's 4th grade class was so excited to get their birdhouses for their wetlands PBL. Our special guest speaker, Mr. Byrd, graciously put together 10 birdhouse kits for the students to finish in the upcoming weeks. They cannot wait to spend some time in the outdoor classroom building and hanging these in the wetlands. 🐾



For Valentine's Day, Claxton students got to participate in "A Book to Love." Thanks to generous donations from our community, our students were actually able to take home **THREE** books. Over 1,200 books are now in the hands of our students.



Kindergarten had their 100 day celebration on Friday, February 11th. They made necklaces and other crafts with 100 pieces, walked and counted 100 steps, and ate a 100 foot sundae.



Mrs. Payne's 4th graders held a Town Hall meeting for the Boston Tea Party. Students had props from colonial times and "acted" as a patriot and voted for or against the Boston Tea Party. History comes alive!

Dutch Valley

We held our second *Parents Night Out* of the year this month. It was a successful night with fun for students and a night off for parents.



Our Students and Staff honored our Principal Mrs. Sherwood with a parade at the end of the school day. Students made banners and cards of appreciation to give her as they paraded on by.

Special Education Teacher Mrs. Seiber received a grant from the Clinton Civitan Club to purchase materials for her classroom.



Kindergarten celebrated 100s Day and 1st Grade celebrated the 101st Day of School.

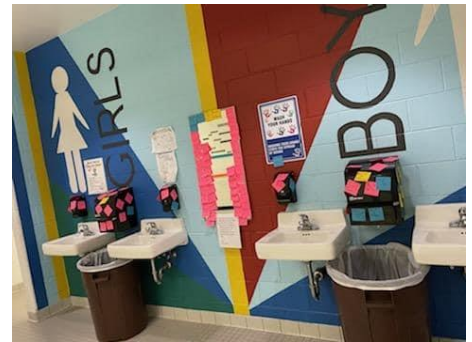
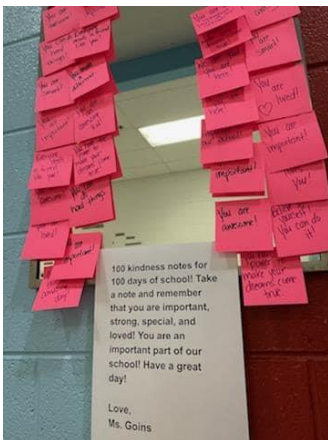


Fairview



We began celebrating Dr. Seuss Week (Read Across America) and have a theme for each day. Here are our first graders with mismatched (silly socks) day.

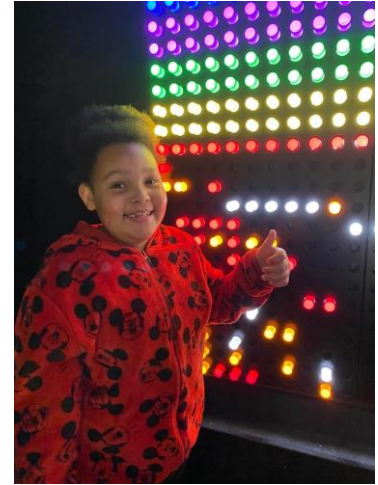
Our 100th day of school was celebrated in many ways. Our counselor put 100 positive notes all around the school for the students to read throughout the day promoting kindness and giving. The students and teachers also dressed up like 100 year olds. It was a fun day.



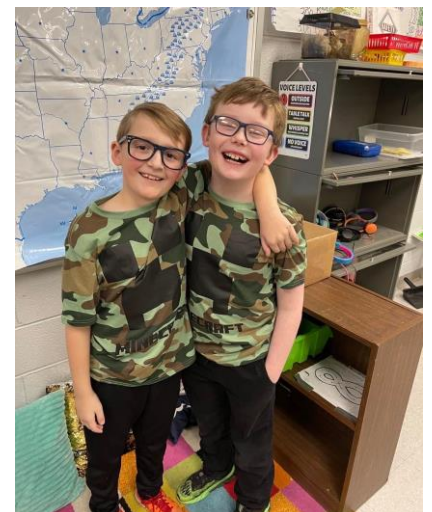


Grand Oaks

In second grade we have been having just as much fun **INSIDE** the classroom as **OUTSIDE**. Learning through engaging activities gets us excited and eager to show off our skills. We even visited 'The Muse' for an exciting field trip where exploration and discovery were key.



We had a great time celebrating "TWOs Day." It was a special day made even more special by the people we shared it with...our GOES family. We wore tutus, ties, tiaras, and tie dye. Some of us even found our long lost twins. We ended the day with a school-wide 2 minute and 22 second dance party at 2:22 to none other than "Too Legit to Quit!"



Grand Oaks Kindergarteners are 100 days smarter! We celebrated the 100th Day of School by completing a 100th day project, dressing like we were 100 years old, and eating a 100 foot long ice cream sundae!



It is with great pleasure and honor that we recognize Ms. Sheila Carney as the 2021-22 Grand Oaks Elementary School Classified Employee of the Year. Ms. C is the technology teacher at GOES, but her work goes far beyond her passion for teaching technology. Not only does she teach our students about technology, but she also helps plan and facilitate school events, she provides math remediation and intervention for many students, she is one of the school site coordinators for our *Explore to Soar* after school program, and she selflessly supports our classrooms, teachers, and students every day. Congratulations, Mrs. C! We are so proud to have you representing our school and are so blessed to have you on our team.



Lake City

Staff and students have been tapping into their artistic side lately, taking part in a long-standing LCES tradition. Under the guidance of Mrs. Regina McCone, our school family has been creating pinch pots, which will be auctioned off at the Empty Bowls/Stone Soup dinner in March. The money raised will be donated to Second Harvest Food Bank to help feed hungry families in our community.



Where were YOU on TWOsday, 2/22/22? Lake City Lakers recognized this special day by sporting their finest ties, tu-tu's, tiaras and tie-dyes, and our fantastic cafeteria team even served TACOS.



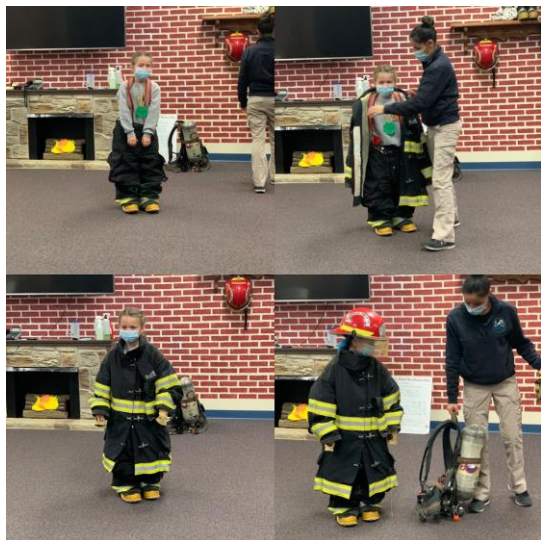
Norris



Fourth grade integrated science and art with topographical maps using clay.



Second Graders traveled to Knoxville to visit Safety City. Students learn about fire and road safety as well as practice 911 calls and riding bikes.



All schools in the district will be showcasing artwork in the windows on Market Street in Downtown Clinton April 4 - 9. Fifth grade students created a 2'x2' artwork that will be on display. All artwork will be for sale.

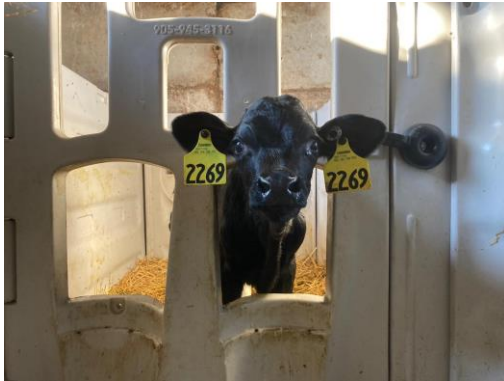
Congratulations to our Classified Employee of the Year, Mrs. Shari Tilley. She is our technology teacher. Mrs. Tilley stays busy teaching the students, taking care of our Chromebooks, and helping teachers with all their tech needs. We appreciate her!





This year Kindergarteners decorated clothes with 100 objects to celebrate completed 100 days of school. This is both classes after their "fashion show."

Our community is mooovelous!



Our 5th graders virtually adopted a dairy cow named Stacy. She was born on September 24 and lives at Carmichael Farms in Riceville, TN. The students have loved watching her grow and learning about how she is raised.



Norwood

Norwood Elementary School students, about 75 of them, came out for the Clinton High School Lady Dragons and Dragons basketball game against Hardin Valley Academy Thursday night. The Norwood Elementary School basketball team was introduced, as well as the Norwood Boys and Girls Club basketball team. The Clinton High School cheerleaders even visited with the students to help them get into the excitement of high school basketball at Don Lockard Gymnasium.



A local dentist office came out to visit with Norwood Pre-K students. Students learned how to best take care of their teeth to keep their beautiful smiles healthy.

Norwood has developed a new club called, Boys 2 Men. They had their first official meeting in February. These fine young men are working with Mr. Frank and Coach Myers to learn more about becoming outstanding students and leaders in our community. These “Men” are working hard on the Six Pillars of Character: Caring, Responsibility, Trustworthiness, Fairness, Respect, and Citizenship. Their motto is: “It is not what you do or say when people are watching, but what you do or say when no one is watching.” The Norwood community should be very proud of these young men. They have written encouragement notes to peers and staff with positive words of affirmation while also working on building self-esteem yesterday but “looking good and feeling good.”



received the Employee of the Year award. We are very blessed to have Mr. Johnny at our school and we appreciate all of his hard work and dedication to our staff and students.

NASRO (National Association of School Resource) announced that Feb. 15 is School Resource Officer Appreciation Day. Norwood recognized the accomplishments of our SROs every day, but especially today. "SROs are full-time law enforcement officers with sworn law enforcement authority, trained in school-based policing and crisis response and assigned by an employing law enforcement agency to work with schools using community-oriented policing concepts. Norwood thanks SRO Abbott for his dedication to the students and staff of Norwood Elementary and all of Anderson County Schools.

Norwood's long time custodian, Mr. Johnny Hall,



Mrs. Vicki Moncier received the Norwood Above and Beyond award for February. Mrs. Vicki works in our school cafeteria. We appreciate her hard work and dedication each day.



We celebrated Guidance Counselor Week in February by honoring our school guidance counselor, Mrs. Ashley Sutton. Mrs. Sutton has dedicated herself to serve the students of Norwood Elementary and appreciate her greatly.



we

STUDENT SERVICES

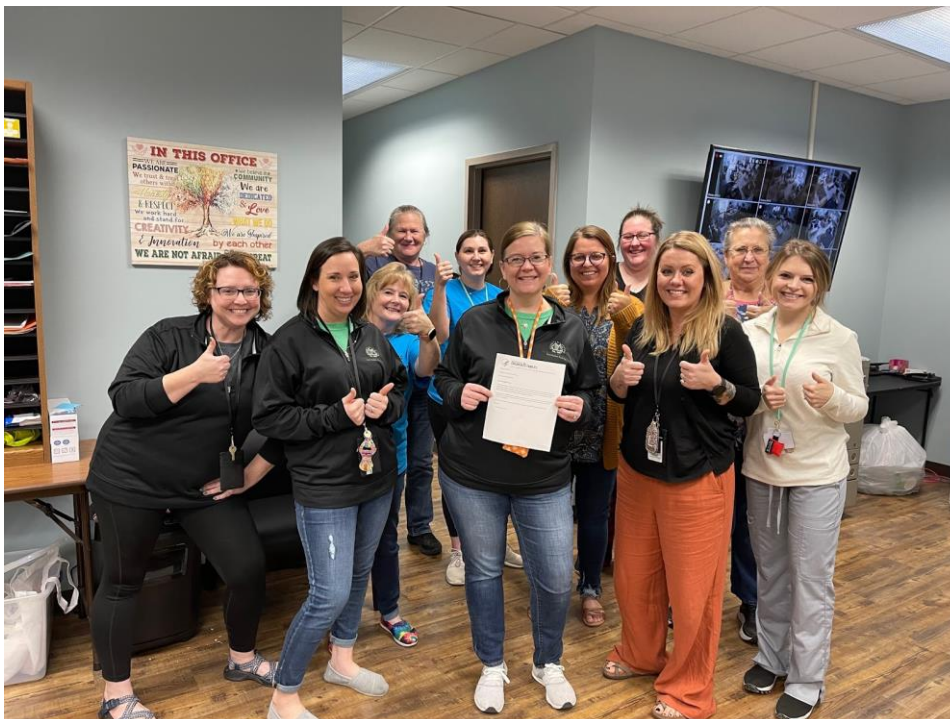
- School *Social Workers Month* is during the Month of March. We will celebrate our school social workers the week of March 7 – 11.
- School Social Workers will be working freshman night in conjunction with our high schools meeting with upcoming freshmen/ parents.
- Family Resource Centers (FRC) and School Social Workers will be meeting with the Rocky Top Collaborative and TORCH to collaborate on the topic of homelessness in Rocky Top and brainstorm ways to combat the issue.
- Kindergarten Roundup will be March 7-11 and March 22-25. The Schedule (below) and will be on social media, a press release, and our district calendar.

2022/2023

ACS Kindergarten Round Up Schedule

Monday Mar 7, 2022 @ CES 9am-11am Child Find will be attending	Tuesday Mar 8, 2022 @ LCES 9am-11am	Wednesday Mar 9, 2022 @ AES 9am-11am @ Central Office 3:00-5:30pm	Thursday Mar 10, 2022 @ NWES 9am-11am Child Find will be attending	Friday Mar 11, 2022
Monday Mar 21, 2022	Tuesday Mar 22, 2022 @ FES 9am-11am	Wednesday Mar 23, 2022 @ NES 9am-11am Child Find will be attending @ Central Office 3:00-5:30pm	Thursday Mar 24, 2022 @ GOES 9am-11am	Friday Mar 25, 2022 @ BES 9am-11am @ DVES 12:30-2:30

PRESCHOOL



The preschool program completed a Focus Area One (FA1) federal review in January. A FA1 review examines the grant recipient's strengths in program design, examines how updates to community assessment data inform the program's design, and to highlight ways the program's goals have a positive impact on the community they serve. The program received positive feedback with no findings of deficiency or non-compliance.



ANDERSON COUNTY GOVERNMENT

TERRY FRANK
COUNTY MAYOR

March 16, 2022

Commissioner Josh Anderson
Chairman, Anderson County Board of Commissioners

RE: Agenda

Dear Chairman Anderson and Honorable Members of Commission,

I wish to add the following item to the Agenda:

1. Appointment of Mr. John Croes to fill the unexpired term of retiring member Earl Cagle.
Term expires 12/22.

Sincerely,

A handwritten signature in black ink, appearing to read "Terry Frank", with a stylized, flowing script.

Terry Frank


**OFFICE OF THE COUNTY LAW DIRECTOR
ANDERSON COUNTY, TENNESSEE**

101 South Main Street, Suite 310
CLINTON, TENNESSEE 37716

N. JAY YEAGER
Law Director

TELEPHONE: (865) 457-6290
FACSIMILE: (865) 457-3775
Email: jyeager@aclawdirector.com

MEMORANDUM

TO: Ms. Annette Prewitt, Chief Deputy to the County Commission
CC: County Commission
FROM: N. Jay Yeager 
DATE: March 16, 2022
RE: Law Director's Report – March 21, 2022 – County Commission Meeting

Please add the following to the County Commission Agenda under the Law Director's Report.

A. Contract Approvals:

1. Family Justice Center- Condominiums Lease
2. Ring Central (Change Order) -Family Justice Center
3. First American Payment Systems- Parks & Recreation
4. Kendra Bunch (Parent Van Driver) –Schools
5. Deau Document Scanning- Circuit Court Clerk
6. Central Technologies- Schools
7. CareHere- Renewal
8. Book System- Library
9. BMC- County Clerk
10. State of TN Grant Amendment- Sheriff's Department
11. Herrin Web Designs- Property Assessor
12. City of Clinton (Amendment) Clinton Streetscapes- Mayor

B. Anderson County Zoning Violations:

Resolved Violations:

1. 309 Strader Road, Ross and Brandi Klassy;
2. 128 Johnson Gap Road, Kizzi Phillips;
3. 304 Foley Road, Edd Hatmaker;
4. 506 Mehaffey Road, Scott Roach;
5. 269 Frost Bottom, Diane Moore;
6. 397 Marlow Road, Walter Milen;
- 7.

Newly Opened:

1. 309 Foley Hill, Martha Espinoza;
2. 889 Pop Hollow Road;
3. 103 Church House Hill Lane, Jill Martin and Steven Cox;
4. 129 King Street, Alvin Clay;
5. 474 Old Lake City Highway, Barry Nelson;
6. 2243 E. Wolf Valley, Yolanda Whitaker;

Newly Filed:

1. 116 Webster Lane, Wayne Dotson;
2. 484 Clear Branch Road, David Foust;
3. 383 Marlow Road, Robert Moran;

C. Tax Assessment Change Order Correction:

Pending:

1. 102 Henderson Rd., Nichole Shephard- Requested by Oak Ridge Business Office;
2. 218 Butler Rd., Charles Hammett, Chad Brocious (new owner)-Requested by Oak Ridge Business Office;
3. 126 Indian Lane, Anna Emmert- Requested by Oak Ridge Business Office;
4. 108 S. Illinois Avenue, Walter Culbreth – Requested by Oak Ridge Business Office;

Completed:

1. 139 Arkansas Ave, Gena Littrell – Requested by Oak Ridge Business Office;
2. 246 S. Illinois Ave, Hart & Associates – Requested by Oak Ridge Business Office;
3. 106 Tennessee Hollow, Melford and Lucretia Lawson – Requested by Anderson County Property Assessor;
4. 101 S. Illinois Ave., Lane Family Trust – Requested by Oak Ridge Business Office;

D. New Lawsuits

1. Anderson County et al. v. Bearden Healthcare et al. (See attached – Needs Commission Approval)
2. Fetty, Deborah and Michael v. Oak Ridge and AC

E. Lawsuit Update

1. Smith, Carl Clifford v. AC (See Attached Order)

F. Resolution Allowing Inmate Workers to Provide Cemetery Maintenance

G. Turkey Hunt Resolution Amendment

H. Update on Bill allowing Off-highway vehicles on Highways

I. Consent to Place Historical Marker on Poor Farm location

J. Letter Opposing SB 2077 and HB2246, Prohibiting Local Restrictions on Utility Infrastructure

UNITED STATES DISTRICT COURT

for the

Deborah and Michael Fetty

Plaintiff(s)

v.

The City of Oak Ridge, Tennessee, and Anderson
County, Tennessee

Defendant(s)

Civil Action No. 3:220cv-00031-TAV-JEM

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Anderson County, Tennessee
c/o Office of the County Mayor, Terry Frank
100 N. Main Street, Room 208
Clinton, TN 37716

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Nathaniel Evans
The Evans Law Firm
625 Market Street, Suite 404
Knoxville, TN 37902
(865) 523-2755

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: 02/16/2022



CLERK OF COURT

Signature of Clerk or Deputy Clerk

Civil Action No. 3:220cv-00031-TAV-JEM

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____
on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*: _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0 .

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

**DEBORAH AND MICHAEL
FETTY,**

V.

Defendants.

COMPLAINT

PARTIES

Case 3:22-cv-00031-TAV-JEM Document 1 Filed 01/28/22 Page 1 of 20 PageID #: 1

2. Michael Fetty ("Mr. Fetty") is married to Deborah Lynne Fetty and is an adult citizen of the United States and a resident of Anderson County, Tennessee, residing at 106 Balsam Road, Oak Ridge, Tennessee 37830.

3. The City of Oak Ridge, Tennessee, is a municipal subdivision of the State of Tennessee, located in Anderson County, Tennessee, which operates and maintains the Oak Ridge Police Department, a law enforcement agency charged with enforcing the laws of the City of Oak Ridge, Anderson County, and the State of Tennessee.

4. Anderson County, Tennessee, is a municipal subdivision of the State of Tennessee, with an elected sheriff who operates and maintains the Anderson County Jail and is responsible for the lawful and humane treatment of persons incarcerated at the Anderson County Jail.

5. The City of Oak Ridge, Tennessee, and Anderson County, Tennessee, collectively referred to as the "Defendants."

VENUE AND JURISDICTION

6. The gravamen of this suit is based in violations of Mrs. Fetty's rights protected by the Fourth and Fourteenth Amendments to the United States Constitution constituting a federal question and are therefore within the jurisdiction of this Court pursuant to 28 U.S.C.A. § 1331.

7. The State law claims in this suit arise from the same events that resulted in the violations of Mrs. Fetty's constitutional rights and this Court has jurisdiction over those claims pursuant to 28 U.S.C.A. § 1367.

8. All events giving rise to this Complaint occurred in Anderson County, Tennessee, which lies in the Northern Division of the Eastern District of Tennessee, and therefore, venue properly lies with this Court.

FACTUAL BACKGROUND

9. Mrs. Fetty is a 58-year-old female.
10. Mrs. Fetty is a military veteran of the United States Armed Services.
11. Mrs. Fetty suffers from Post-Traumatic Stress Disorder ("PTSD").
12. Mrs. Fetty has long been under medical care for PTSD and has long had a prescription for Lorazepam to treat this disorder.
13. Mrs. Fetty suffers from depression and anxiety.
14. Mrs. Fetty suffers from major depressive disorder ("MDD").
15. Mrs. Fetty has long been under medical care for her depression and anxiety and has long had a prescription for Lorazepam to treat this disorder.
16. Lorazepam is a benzodiazepine, a class of drug which is known to have serious, painful, and dangerous withdrawal symptoms when long-time use is stopped abruptly.
17. Mrs. Fetty has had three (3) back surgeries and suffers from two bulged discs in her neck.
18. Mrs. Fetty has long been under medical care for her back and neck pain and has long had a prescription for Gabapentin to treat this condition.
19. Gabapentin is known to have serious painful and dangerous withdrawal symptoms when long-term use is stopped abruptly.

20. Mrs. Fetty has long been prescribed medications for a heart condition and for high blood pressure.

21. Mrs. Fetty's heart and blood pressure medications cannot be withheld without risk to her health.

22. Mrs. Fetty has been on hormone replacement medication since age 40. The name of this medication is estratest, which contains testosterone.

23. Mrs. Fetty's hormone replacement medication cannot be withheld without risk to her health.

24. On the afternoon of January 24, 2021, Mrs. Fetty suffered a mental health episode related to her psychological conditions.

25. During that episode, Mrs. Fetty threatened suicide in the presence of Mr. Fetty.

26. Mr. Fetty placed a call to E911 and requested assistance for Mrs. Fetty.

27. Mr. Fetty asked for the assistance of mobile crisis and emergency medical services.

28. The only emergency personnel who responded to Mr. Fetty's call were five (5) patrol units from the Oak Ridge Police Department.

29. Mr. Fetty repeatedly told the officers that Mrs. Fetty needed mental health assistance.

30. Instead, officers chose to arrest Mrs. Fetty and charge her with aggravated domestic assault.

31. Officers told Mr. Fetty that his wife intended to intimidate or injure him with the revolver.

32. Mr. Fetty continued to assert that his wife needed mental health assistance because she was suicidal.

33. Officers could have taken Ms. Fetty to a hospital or mental health facility for treatment, but instead decided to arrest her and cause her to be incarcerated at the Anderson County Jail.

34. Officers assured Mr. Fetty that Mrs. Fetty would receive a mental health evaluation as soon as she arrived at the Anderson County Jail.

35. Mr. Fetty collected all of Mrs. Fetty's prescribed medications and brought them to the jail.

36. Mr. Fetty was made to wait one and a half hours before anyone from the Anderson County Jail would accept Mrs. Fetty's medications.

37. Mrs. Fetty did not receive a mental health evaluation when she arrived at the Anderson County Jail.

38. Mrs. Fetty's elbow was injured and bleeding while she was in the holding cell at the Anderson County Jail.

39. Mrs. Fetty asked for assistance with her wound.

40. In response to her request for assistance with her wound, Mrs. Fetty was told, "sit down and shut the f*** up."

41. Mrs. Fetty was finally given some toilet tissue to hold on her bleeding elbow, but no other evaluation or treatment.

42. Mrs. Fetty was later moved from the holding cell to a regular cell at the Anderson County Jail.

43. Mrs. Fetty tapped on the glass in the door of the cell to get the guard's attention.

44. The guard charged toward the cell door and shouted, "Bitch, don't you ever tap on that window."

45. Without her medication, the symptoms of Mrs. Fetty's PTSD, MDD, and depression and anxiety were more severe.

46. After being screamed at twice by Anderson County Jail guards, Mrs. Fetty felt helpless, hopeless, and alone, which further intensified the agony of withdrawal and serious mental health conditions.

47. Mrs. Fetty did not see a nurse until the third day of her incarceration.

48. It was not until the third day of her incarceration that Mrs. Fetty was given her heart and blood pressure medication.

49. Mrs. Fetty was never given her prescribed Lorazepam, Gabapentin or estratest.

50. Because Mrs. Fetty was forced to abruptly stop taking these prescribed medications, she suffered severe withdrawal symptoms.

51. Because Mrs. Fetty was denied her medications, she also suffered from the effects of her PTSD, anxiety and depression, and MDD.

52. Because of her withdrawal symptoms and the symptoms of her untreated PTSD, anxiety and depression, and MDD, Mrs. Fetty was unable to sleep during the four (4) days and nights she was incarcerated at the Anderson County Jail.

53. Mrs. Fetty's pain from her previous back injuries and the bulged discs in her neck was aggravated because Mrs. Fetty's prescribed Gabapentin was withheld.

54. Mrs. Fetty was never evaluated by a doctor while she was incarcerated at the Anderson County Jail.

55. Mrs. Fetty was never evaluated for suicidal ideation while at the Anderson County Jail.

56. Mrs. Fetty was only allowed out of her cell between the hours of 1:00 a.m. and 2:00 a.m.

57. Mrs. Fetty was not allowed out of her cell during business hours.

58. Mrs. Fetty was effectively denied access to her attorney because she could only call between the hours of 1:00 a.m. and 2:00 a.m.

59. Mrs. Fetty was able to make bond after approximately five (5) days in the Anderson County Jail.

60. After bonding out of jail, Mrs. Fetty checked herself into the Veterans Affairs (VA) medical center at Johnson City for mental health treatment.

61. Mrs. Fetty spent ninety (90) days at the VA medical center.

62. Upon her arrival at the VA medical center, Mrs. Fetty's doctors were concerned that she had been abruptly deprived of her medications for several days.

63. On information and belief, Mrs. Fetty's doctors were concerned that Mrs. Fetty faced a substantial risk of serious and irreparable harm from being deprived of her medications.

64. Mrs. Fetty was forced to endure the painful and traumatic experience of withdrawal symptoms.

65. Withdrawal symptoms from the drugs prescribed to Mrs. Fetty are often fatal.

66. Mrs. Fetty was not able to sleep during the time she was at Anderson County Jail.

67. Mrs. Fetty suffered hot flashes and her clothing was often wet with sweat.

68. Mrs. Fetty did not have blankets in her cell.

69. Mrs. Fetty suffered freezing cold when her clothes were wet.

70. Mrs. Fetty repeatedly told the nurse that she needed her medication.

71. Anderson County Jail was in possession of Mrs. Fetty's prescribed medication.

72. Any trained medical professional would know the serious risk of substantial harm from withholding Mrs. Fetty's medication.

73. Mrs. Fetty repeatedly told the nurse that she needed to see the doctor.

74. Mr. Fetty has been forced to receive mental health treatment for PTSD, anxiety, and depression based on the action of the responding officers and being in close proximity to Mrs. Fetty as she was arrested and incarcerated.

75. Mrs. Fetty was never seen by a doctor during the time she was at Anderson County Jail.

76. Anderson County Jail has an official policy of denying detainees access to controlled medication.

77. Because of the acts and omissions of Anderson County Jail, Mrs. Fetty was injured.

78. Because of the acts and omissions of the Oak Ridge Police Department Mr. and Mrs. Fetty were both injured.

CAUSES OF ACTION

I. False arrest and imprisonment in violation of the Fourth Amendment as to the City of Oak Ridge

79. Mrs. Fetty hereby incorporates each and every paragraph of this Complaint as if fully set forth herein.

80. Mr. Fetty called E911 requesting mental health assistance for Mrs. Fetty because she was suicidal.

81. Mr. Fetty requested mobile crisis assistance for Mrs. Fetty because she was suicidal.

82. Mr. Fetty requested emergency medical services for Mrs. Fetty because she was suicidal.

83. No mobile crisis units responded to Mr. Fetty's call.

84. No emergency medical services responded to Mr. Fetty's call.

85. Five (5) patrol units of the Oak Ridge Police Department responded to Mr. Fetty's call.

86. Officers of the Oak Ridge Police Department ("Officers") arrested Mrs. Fetty.

87. Officers should have taken Ms. Fetty to a hospital or mental health facility for evaluation and treatment.

88. Officers chose to arrest Ms. Fetty and cause her to be incarcerated in the Anderson County Jail without assessing her medical or mental health needs.

89. Officers charged Mrs. Fetty with aggravated domestic assault.

90. Mr. Fetty did not allege that Mrs. Fetty had assaulted him.

91. Mr. Fetty sought mental health assistance for his suicidal wife.

92. Mr. Fetty told the arresting officers that Mrs. Fetty had attempted suicide.

93. Officers told Mr. Fetty that Mrs. Fetty was attempting to intimidate him.

94. Officers told Mr. Fetty that Mrs. Fetty was attempting to cause him harm with a deadly weapon.

95. Officers had no articulable probable cause to believe Mrs. Fetty was attempting to intimidate Mr. Fetty.

96. Officers had no articulable probable cause to believe Mrs. Fetty was attempting to harm Mr. Fetty with a deadly weapon.

97. Officers arrested Mrs. Fetty for aggravated domestic assault.

98. Officers transported Mrs. Fetty to the Anderson County Jail.

99. Officers caused Mrs. Fetty to be detained at the Anderson County Jail.

100. Because of the Officers' acts or omissions, Mrs. Fetty suffered harm and was injured.

101. Because of the Officers' acts or omissions, Mrs. Fetty's Fourth Amendment rights were violated.

II. Deliberate indifference to Mrs. Fetty's serious medical need in violation of the Fourteenth Amendment as to Anderson County

102. Mrs. Fetty incorporates each and every paragraph of this Complaint as fully as if set forth herein.

103. Mrs. Fetty had not been convicted of any crime when she was booked into the Anderson County Jail.

104. Mrs. Fetty has long been prescribed the habit-forming, controlled medications Lorazepam, a benzodiazepine, and Gabapentin.

105. Both of these medications are known to cause serious and possibly life-threatening withdrawal symptoms when abruptly withdrawn.

106. Mrs. Fetty is also prescribed blood pressure and heart medication.

107. Mr. Fetty delivered all of Mrs. Fetty's prescribed medications to Anderson County Jail on the day of her arrest.

108. Mrs. Fetty's medications were delivered to Anderson County Jail in their original prescription bottles with the original pharmacy labels showing Mrs. Fetty's name and the name of the prescribing doctor.

109. Mrs. Fetty was not seen by a nurse until the third day of her incarceration at Anderson County Jail.

110. Mrs. Fetty was denied her blood pressure and heart medications for three (3) days.

111. The nurse administered Mrs. Fetty's blood pressure and heart medications on the third day of Mrs. Fetty's incarceration and thereafter.

112. Mrs. Fetty asked the nurse for her Lorazepam and Gabapentin.

113. The nurse told Mrs. Fetty that it is the Anderson County Jail policy to never provide controlled medications to inmates regardless of whether they have a prescription.

114. Mrs. Fetty told the nurse that the Lorazepam was prescribed to control the symptoms of PTSD, Major Depressive Disorder ("MDD"), and anxiety and depression.

115. Mrs. Fetty told the nurse that the Gabapentin was prescribed to control nerve pain associated with three (3) previous back surgeries and two (2) bulged discs in her neck.

116. Mrs. Fetty told the nurse that she was suffering from withdrawal symptoms.

117. Mrs. Fetty told the nurse that the withdrawal symptoms were agonizingly painful.

118. Mrs. Fetty told the nurse that her mental health issues were much worse without the drugs.

119. Mrs. Fetty told the nurse that the her back pain was insufferable.

120. Mrs. Fetty told the nurse that she was not able to sleep since her incarceration.

121. Mrs. Fetty told the nurse that she was suffering from suicidal ideation.

122. Mrs. Fetty repeatedly asked the nurse for a mental health evaluation and mental health treatment.

123. During the five (5) days Mrs. Fetty was incarcerated at Anderson County Jail, she was never seen by a doctor.

124. Lorazepam and Gabapentin withdrawal symptoms are an objectively serious medical need.

125. Lorazepam and Gabapentin withdrawal symptoms are known to cause death.

126. Mrs. Fetty's heart condition makes her especially susceptible to serious injury from withdrawal symptoms.

127. On information and belief, the nurse who saw Mrs. Fetty was a trained, licensed nurse.

128. On information and belief, an adequately trained, licensed nurse knows the dangers of withdrawal from Lorazepam and Gabapentin.

129. On information and belief, the nurse intentionally denied Mrs. Fetty access to her medication according to the official policy of the Anderson County Jail.

130. On information and belief, the nurse either intentionally or recklessly did not talk to the doctor about Mrs. Fetty's condition.

131. The nurse did not act reasonably to mitigate the risk posed by Mrs. Fetty's serious medical need.

132. The denial of Mrs. Fetty's medication was due to the policy of Anderson County Jail.

133. It is the official policy of Anderson County Jail to deny controlled drugs to those incarcerated there.

134. Because of the Anderson County Jail policy, Mrs. Fetty suffered the objectively serious medical condition of life-threatening and agonizing withdrawal symptoms.

135. Because of the intentional or reckless acts and omissions of the nurse and the policies and customs of Anderson County Jail, Mrs. Fetty was injured and suffered damages.

III. Intentional infliction of emotional distress on Mrs. Fetty

A. As to the City of Oak Ridge

136. Mrs. Fetty hereby incorporates each and every paragraph of this Complaint as if fully set forth herein.

137. Mr. Fetty had requested mental health assistance for Mrs. Fetty.

138. Mrs. Fetty had just attempted to commit suicide.

139. The City of Oak Ridge did not send any mobile crisis units or emergency medical services, as requested by Mr. Fetty.

140. The actions of the Officers in falsely arresting Mrs. Fetty were intentional or reckless.

141. False arrest is outrageous conduct that is not tolerated by civilized society.

142. Mrs. Fetty has long suffered from diagnosed PTSD, MDD, and anxiety and depression.

143. The intentional or reckless actions of the Officers severely aggravated Mrs. Fetty's preexisting mental health disorders.

144. As a result of the intentional or reckless actions of the Officers, Mrs. Fetty received ninety (90) days of mental health treatment at the VA medical center in Johnson City, Tennessee.

145. Because of the intentional or reckless actions of the Officers, Mrs. Fetty was injured and suffered damages.

B. As to Anderson County

146. Mrs. Fetty hereby incorporates each and every paragraph of this Complaint as if fully set forth herein.

147. The actions of the nurse and Anderson County Jail in denying Mrs. Fetty's medication were intentional or reckless.

148. Forcing pretrial detainees to suffer the agonizing and life-threatening effects of withdrawal is so outrageous that it is not tolerated by civilized society.

149. Forcing Mrs. Fetty to witness a guard chase another inmate over the second story railing is so outrageous that it is not tolerated by civilized society.

150. Forcing Mrs. Fetty to listen to the agonized wails of the inmate for approximately thirty (30) minutes while the inmate received no assistance is so outrageous that it is not tolerated by civilized society.

151. Mrs. Fetty has long suffered from PTSD, MDD, and anxiety and depression.

152. The intentional or reckless actions of Anderson Count Jail severely aggravated Mrs. Fetty's preexisting mental health disorders.

153. As a result of the intentional or reckless actions of the Officers, Mrs. Fetty received ninety (90) days of mental health treatment at the VA medical center in Johnson City, Tennessee.

154. Because of the intentional or reckless actions of Anderson County Jail, Mrs. Fetty was injured and suffered damages.

IV. Intentional infliction of emotional distress on Mr. Fetty by the Officers

155. Mr. Fetty incorporates each and every paragraph of this Complaint as if fully set forth herein.

156. The actions of the Officers in falsely telling Mr. Fetty that his wife had intended to intimidate or cause him harm with a deadly weapon were intentional or reckless.

157. The actions of the Officers in making this misrepresentation to Mr. Fetty were so outrageous that they are not tolerated by civilized society.

158. The actions of the Officers in making this misrepresentation to Mr. Fetty have caused Mr. Fetty to be diagnosed with PTSD and anxiety and depression.

159. Mr. Fetty was not previously diagnosed with these mental disorders.

160. Mr. Fetty has been forced to seek treatment for these disorders.

161. As a result of the outrageous and intentional or reckless actions of the Officers, Mr. Fetty was injured and suffered damages.

V. Declaratory and Injunctive Relief

162. Ms. Fetty incorporates each and every paragraph of this Complaint as if fully set forth herein.

163. The Anderson County Jail has a policy of denying all detainees access to any properly prescribed medication until the detainee has been assessed by the Jail's doctor.

164. The Anderson County Jail has a blanket policy of denying all detainees access to any properly prescribed medication that is deemed to be "controlled," even after evaluation by the Jail's doctor.

165. The Anderson County Jail doctor does not immediately assess all detainees upon being booked into the Jail.

166. Ms. Fetty was not even seen by a nurse until the third day of her incarceration.

167. Ms. Fetty was never evaluated by a doctor while incarcerated at the Anderson County Jail.

168. Ms. Fetty did not receive her properly prescribed heart and blood pressure medication until the third day of her incarceration at the Anderson County Jail.

169. Ms. Fetty never received her properly prescribed Lorazepam or Gabapentin during her five-day incarceration at the Anderson County Jail because those medications are deemed "controlled."

170. Because Ms. Fetty did not receive her properly prescribed medication, she was subjected to severe withdrawal symptoms.

171. It is common practice for Tennessee jails to deny detainees access to properly prescribed medications deemed to be “controlled.”

172. In light of the recent Sixth Circuit decision in *Brawner v. Scott County, Tennessee*, No. 19-5623 2021 WL 4304754 (6th Cir. Sept. 22, 2021), a strict policy of a city or county jail denying access to medication in a way that constitutes a recurrent pattern of constitutional violations should be enjoined from continuing.

173. Ms. Fetty asks this Court to declare that such policies at the Anderson County Jail are unconstitutional.

174. Ms. Fetty asks this Court to grant injunctive relief requiring the Anderson County Jail to amend its policies to conform with the Constitution of the United States.

175. Ms. Fetty asks this Court to declare that all similar policies at any Tennessee jail are unconstitutional.

176. Ms. Fetty asks this Court to grant injunctive relief and require that all Tennessee jails amend their policies to conform with the Constitution of the United States.

177. Ms. Fetty asserts that without such a declaration from this Court that policies of Tennessee jails which deny all detainees access to any “controlled” medication are unconstitutional, detainees in Tennessee jails will continue to suffer violations of their constitutional rights and severe damage to their health and wellbeing.

DAMAGES

178. As a result of the aforementioned intentional or reckless acts and omissions on the part of the nurse and Officers in violation of Mrs. Fetty’s rights under

the United States Constitution and for tortious conduct against both Mr. and Mrs. Fetty, and by imputation and *respondeat superior*, Defendants City of Oak Ridge, Tennessee, and Anderson County, Tennessee, the same being a direct and proximate cause of Mr. and Mrs. Fetty's injuries, Mr. and Mrs. Fetty seek recovery from the Defendants, including, but not limited to, the following:

- a. Physical pain and suffering;
- b. Emotional pain and suffering;
- c. Medical expenses;
- d. Loss of enjoyment of life;
- e. Loss of wages and earning capacity;
- f. Attorney fees pursuant to 42 U.S.C. § 1988;
- g. Punitive damages;
- h. A declaratory judgment that the policies, practices, or customs of Anderson County, Tennessee, complained of herein are illegal and unconstitutional;
- i. Injunctive relief requiring the Anderson County Jail and all other Tennessee jails to amend policies regarding medical care and access to "controlled" medications to conform to the Constitution of the United States; and
- j. All such further relief, general and specific, to which Mr. and Mrs. Fetty may be entitled under the facts and circumstances herein.

PRAYERS FOR RELIEF

WHEREFORE, PREMISES CONSIDERED, Mr. and Mrs. Fetty sue the Defendants, jointly and severally, and pray for a judgment against the Defendants for compensatory damages in the amount of \$500,000.00, punitive damages in the amount of \$1,000,000.00, reasonable attorney fees, declaratory relief holding that the policies, practices and customs of Defendants are unconstitutional, statutory and discretionary costs, pre- and post-judgment interest and for all other such relief, both general and specific, to which Mr. and Mrs. Fetty may be entitled.

Respectfully submitted this 28th day of January, 2022..

/s/ Nathaniel H. Evans
NATHANIEL H. EVANS (BPR# 026292)
EVANS LAW FIRM
625 Market St. Suite 404
Knoxville, TN 37902
(865) 523-2755
nate@evanslawfirm.law

IN THE CHANCERY COURT FOR ANDERSON COUNTY, TENNESSEE

CARL C. SMITH,

Plaintiff,

V.

) Case No. 13CH5655

**ANDERSON COUNTY SHERIFF PAUL WHITE,
and CIVIL SERVICE BOARD of the ANDERSON
COUNTY SHERIFF'S DEPARTMENT,**

Defendants.

MEMORANDUM OPINION AND ORDER ON
RESPONDENTS' RULE 60.02 MOTION

This case came before the Court for an in-person hearing on February 22, 2022 with the appearance of attorney Wigler for Petitioner, and attorney Taylor for Respondents'/Movants. Also attending the hearing were current Anderson County Sheriff Paul White and County Law Director Jay Yeager. The hearing was held on the Rule 60.02 Motion filed on behalf of the Respondents seeking relief from the entry date of this Court's final Order denying the Respondents Rule 59 Motion to Alter or Amend.

The facts are basically undisputed. The final Order was entered on May 28, 2021 and Respondents failed to file their Notice of Appeal prior to the expiration of the 30-day period provided in Rule 4, Tenn. R. App. Pro. The Respondents' Notice of Appeal was filed a day late. The 30-day time limit is mandatory and jurisdictional in civil cases and the appellate courts have no discretion to enlarge the 30-day period. *Jefferson v. Pneumo Services Corp.*, 699 S.W.2d 181, 184 (Tenn. App.), *perm app. denied* (1985).

Rule 60.02, however, provides trial courts with discretion, “in certain extraordinary circumstances,” to provide relief when a party fails to timely file their notice of appeal. *id.* Rule 60.02 allows a trial court to exercise this discretion in five situations, with the fifth being a catch-all provision that provides a trial court with authority to relieve a party from a final order for “any other reason justifying relief from the operation of the judgment.” *id.* Respondents in this case have asked the Court for relief under Rule 60.02(1) because of their “mistake, inadvertence, surprise, or excusable neglect.” Rule 60.02, Tenn. R. Civ. Pro.

Motions under Rule 60.02(1) are required to be made within a reasonable time and not more than a year after the judgment or order was entered. *id.* The motion in this case was filed almost immediately after the time to appeal the final Order expired and it certainly was filed within a reasonable time and in less than one year.

Issue Presented

The issue presented is whether the facts in this case support the exercise of discretion to provide relief from the missed deadline to appeal due to Respondents’ attorneys’ “mistake, inadvertence, surprise or excusable neglect” Respondents Rule 60.02 Motion for Relief, etc. filed June 30, 2021 at p. 6.

Standard for Consideration of Rule 60.02 Motion

“The burden is upon movant to set forth in a motion or petition, or in the affidavits in support thereof, facts explaining why movant was justified in failing to avoid mistake, inadvertence, surprise, or neglect.” *Hopkins v. Hopkins*, 572 S.W.2d 639, 640 (Tenn. 1978); *accord, Henry v. Goins*, 104 S.W.3d 475 (Tenn. 2003).

“A party seeking relief under Rule 60.02 must substantiate the request with clear and convincing evidence.” *Furlough v. Spherion Atlantic Workforce*, 397 S.W.3d 114, 128 (Tenn.

2013). “Clear and convincing evidence means evidence in which there is no serious or substantial doubt about the correctness of the conclusions drawn from the evidence.” *Hodges v. S.C. Toof & Co.*, 833 S.W.2d 896, 901 n.3 (Tenn. 1992).

Thus, the burden on movants for obtaining relief under Rule 60.02 “is set very high and the burden borne by the movant is heavy.” *Johnson v. Johnson*, 37 S.W.3d 892, 895 n.2 (Tenn. 2001). “Even if a party proves grounds for relief, the trial court may refuse in its discretion to set aside a final judgment.” *Carter v. Batts*, 373 S.W.3d 547, 551 (Tenn. App. 2011), *perm app. denied* (2012).

Findings of Fact and Conclusions of Law

The final Order from which Respondents’ seek relief to allow an appeal was Chancellor Cantrell’s Order denying Respondent’s Motion to Alter or Amend the Judgment. The Motion to Alter or Amend was filed December 22, 2020. The Order denying the motion was filed May 28, 2021. The Clerk’s Certificate of Service on the May 28 Order reads as follows:

“I hereby certify that a copy of this Order has been served on Arthur F. Knight III, Jonathan Swann Taylor, and Caitlin C. Burchette, Attorneys for Respondents, TAYLOR & KNIGHT, GP, 800 South Gay Street, Suite 600, Knoxville, Tennessee, 37929 and David Wigler, Attorney for Plaintiff, 400 Main Avenue., Suite 612, Knoxville, Tennessee 37902, by placing the same in the United States Mail; postage prepaid this the 28 day of May, 2021.”

1. Attorney Mistake or Inadvertence

It is well settled that “a lawyer’s busy schedule, and delays caused by mailing have been ruled insufficient for the purposes of granting Rule 60 relief.” (citations omitted). *Burke v. Huntsville NH Operations LLC*, 491 S.W.3d 683, 687 (Tenn. App. 2015), *perm app. denied* (2016). In the instant case Attorney Knight received this Order but did nothing. (See, Affidavit of Arthur F. Knight, III, Exhibit D to Respondents’ Rule 60.02 Motion filed June 30, 2021.) In

sum, the affidavits of attorney Knight, attorney Taylor and attorney Burchette state that during the 30-day period within which a notice of appeal could have been filed, they were all busy, in trial, or on vacation. This is not sufficient to support relief under Rule 60.02(1).

Knight apparently assumed Taylor and Burchette received the Order. Taylor and Burchette never received a copy of the May 28, 2021 Order. (*See*, Declaration of Jonathan Swann Taylor, Exhibit C to Movants Rule 60.02 Motion, Affidavit of Arthur F. Knight, III, Exhibit D and Affidavit of Caitlin C. Burchette, Exhibit E.)

Apparently, since Taylor and Burchette did not receive copies of the Order, whoever was responsible for distributing mail at Taylor and Knight thought the Order need only be given to the first name listed on the address. There is no indication in the affidavits submitted in this case that the law firm has a reliable system of processing mail to ensure everyone involved in a case receives notice of court orders delivered via U. S. Mail. *cf. Hartline v. Hartline*, 2014 WL 103801 (Tenn. App. 2014), slip op. at 7 (describing a “reliable system of opening, scanning, and sorting mail that included . . . cross-checking among staff members within the office, sending copies of orders to clients immediately”)

The service copy of the May 28, 2021 Order that was mailed to the three attorneys at Taylor and Knight was only provided to Mr. Knight. Mr. Knight alleges that he was no longer an active participant in the representation of Respondents at the time he received the Order. (Affidavit of Knight at para. 4.) Had he withdrawn as counsel of record in the case this would be an important fact. However, he had not. Mr. Knight was sole, primary, or lead counsel for Respondents from December 2, 2013 when he filed his Notice of Appearance, until at least

August of 2020.¹ He is the first attorney listed in the signature block on the Rule 59 motion, filed December 22, 2020, that was the subject of the May 28, 2021 Order. The Clerk and Master's certificate of service on the Order copies Mr. Knight's firm's signature block verbatim. He was the only attorney representing Respondents in the prior appeal of this case, and the Court of Appeals specifically noted that attorney Yeager "also represented Respondents' prior to Respondents' current counsel's filing a notice of appearance on December 2, 2013." *Smith v. White*, 538 S.W.3d 1, 3 (Tenn. App.), *perm. app. denied* (2017).

Whether he considered himself an active participant or not does not matter. Mr. Knight was still counsel of record for the Respondents. He never filed a motion to withdraw as an attorney from the case until July 6, 2021, after the attorneys at Taylor and Knight realized their time for the appeal had run. Because of his listing on the Rule 59 Motion signature block, and on all the other documents filed on behalf of Respondents after his Notice of Appearance in 2013, anyone reviewing the court's file would assume he remained lead counsel at the time the final Order was served.

A similar situation was curtly rejected as an excuse for missing a deadline by the Court of Appeals in *DeLong v. Vanderbilt University*, 186 S.W.3d 506 (Tenn. App.), *perm app. denied* (2005). In *DeLong*, there were three attorneys from the Wolff Ardis Law firm listed as attorneys of record on Ms. DeLong's complaint. The lawyers were Ardis, Evans and Hamer. Evans and Hamer subsequently left Wolff Ardis, but neither notified the court of a change of address and no one withdrew from representation of Ms. DeLong in that lawsuit. Evans

¹ Apparently billing records obtained from the County by Petitioner show that Mr. Knight continued to bill the County for work on this case until late October 2020. *See*, Exhibit 2 to Petitioner's Consolidated Memorandum of Law on all Pending Motions filed September 7, 2021. In his Affidavit Mr. Knight avers that he has not been an active participant in this case since approximately August 2020. Affidavit of Knight at para. 4

continued to represent Ms. DeLong. *id* at footnote 3. The case was ultimately dismissed by the trial court for failure to prosecute and the order of dismissal was only received by Mr. Ardis, because he alone remained at the Wolff Ardis firm. Like Mr. Knight, Mr. Ardis did nothing with the final Order. In fact, Mr. Ardis no longer represented Ms. DeLong but, like Mr. Knight in this case, he had not filed a motion to withdraw. Mr. Evans continued to represent Ms. DeLong but failed to notify the trial court that he was the only counsel of record, or that his address had changed, until two months after the Order of Dismissal was entered. *id* at footnote 4.

In *DeLong*, the finality of the Order of Dismissal was challenged under Rule 58 because the Clerk's Certificate consisted only of the notation, "cc" followed by the names and addresses of the attorneys and because only one of the attorneys actually received it. *DeLong* also sought relief under Rule 60.02(5). In *DeLong*, just like the present case, it was undisputed that an attorney of record received the Order of dismissal and the Court of Appeals observed that,

"Ms. DeLong makes some argument that Mr. Ardis was not her actual attorney at the time of the dismissal; however, the trial court was not notified of any changes in their attorney-client relationship. Therefore, because Mr. Ardis remained Ms. DeLong's attorney of record in the trial court, Ms. DeLong was charged with the knowledge that her attorney possessed. The May 21, 2002 order accomplished what Tenn. R. Civ. P. 58 is intended to accomplish because it caused one of Ms. DeLong's attorneys of record to receive timely notice that her complaint had been dismissed. Consequently, the May 21, 2002 order was final and appealable."

id at 510-511 (citation, quote, and footnotes omitted).

Similarly, in this case, the May 28, 2021 Order was final and appealable because it contained the judges' signature and the certificate of service listing the attorneys participating in the case, and was timely received by one of Respondents' attorneys of record. Tenn. R. Civ. P. 58(3). Respondents in this case therefore do not argue that the May 28, 2021 Order was not final

and appealable under Rule 58, but essentially argue that their mistake or inadvertence in not timely filing a notice of appeal should be excused because of the busyness of the Taylor & Knight lawyers, the mail handling snafu within their firm, AND because the Respondents had one additional attorney of record who did not receive notice of the final Order: Jay Yeager, the County Law Director.²

2. Impact of Failure to Serve Yeager

Mr. Yeager filed a notice of appearance at the beginning of this case on October 7, 2013. While it is true that Mr. Yeager never filed a motion to withdraw, attorney Knight filed a notice of appearance on behalf of the Respondents on December 2, 2013 for himself and his firm. Following Mr. Knight's notice of appearance, Mr. Yeager no longer actively participated in the litigation. He is not listed as an attorney on Respondents' court filings and is not listed on any of the Respondents' certificates of service, including the Rule 60.02 Motion. Only when Respondents' filed their Supplement to their Rule 60.02 Motion on July 6, 2021 did they begin to include Mr. Yeager on their certificate of service.

Although he was sporadically served with filings made by counsel for Petitioner, and the court, and had not formally withdrawn³ from the case, it is clear that he was not representing the Respondents' in these proceedings and the undersigned FINDS no fault in the Clerk and Master omitting him from the Certificate of Service on the final Order. As the Court of Appeals observed, Mr. Yeager represented Respondents "prior to Respondents' current counsel's filing a notice of appearance on December 2, 2013." (emphasis added), *Smith, supra* at 3.

² During arguments Mr. Taylor conceded that they likely could not carry their burden without the affidavit of attorney Yeager in addition to the other facts.

³ Declaration of N. Jay Yeager at Para's 7 and 8, Exhibit F to Supplement to Respondents' Rule 60.02 Motion for Relief from Judgment filed July 6, 2021.

Although Mr. Yeager never filed a motion to withdraw, he was not the attorney that was actively representing the respondents in this litigation and no one alleges that they were relying on him to ensure that a timely notice of appeal was filed. Mr. Knight, who received the Order, certainly harbored no illusion that Yeager would file a notice of appeal since Yeager was not listed in the certificate of service. Because of the strict nature of the time to appeal, almost like a statute of limitations, it is hard to conceive that any lawyer in a firm receiving a final order would not take any action to ensure that the client was being notified of the order and the deadline for filing a notice of appeal. Even if the Clerk mistakenly sent a final order to the wrong attorney in a firm representing one of the parties surely the attorney would at least check with the right attorney within his own firm to make sure the time-sensitive document was properly handled. And here there was no mistake. Mr. Knight was still lead counsel in this case.

The fact is that five attorneys had, at various times, appeared in this litigation on behalf of the Respondents. Three of the attorneys formally entered notices of appearance: first Mr. Yeager on October 7, 2013, then Mr. Knight on December 2, 2013, and finally Ms. Burchette on July 26, 2019. Mr. Taylor never entered a formal Notice of Appearance, but he began appearing as an attorney for Respondents in 2020. Also, attorney Courtney R. Houpt of the Taylor & Knight firm never entered a notice of appearance, but she signed at least one document, and was listed in the signature block, along with Mr. Knight. (e.g. Respondents' Motion to Revise Order filed March 27, 2014.) None of the attorneys moved to withdraw prior to entry of the final Order. Despite this somewhat confusing scenario, Mr. Knight has consistently been listed as sole or lead counsel for Respondents from 2013 through the filing of the final Order in 2021, until Respondents filed their Rule 60.02 motion.

The undersigned FINDS that the initial notice of appearance in this case of Mr. Yeager, his failure to ever withdraw, and the failure of the Clerk to serve a copy of the final and appealable Order upon him is of no moment. The undersigned FINDS the *DeLong* case to stand for the proposition that a claim that only one of multiple attorneys of record received a copy of the final appealable order is not a basis for relief under Rule 60.02. As the *DeLong* court stated, “[w]e find little merit in these arguments.” *id.* at 511. Under Rule 58 and *DeLong* the undersigned HOLDS that even though one of multiple “attorneys of record” was not served and had a different address than the others, the failure to serve that attorney is of no consequence in determining the finality of an order under Rule 58 when, as here, at least one of Respondents’ attorneys of record received the Final Order. Relief has been approved where the Clerk completely failed to serve counsel with a final order, *Jenkins v. McKinney*, 533 S.W.2d 275 (Tenn. 1976), but no attorney representing the movant knew of the final order in that case. Under the facts in this case, the failure to serve attorney Yeager does not support relief under Rule 60.02(1).

While the best practice is surely to provide a separate copy of every order to every attorney who has ever appeared in a case on behalf of a client and not thereafter formally withdrawn, *DeLong* makes clear that this is not a requirement for a final, appealable order; and that, standing alone, failure to provide a copy of the final order to every attorney representing a litigant will not support a Rule 60.02 motion.

The *DeLong* court went on to reverse the trial court for not providing Ms. DeLong relief under Rule 60.02(5) because there was “more” than the “questionable tactics and multiple inadvertences of her lawyers with regard to the state court proceeding.” *id.* at 512. The difference in *DeLong* was that the state court order dismissing her case “was not the result of a hearing on

the merits of her complaint.” *id.* However, the order of dismissal failed to recite that it was not an adjudication on the merits and thus the defendant was using the final order in the state court case as a basis for dismissal of her identical federal court case (which she had been diligently pursuing) on grounds of *res judicata*. *id.* at 508.

DeLong does not discuss the possibility of relief under Rule 60.02(1) for mistake or inadvertence but only analyzes the claim that was made under Rule 60.02(5), the catch all provision. The inadvertences or mistakes of the lawyers in *DeLong* did not play a role in the relief granted under 60.02(5). The trial court was reversed for not providing relief under Rule 60.02(5) “because all the parties and the trial court knew that the [final] Order was not a judgment on the merits.” *id.* at 511. The *DeLong* dismissal for failure to prosecute was not an adjudication on the merits but it failed to specify that fact in the order. Because the state court order was being used to seek dismissal of Ms. DeLong’s identical case in federal court she would have been severely prejudiced by the state court’s improper order, if not amended. Ms. DeLong was actively pursuing the case in federal court. *id.* at 511-512. Without amending the order of dismissal she would not have been able to obtain an adjudication on the merits of her claims. Therefore her case presented “one of the rare, compelling circumstances in which granting relief under Tenn. R. Civ. P. 60.02(5) is necessary to prevent unwarranted hardship on a deserving party.” *id.* at 513.

Indeed, most of the cases in which relief is granted under Rule 60.02 involve situations where a litigant was not afforded an opportunity to obtain an adjudication on the merits or no attorney of record received the final Order. *See, e.g. DeLong, supra; Abbott v. Gateway* 2000 WL 1038113 (Tenn. App. 07/28/2000) (attorney missed local rule deadline resulting in dismissal for failure to prosecute); *cf, Jefferson v. Pneumo Services Corp., supra* at 186 (relief

denied and it was noted that movant had been given a trial on the merits); *First National Bank of Polk County v. Goss*, 912 S.W.2d 147(1995) (relief denied and movant had received a hearing on the merits). The present case does not, by any stretch of the imagination, involve a situation where the Respondents have been denied their right to obtain a ruling on the merits.

3. The Merits of This Case Have Been Fully Litigated

This case involves the termination of a civil service employee, former Detective Smith. He was terminated because DCS made a determination that he was “indicated” as a perpetrator of child abuse during a DCS investigation in Roane County. *Smith, supra* at 4. The DCS child abuse indication was appealed by Detective Smith through the administrative process and was upheld. At that point, Detective Smith’s employment with the Sheriff’s Department was terminated. *id.* Detective Smith appealed his termination to the Civil Service Board, and appealed the DCS abuse finding in the Roane County Chancery Court. *id.* The Roane County Chancery Court reversed DCS’ abuse finding and directed DCS to change the classification from “indicated” to “unfounded.” *id.*

Upon the determination that the child abuse allegation was unfounded Detective Smith requested reinstatement to his employment with the Sheriff’s Department. *id.* This occurred in 2012. *id.* Sheriff White denied the request for reinstatement and the Civil Service Board affirmed the termination⁴ after a hearing on August 6, 2013. *id.* Thereafter, Detective Smith filed the instant case seeking Certiorari and Review of the Civil Service Board’s decision in this Court. *id.* Detective Smith’s petition in this Court was filed September 4, 2013. Shortly after filing this

⁴ Merits Ruling No. 1.

case, Detective Smith filed a motion for partial summary judgment, which, after hearing, was granted by then Chancellor Lantrip by Order entered February 27, 2014.⁵ *id.*

Respondents filed a “Motion to Revise Order” pursuant to Tenn. R. Civ. P. 54 and 59.⁶ *id.* After a hearing was held on the Respondent’s motion, with Chancellor Cantrell now presiding, an Order was entered on April 21, 2015 vacating the prior order which had granted partial summary judgment.⁷

After additional motions and another hearing Chancellor Cantrell entered an Opinion on August 14, 2015 affirming the Civil Service Board’s decision. *id.* An amended Opinion was filed August 20, 2015 and amended only the concluding section by finding no due process violation, but not going so far as to affirm the Civil Service Board decision.

A Final Order was entered February 29, 2016 after additional briefing and another hearing. *id.* In this Final Order, the “decision of the Civil Service Board [was] affirmed in all respects.” (Final Order filed 2/29/16 at p. 19).⁸

Detective Smith appealed from the Final Order affirming the Civil Service Board’s decision. The Court of Appeals reversed the portion of the Chancellor’s decision which upheld the Sheriff’s denial of Detective Smith’s request for reinstatement after his exoneration from the child abuse indication in 2012. *Smith v. White, supra* at 4.

The Court of Appeals found that the Respondent’s failure to reinstate Smith “in the face of no substantial and material evidence supporting the continued denial of his property right in civil service employment yields an arbitrary and capricious result.”⁹ *id.* at 25. The Court of

⁵ Merits Ruling No. 2.

⁶ Reconsideration No. 1.

⁷ Merits Ruling No. 3.

⁸ Merits Ruling No. 4.

⁹ Merits Ruling No. 5 (by the Court of Appeals).

Appeals went on to “determine that damages for back pay and benefits should be awarded beginning from the point at which Officer Smith requested reinstatement based on the Roane County Chancery Court’s judgment reversing the DCS indication that had been the just cause for his employment termination.” *id* at 29.

The case was remanded for the trial court to determine the amount of back pay, inclusive of the value of benefits, from September 1, 2012 through the date of reinstatement; and, for the trial court to order Respondents to reinstate Detective Smith to his prior employment with the department. *id* at 29-30. In addition, the Court of Appeals noted that the trial court should consider an award of front pay if it determined that reinstatement of Detective Smith’s employment would not be feasible.

Petitions for rehearing were filed and ruled on by the Court of Appeals.¹⁰ Application for permission to appeal the decision of the Court of Appeals was denied by the Tennessee Supreme Court September 21, 2017.¹¹ The Mandate from the Court of Appeals was filed in this Court on September 22, 2017. It is that Mandate from the Court of Appeals that this Court has been trying to fulfill for the last five years to provide finality in this case.

On January 2, 2019 Detective Smith filed a petition for front pay, and motion for partial summary judgment for back pay. A significant number of entries in this Court’s Rule Docket were made relating to the petition for front pay and motion for partial summary judgment over the next several months. Respondents’ filed a Response in Opposition to Plaintiff’s Petition for Front Pay; a Memorandum in Support of Respondents’ Response; a Response to Plaintiff’s Statement of Material Facts; a Statement of Additional Facts; and, a Supplemental Brief in

¹⁰ Reconsideration No. 2 (by the Court of Appeals).

¹¹ Reconsideration No. 3 (by the Supreme Court).

Support of Response. A hearing was held March 29, 2019 and Respondents' were ordered to produce an itemization of back pay Petitioner would have received from September 1, 2012 to May 13, 2019. (*see*, procedural history section of September 4, 2019 Order).

On August 22, 2019, after another hearing, the Chancellor issued an Order for Reinstatement and for Functional Capacity Examination Certification Review and Additional Training Review of the Petitioner. On September 4, 2019 the Chancellor issued an Order for Partial Summary Judgment Related to Back Pay.¹²

A Motion to Alter or Amend the Order for Partial Summary Judgment related to Back Pay was filed October 4, 2019 by Respondents'.¹³ Another hearing was held November 1, 2019 after which the trial court granted in part and denied in part the Respondents' motion to alter or amend.

After a number of additional filings and orders from the Court, an Amended Final Order on Back Pay was entered on February 10, 2020.¹⁴ On February 21, 2020 an Agreed Order of Partial Compromise and Dismissal of Petitioner's Back Pay Claims and for Deposit of Partial Settlement Funds was filed.

After additional discovery, procedural actions, and unsuccessful mediation, Petitioner next filed a Motion for Summary Judgment Finding and Concluding that Reinstatement is not Feasible and Entering Final Judgment Awarding Front Pay on August 17, 2020. After briefing, a hearing was held October 28, 2020 and a Final Judgment awarding front pay was entered November 23, 2020.¹⁵

¹² Merits Ruling No. 6.

¹³ Reconsideration No. 4.

¹⁴ Merits Ruling No. 7.

¹⁵ Merits Ruling No. 8.

Respondents filed a Motion to Alter or Amend the Judgment on December 22, 2020.¹⁶ Another hearing was held May 14, 2020. Shortly thereafter, the Chancellor's May 28, 2021 Order denied Respondent's December 22, 2020 Motion to Alter or Amend the Judgment finding that the arguments being made in Respondents' Motion had already been considered and rejected.

In the instant case, Detective Smith was wrongfully denied reinstatement to employment by the respondents in 2012. His claims, as well as the claims of the Respondents have been considered and reconsidered for the last 10 years. The merits of the case have been ruled upon, reconsidered, ruled upon again, appealed and finalized. At least eleven substantive hearings have been held.¹⁷ The Respondent's arguments and positions on front pay awarded to Detective Smith have been considered on the merits and reconsidered by the Chancellor.

While the Chancellor's decision awarding front pay imposes a significant financial obligation on the Respondents, the Respondents have lost only the opportunity to have that decision regarding appropriate relief considered on appeal. Respondents have had their position on this issue fully litigated on its merits. The decision awarding front pay and determining the amount of the front pay are only tangential to the underlying dispute, which has been fully litigated and appealed.

4. The Need for Finality

The arguments, positions, and claims of the Respondents' have been considered on the merits at the administrative level by the Civil Service Board, in the trial court by this Chancery Court, and on appeal by the Tennessee Court of Appeals. The Tennessee Supreme Court

¹⁶ Reconsideration No. 5

¹⁷ Including the Civil Service Board hearing.

declined the opportunity to further consider Respondents' positions. The underlying case has been fully and finally litigated. The final issues resolved in the May 28, 2021 Order related to providing former Detective Smith with appropriate relief based upon his substantiated claim of improper termination/failure to reinstate. "A leading purpose of the Tennessee Rules of Civil Procedure is to ensure the 'just, speedy, and inexpensive determination of every action.' Tenn. R. Civ. P. 1." *Pratcher v. Methodist Healthcare Memphis Hospitals*, 407 S.W. 3d 727, 736-737 (Tenn. 2013) (emphasis added).

As of the date this Opinion is being drafted, over 10 years have passed since the original termination of employment. It is difficult to imagine the stress and emotional toll experienced by Petitioner these last 13 years as he fought to clear his name then try to recover his livelihood and chosen vocation. The Respondents' have opposed him every step of the way, as is their right, but it is time for this case to reach its merciful conclusion – for all involved.

The busy schedules, vacations, and mistakes regarding appealing the last issue relating to the appropriate relief in this case by the attorneys for Respondents', under the facts of this case, is HELD not to present the type of extraordinary circumstances meriting relief under Rule 60.02. Moreover, even if the circumstances in this case could be held to support the exercise of this Court's discretion under Rule 60.02, the undersigned is of the opinion that the facts of this case do not merit application of this Court's discretion to set aside this final order. This conclusion is based upon the consideration of the competing interests of justice and finality that must be considered in ruling on a Rule 60.02 motion. *Hussey v. Woods*, 538 S.W.3d 476, 482-483 (Tenn. 2017).

The Supreme Court has said that a Rule 60.02 motion can provide "an escape valve from possible inequity that might otherwise arise from the unrelenting imposition of the principle

of finality imbedded in our procedural rules.” *Thompson v. Fireman’s Fund Ins. Co.*, 798 S.W.2d 235, 238 (Tenn. 1990). This escape valve “should not be easily opened.” *Toney v. Mueller Co.*, 810 S.W.2d 145, 146 (Tenn. 1991).

It is the opinion of the undersigned that the principle of finality “imbedded in our procedural rules,” *Thompson*, supra, 798 S.W.2d at 238, overshadows any possible inequity respondents might suffer from the inability to pursue their appeal of the front pay award. This conclusion is based upon the following:

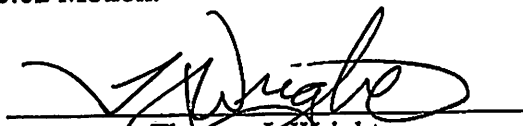
1. The length of time these proceedings have been pending.
2. The extensive consideration that has been given the merits of this case, particularly regarding the underlying basis for an award - failure to reinstate. (Eight merits rulings, five reconsiderations, eleven substantive hearings).
3. Petitioner’s entitlement to appropriate relief based upon Respondents’ failure to reinstate has been final for almost five years.
4. Respondents’ attorneys’ explanation as to why they should be justified in failing to avoid mistake, inadvertence, surprise, or neglect is, at best, weak.

For these reasons, even if the factual scenario here were to be held to present a basis for relief under Rule 60.02, the undersigned declines to exercise the discretion provided by the Rule to set aside the previously entered final Order.

Conclusion

Accordingly, Respondents’ Rule 60.02 Motion is hereby DENIED. The Motion to Compel the Deposition of Mr. Yeager and the Motion for Protective Order and to Quash filed by Respondents relating to the deposition of attorney Yeager are all hereby DENIED as MOOT based upon this Court’s denial of the Rule 60.02 Motion.

Enter:


Thomas J. Wright
Senior Judge

A true and accurate copy of the foregoing Memorandum Opinion and Order On Respondents' Rule 60.02 Motion has been sent electronically to the attorneys in this case at the following email addresses:

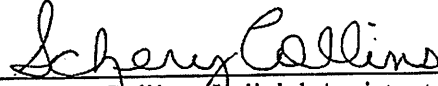
Jonathan Taylor
jstaylor@taylorknightlaw.com

David Wigler
davidwigler@yahoo.com

N. Jay Yeager
jyeager@aclawdirector.com

Arthur Knight
aknight@taylorknightlaw.com

On this the 4th day of March, 2022.


Schery Collins, Judicial Assistant
to Senior Judge Thomas J. Wright

CERTIFICATE OF SERVICE

I, hereby certify that a true and exact copy of the foregoing was mailed or personally delivered to

via U. S. Mail, postage prepaid, this the _____ day of _____, 2022 .

Clerk & Master



TENNESSEE HISTORICAL COMMISSION

HISTORICAL MARKER PROPOSAL



Proposed Marker Title: Anderson County Poor Farm

Sponsor Name: Leo York

Address: _____

Phone Number: (865) 696-2788

Email Address: K9luv.1@gmail.com

Are you or someone else, or an organization planning to pay for the proposed historical marker?

YES _____ NO _____

If "YES," please complete the following, only if different from above:

Benefactor Name: Anderson County Commission

Address: _____

Phone Number: _____

Email Address: _____

State Senator Name: _____

State Representative Name: _____

Desired Marker Location: Nature Lane

GPS Coordinates: 36.0426143, -84.1866563

Required Attachments: ☒ Proposed marker text (see guidelines for formatting requirements)

☒ Copies of the pages referenced from each bibliographic source

☒ Map indicating the desired marker location

☐ Letter of consent from the property owner (if applicable)

Deliver completed proposal form and
attachments to:

Linda T. Wynn
Tennessee Historical Commission
2941 Lebanon Pike, Nashville, TN 37214
Linda.Wynn@tn.gov
615-770-1093

The Anderson County Poor Farm

1895-1963

Established March 7,1895 on the purchase of the	48
390 acre Bradley Farm from descendant Sallie Kincaid. (1)	50
The farm provided housing, clothing, food and healthcare	56
to the county's paupers for almost 7 decades. (2)	44
As a working farm, revenue was generated to aid in	49
covering costs of aid to the poor. Over 100 former inmates	58
are buried in the poor farm cemetery. (3)The Poor Farm	51
ceased operations June 30,1963.(4)	31

**1) Anderson County, TN Deed Sallie Kincaid to Anderson County, ,
March 7,1896, Book N2, page 231.**

**2) Anderson County Quarterly Court Minutes, October 7,1918, Book 25
Vol I, Pages 146-147.**

**3) Anderson County Quarterly Court Minutes, October 15,1962 Book 34,
Page 83.**

4) Burial list Anderson County Poor Farm Cemetery.

51 H. 10000, B. 1
was adopted by
the Board

Poor Farm Comm. Report.

The Poor Farm Commissioners submitted their report which was read and adopted by the session of the Court and ordered to be recorded, which report is as follows:

To the Hon. Circuit Court of Anderson County, Tennessee.
Gentlemen: We the Poor Farm Commissioners herewith submit our Report for the quarter ending Sept. 30th 1918.

Receipts		
J. T. Braden	Pasture	\$15.00
Peter Beets	Potatoes	.50
Henry Wilson	1 Bull	127.00
W. R. Disney	Pasture	4.00
Wm Doane	"	5.25
C. N. Peoples	"	11.50
Dave Prince	Beans	3.75
Maak York	Pasture	3.20
Lu & M. R. R. ties		42.66
Logan Lumber Co.	Lumber	735.40
Eggs & Butter		128.82
Total Receipts		\$1263.80

Disbursements		
Huff Edington Co.	Molse	\$6.00
John May	Labor	1.75
Miller & McMahon	Molse	14.00
J. H. Worthington	"	12.00
Huff & Edington	"	3.00
Miller & McMahon	"	.60
Clinton Hardware Co.	"	.35
Cumberland Tel. Co.	"	1.50
C. F. Lyles	Groceries	5.00
H. J. May	Shop work	1.75

Monday Oct. 22

M. F. Brown	Midse	10
E. L. Mills		
Dr. H. Messmore	Shop Work	1.00
W. G. Gilder	Labor	4.00
John J. Moore	" " " "	1.00
J. B. Parker	Midse	1.00
Miller & McWhan	Sheeling	10.50
J. M. Baker	Wagon	3.50
Wedding Co.	Labor	210.00
Miller & McWhan	"	75
Smith Edington Co.	Midse	10.50
East Henderson	"	
Knox & Co.	Barling Hay	5.00
John Messmore	Midse	30
D. H. Cross	Labor	50
M. F. Brown	"	1.00
H. May	Midse	20
J. M. Lee	Shop Work	1.00
John McWhan	Labor	1.00
W. B. Weaver	Midse	1.00
Hyff Edington Co.	"	2.00
Caldwell Dept Store	"	1.00
R. G. Smith	"	1.00
J. L. Herrell	2 Registered Hay	5.00
Miller & McWhan	Feed Cart	10.00
J. F. Humming	Midse	21.00
M. C. York	Oats	3.75
O. D. Conner	Labor	40
Clinton Hdw Co.	Midse	4.80
Wright Hdw Co.	"	70
Miller & McWhan	"	52.17
C. M. Jones	"	1.00
J. R. Rogers	Labor	16.45
Beecher Lg	"	60.00
Chas Messmore	"	70.00
J. R. Moore Dept	"	50.35
B. S. Tadlock	Salary	200.00
W. A. Freese	Commission	200
W. L. Quince	"	2.00
Total Paid out	"	4.00
Leaving a Balance in hands of		918.11
Total		316.11
		12.62

There are 20 inmates at the County Farm
 No deaths since last report. Respect Submitted
 Oct 1, 1918.
 S. S. Tadlock
 W. A. Freese
 J. L. Quince

Poor Farm reported deaths by the county physician. Death Certificates were not yet being issued during this period of time and were not issued as a standard practice until 1914.

1) Bill Black recorded 24 April 1900 in the records of the **Anderson County Quarterly Court Minutes, Archive Book 19, page 595**

2) Garland Carter recorded 11 December 1907 in Archives Book 22, page 55.

3) Mary Claxton recorded 2 September 1895 in Archives Book 18, page 273 reported by Dr John Clear

4) Anna Cody recorded 25 September 1897 in Archives Book 19, page 77.

5) Nancy Cogbern recorded 4 July 1897 in Archives Book 19, page 21 by Dr Sam Taylor

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8) Harriet Fields recorded 21 December 1901 in Book 20, page 227

9) Lizzie Hawkins recorded 13 June 1898 Book 19, page 244

10) Vacey Henderson recorded 9 February 1901 Book 20, page 104

11) Luke Hendricks recorded 3 November in Book 20, page 227

12) Dick Lea (col) recorded 7 August 1899 in Book 19, page 467

13) Infant son of Dick Lea (no name given) 4 July 1897 in Book 19, page 21

14) Henry Lea (col) recorded 15 November 1905 in Book 21, page 285

15) Sade Mann recorded 3 April 1911 in Book 23, page 23 by Dr Sam Taylor

16) Steve Marshall recorded in 1909 Book 20, page 236 by Dr Sam Taylor

17) William Mathes recorded 10 December 1905 Book 21, page 285

- 18) Gypsy Mathews recorded 27 April 1906 in Book 21, page 363
- 19) Richard McQueen recorded 5 July 1897 in Book 19, page 21
- 20) James Ores recorded 20 March 1904 in Book 21, page 6
- 21) Florence Ray recorded 13 February 1904 in Book 21, page 6
- 22) Robert Ridsen recorded 30 July 1903 in Book 20, page 555
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- 24) Frank Seagraves recorded 8 July 1905 in the Anderson County News
- 25) Anna Sharp recorded 19 September 1903 in Book 20, page 555
- 26) Elias (no last name given) recorded 17 October 1901 Book 20, page 227
- 27) Joe R (no last name given) recorded 30 September 1901 in Book 20, page 188

Poor Farm reported deaths by Death Certificate

- 1) Matt Childress, Died: June 11,1911 Death Certificate #399
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- 21) Dan Ridsen, Died June 16,1916 DC #131

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- 25) Essie Shinliver, Died: June 24,1916 DC #127
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- 27) Eli Stokes, Died: January 4,1911 DC #400
- 28) Sadie Turpin, Died: October 8,1910 DC #334
- 29) John Yarber, Died: March 18,1927 DC #21412

approved. Squire Cox seconded. Motion carried on a roll call vote.
Voting Aye: Ray Beatty, James B. Meredith, Everett R. Cox, R. P. Jernigan,
Charles R. Wormsley, Jerry A. George, Everett Sharp, Hugh Hoskins, Clyde R.
Smith, John Hill, H. Clyde Claiborne. Voting No: Herbert Ward, and Robert L. Jolley,
Absent: William E. Turnbull, Ross E. Elliott, R. B. Scott, Burley Phillips,
Ben Seiber, William E. Trapp and Billy N. Hamby.

COUNTY FARM

After much discussion regarding the County Farm R. P. Jernigan made the following motion:

Moved that the County Farm cease operation and be closed not later than June 30, 1963. The livestock and equipment be sold, but the land other than that required by TVA for Melton Hill Lake be held with provisions that the land may be leased and that selective cutting of the timber maybe done.

The money received from TVA for the land be placed in a special fund for building program.

James B. Meredith seconded this motion. Carried on a voice vote.

ROAD COMMITTEE MINUTES

Cox read the following:

ROAD COMMITTEE
August 22, 1962

PRESENT (Members)
Hugh Hoskins
Jerry A. George
H. Clyde Claiborne
Everett Cox
Ray Beatty
Charles Wormsley

OTHERS PRESENT
Howard K. Lacey
Walter E. Fischer
Ross E. Elliott
Robert Jolley
William Turnbull
Billy N. Hamby

And D. E. Messemour & S. M. Hill wives of the said John E. Hill & S. D. Messemour having appeared before me privately and apart from their husbands the said S. E. Messemour & S. M. Hill acknowledged the execution of the said deed to have been done by their freely voluntarily and understandingly without compulsion or constraint from their said husbands and for the purposes therein expressed.

Witness my hand clerk of said court at office this 20th day of July A. D. Eighteen hundred and ninety four
S. M. Leath clerk.

Received for Record May 22-1895. at 10--a.m.
C. L. Reynolds. Register

Sallie Kincaid

To
Anderson County

This Indenture made this 7th day of March A. D. 1895 between Sallie Kincaid of Anderson

County in the State of Tennessee of the first part and Anderson County Tennessee of the second part;

Witnesseth that the said party of the first part for and in consideration of the sum of Eight hundred and Eighty Eight ~~88~~ dollars with interest from June 15-1894 to her in hand paid by the said party of the second part the receipt of which is hereby acknowledged has granted bargained sold and conveyed and doth hereby grant bargain sell and convey unto the said party of the second part the following described premises to wit situated in District No. Four Anderson County State of Tennessee bounded and described as follows viz Beginning on a white oak and iron rod on the bank of Clinch river run then north forty eight degrees east seventy one poles to a Hickory then north thirty six degrees east one hundred and thirty one poles to a double poplar then south forty degrees east twenty poles to a black then north eighty degrees east

your gun and dropped them with eight
three feet and one hundred and eight
feet to a place then south of the point
muddy down hole to a state then south
eight feet one hundred and thirty feet
to a depth then west with a creek
one hundred and thirty feet to
some holes in the river bank then down
each river and with the same to the bottom
containing three hundred and thirty feet
more or less of being one mile and one
land on an area of 8000 acres and
with the surrounding and adjacent
to the surrounding river, all claims
to hold the said claims to the said state
of the second parties successors and assigns
given
And the said party of the second part for
himself and for his heirs executors and ad-
ministrators do hereby covenant with the
said party of the second part in agreement
and declare that he so lawfully signed in
the name of the interest in said claims
above described and has full power authority
and right to convey the same that said
party of the second part all instruments
and that he will convey according to the
terms of the said covenants and the bill
there to against the lawful claims of all
persons whomsoever
In witness whereof the said party of the first
part has executed all in hand and seal the
day and year first above writing
State of Tennessee
Personally appeared before me
Judge of the County Court of said County
the within named Benjamin D. Hume and
with whom I am personally acquainted and
who acknowledged that the executed the
within instrument for the purpose therein
contained
Witness my hand at office this 14 day of
March A.D. eighteen hundred and ninety four
Record for Record No. 100-100-100-100



Dropped pin

Near Anderson County, TN

🚗 10 min

Directions Start Save Layers

Measure distance



2RV7+28W Oak Ridge, Tennessee

(36.0426143, -84.1866563)

Add a missing place

Add your business to Maps for free





TENNESSEE HISTORICAL COMMISSION

HISTORICAL MARKER PROPOSAL



Proposed Marker Title: Anderson County Poor Farm

Sponsor Name: Leo York

Address: _____

Phone Number: (865) 696-2788

Email Address: K9luv.1@gmail.com

Are you or someone else, or an organization planning to pay for the proposed historical marker?

YES _____ NO _____

If "YES," please complete the following, only if different from above:

Benefactor Name: Anderson County Commission

Address: _____

Phone Number: _____

Email Address: _____

State Senator Name: _____

State Representative Name: _____

Desired Marker Location: Nature Lane

GPS Coordinates: 36.0426143, -84.1866563

Required Attachments: ☒ Proposed marker text (see guidelines for formatting requirements)

☒ Copies of the pages referenced from each bibliographic source

☒ Map indicating the desired marker location

☐ Letter of consent from the property owner (if applicable)

Deliver completed proposal form and
attachments to:

Linda T. Wynn
Tennessee Historical Commission
2941 Lebanon Pike, Nashville, TN 37214
Linda.Wynn@tn.gov
615-770-1093

The Anderson County Poor Farm

1895-1963

Established March 7,1895 on the purchase of the	48
390 acre Bradley Farm from descendant Sallie Kincaid. (1)	50
The farm provided housing, clothing, food and healthcare	56
to the county's paupers for almost 7 decades. (2)	44
As a working farm, revenue was generated to aid in	49
covering costs of aid to the poor. Over 100 former inmates	58
are buried in the poor farm cemetery. (3)The Poor Farm	51
ceased operations June 30,1963.(4)	31

**1) Anderson County, TN Deed Sallie Kincaid to Anderson County, ,
March 7,1896, Book N2, page 231.**

**2) Anderson County Quarterly Court Minutes, October 7,1918, Book 25
Vol I, Pages 146-147.**

**3) Anderson County Quarterly Court Minutes, October 15,1962 Book 34,
Page 83.**

4) Burial list Anderson County Poor Farm Cemetery.

Poor Farm Comm. Report.

The Poor Farm Commissioners submitted their report which was read and adopted by the remanance of the Court and ordered to record. which report is as follows:

To the Hon. Circuit Court of Anderson County, Tennessee.
Gentlemen:

We the Poor Farm Commissioners herewith submit our Report for the Quarter ending Sept. 30th 1915.

Receipts		
J. T. Braden	Pasture	\$15.00
Peter Beets	Potatoes	.50
Henry Wilson	1 Bull	12.70
W. B. Disney	Pasture	4.00
Wm Doane	"	5.25
C. N. Peoples	"	11.50
Dave Prince	Beans	3.75
Mark York	Pasture	3.20
L. & M. R. R. ties		42.66
Logan Lumber Co.	Lumber	735.40
Eggs & Butter		128.82
Total Receipts		\$1263.80

Disbursements		
Huff Edington Co.	Molse	\$6.00
John May	Laber	1.75
Miller & McMahon	Molse	14.00
J. H. Worthington	"	12.00
Huff & Edington	"	3.00
Miller & McMahon	"	6.00
Clinton Hardware Co.	"	35.00
Cumberland Tel Co.	"	1.50
C. F. Lyster	Groceries	5.00
John May	Sheep work	1.25

Monday Oct. 22 1918

M. F. Ramon	Wages	40
J. C. Alden	Shop Work	1.00
Chas. Messamore	Labor	4.00
J. B. Parker	" Sons of Road	1.00
Miller & McMahon	Midse	10.50
E. M. Baker	Midse	3.50
Wedding Co.	Feeding	210.50
Miller & McMahon	Labor	75
Hugh Edington Co.	Midse	10.50
Geo. Henderson	"	15
A. Reed & Co.	Barling Hay	44.15
John McManis	Midse	30
D. H. Cross	Labor	60
W. F. Brown	"	175
H. May	Midse	20
J. W. Lee	Shop Work	1.00
John McWane	Labor	1.00
W. B. Weaver	Midse	1.00
Huff Edington Co.	"	17.50
Caldwell Dept Store	"	1.00
R. A. Smith	"	1.00
J. C. F. Herrell	2 Registered Hog	54.00
Miller & McMahon	Red Onions	10.00
J. F. Jennings	Midse	21.50
M. C. York	Oats	3.75
P. D. Conner	Labor	40
Clinton Hdw Co.	Midse	480
Wright Hdw Co	"	70
Miller & McMahon	"	52.19
C. M. Jones	"	1.00
J. R. Rogers	Labor	16.45
Beecher Lg	"	60.00
Chas. Messamore	"	70.00
J. R. Moore Supt	"	50.85
B. S. Tadlock	Salary	200.00
W. A. Freels	Commissioner	200
W. L. Owens	"	200
Total Paid out	"	400
Leaving a Balance in hands of		918.14
Total		346.16
		12.63

There are 20 inmates at the County Farm
 No deaths since last report. Respect Submitted
 Oct 1, 1918. S. S. Tadlock
 W. A. Freels

Poor Farm reported deaths by the county physician. Death Certificates were not yet being issued during this period of time and were not issued as a standard practice until 1914.

1) Bill Black recorded 24 April 1900 in the records of the Anderson County Quarterly Court Minutes, Archive Book 19, page 595

2) Garland Carter recorded 11 December 1907 in Archives Book 22, page 55.

3) Mary Claxton recorded 2 September 1895 in Archives Book 18, page 273 reported by Dr John Clear

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5) Nancy Cogbern recorded 4 July 1897 in Archives Book 19, page 21 by Dr Sam Taylor

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Voting Aye: Ray Beatty, James B. Meredith, Everett R. Cox, R. P. Jernigan,
Charles R. Wormsley, Jerry A. George, Everett Sharp, Hugh Hoskins, Clyde R.
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PRESENT (Members)
Hugh Hoskins
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H. Clyde Claiborne
Everett Cox
Ray Beatty
Charles Wormsley

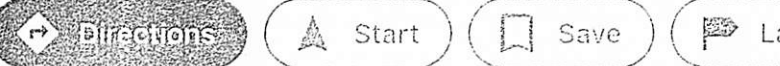
OTHERS PRESENT
Howard K. Lacey
Walter E. Fischer
Ross E. Elliott
Robert Jolley
William Turnbull
Billy N. Hamby




Dropped pin

Near Anderson County, TN

🚗 10 min



 Measure distance

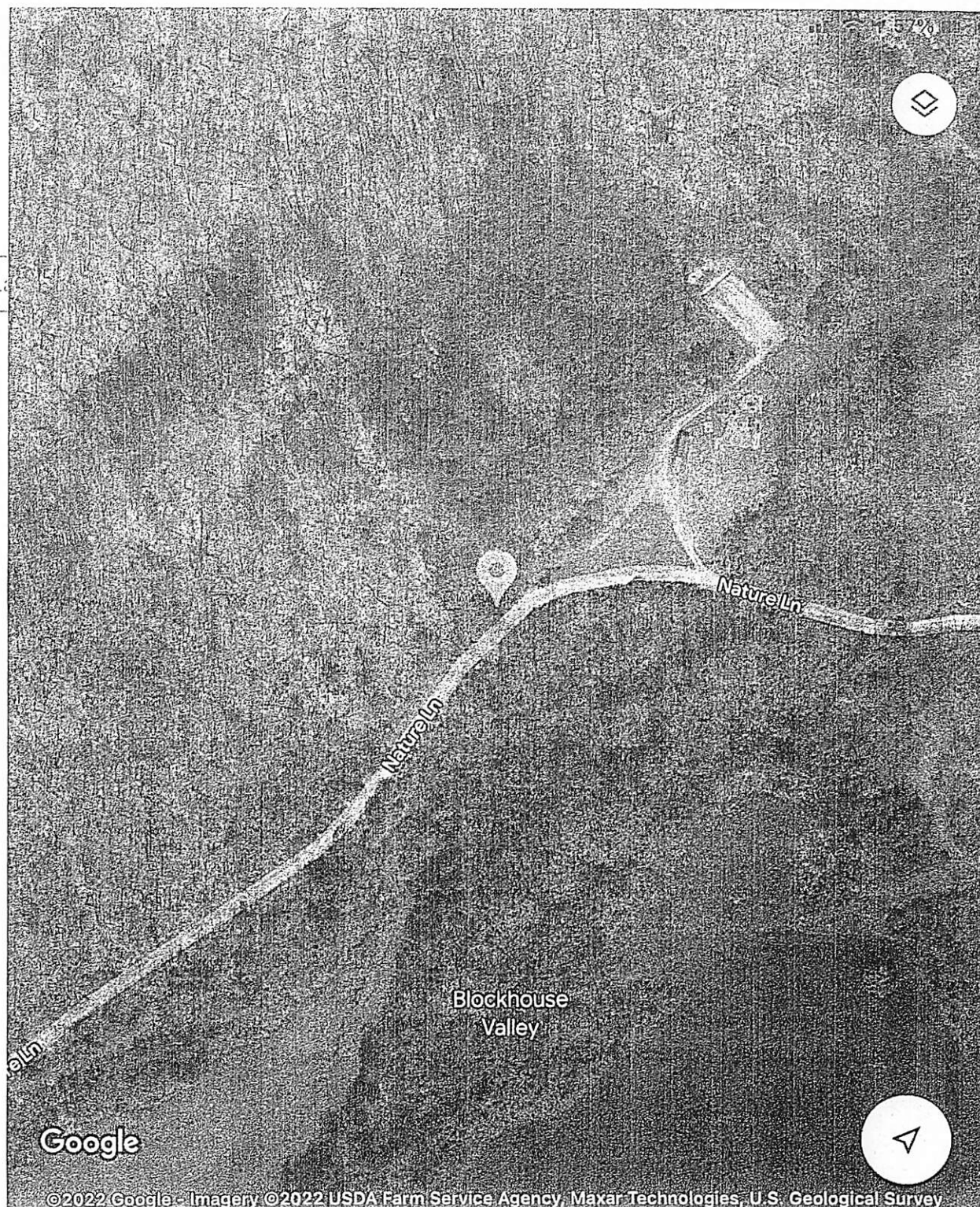


📍 2RV7+28W Oak Ridge, Tennessee ⓘ

(36.0426143, -84.1866563)

📍+ Add a missing place

🏢+ Add your business to Maps for free



Narrow By: Jurisdiction: Tennessee

Date and Time: Mar 16, 2022 11:00:17 a.m. EDT



LexisNexis®



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Amendment No. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 2077*

House Bill No. 2246

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Title 7, Chapter 51, is amended by adding the following as a new part:

7-51-2201. Part definitions.

As used in this part:

(1) "Distributor" means a party engaged in moving energy commodities, industrial materials, or their derivatives, including the transport and delivery to a retailer or customer;

(2) "Energy" means a resource that is marketed, or that has the potential to be marketed, as a commodity because of the resource's value as a source of power or fuel;

(3) "Energy infrastructure" means the systems or assets, including storage tanks, pipelines, gas transmission lines, or related equipment, that are necessary to produce, generate, transmit, or distribute natural gas, liquified petroleum, liquid petroleum, and other similar forms of energy to a wholesaler, retailer, distributor, or customer;

(4) "Industrial infrastructure" means the systems or assets, including storage tanks, pipelines, or related equipment, that are necessary to produce, transmit, or distribute industrial materials to a wholesaler, retailer, distributor, or customer;

(5) "Industrial materials":



0729717402



015738

(A) Means a basic substance found in its natural, modified, or semi-processed state, or an ingredient, solvent, or other component used as an input to a production process for subsequent modification or transformation into a finished good; and

(B) Includes ammonia, hydrogen, and carbon dioxide;

(6) "Local action" means an ordinance, resolution, regulation, code, requirement, policy, or other action or omission taken, enacted, adopted, or otherwise imposed by a political subdivision of this state;

(7) "Political subdivision" means a municipality, public corporation, body politic, authority, district, metropolitan government, county, agency, department, or board of those entities, or another form of local government;

(8) "Retailer" means a party who markets or sells energy or industrial materials to a customer; and

(9) "Wholesaler" means a party engaging in the bulk purchase and sale of energy products or industrial materials in the wholesale market for the purposes of reselling energy or industrial materials to a retailer.

7-51-2202. Prohibited policies.

(a) A political subdivision of this state shall not, arising from or as a result of a local action, restrict, prohibit, or otherwise impair the development and implementation of the types or sources of energy that may be used, delivered, converted, or supplied by the following entities:

(1) An electric utility, an electric cooperative, or an electric system that is owned or operated by a political subdivision;

(2) An entity that generates, sells, or transmits electrical energy in accordance with all applicable requirements of state and federal law;

(3) A gas utility or a gas system that is owned or operated by a political subdivision;

(4) A gas transmission company;

(5) A liquified petroleum gas dealer, liquified petroleum gas dispenser, or liquified petroleum gas cylinder exchange operator; or

(6) Other liquid petroleum transmission, distribution, retail, or storage entities.

(b) A local action of a political subdivision is preempted and void if the local action, directly or indirectly, is or acts as:

(1) A de facto prohibition of the siting, or a restriction, prohibition, or impairment of construction, expansion, or maintenance, of energy, industrial, or related transportation infrastructure within the jurisdictional boundary of a political subdivision. When determining whether a local action results in a de facto prohibition, factors to consider include, but are not limited to, the following:

(A) A fee imposed;

(B) An unreasonable timeframe for a ministerial action; and

(C) The local action's effect on the feasibility of the project;

(2) Regulation or enforcement of safety standards for interstate or intrastate pipeline facilities or interstate or intrastate pipeline transportation as those terms are defined in 49 U.S.C. § 60101;

(3) A moratorium, or a categorical prohibition, of the siting, construction, expansion, or maintenance of energy, industrial, or related transportation infrastructure within the jurisdictional boundary of a political subdivision for a period of time; or

(4) A prohibition or restriction on the ability of a distributor, retailer, wholesaler, or other energy or industrial infrastructure entity to exercise its rights provided by state or federal law related to the siting of energy infrastructure or related industrial infrastructure.

(c) This section does not prevent or preempt:

(1) A political subdivision that owns or operates an electric or natural gas system from promulgating necessary rules or policies related to the electric or natural gas system;

(2) A local action that is state-authorized, ministerial in nature pertaining to land use, generally applicable to all types of commercial activities, and necessary to provide a public benefit, as long as the local action facilitates to the greatest extent possible the siting, construction, expansion, or maintenance of energy, industrial, or related transportation infrastructure and the exercise of rights provided by the state and federal law by public utilities and common carriers, including, but not limited to, those rights related to the siting of energy, petroleum, or related industrial infrastructure;

(3) A local action that affects facilities for the transmission, distribution, collection, conversion, and use of solar energy;

(4) A local action to require a franchise from a political subdivision prior to providing electric or natural gas services within the jurisdictional boundaries of the political subdivision;

(5) A local action to grant, deny, amend, or revoke a franchise to provide electric or natural gas services within the jurisdictional boundaries of the political subdivision;

(6) A local action to establish, maintain, or enforce exclusive service areas for the provision of electric or natural gas services in accordance with state law; or

(7) A local action arising from:

(A) Authority granted to administer a program in lieu of the department of environment and conservation regarding protection of human health, safety, or the environment if the grant of authority is authorized by federal or state statute or rule;

(B) A permit or coverage under a permit issued by the department of environment and conservation or a permit by rule; or

(C) The groundwater protection program or the drinking water program administered by the department of environment and conservation, including, but not limited to, measures designed to be protective within designated source water or wellhead protection areas as defined in programs administered by the department of environment and conservation under authority of the federal Safe Drinking Water Act (42 U.S.C. § 300f et seq.).

(d) This section does not expand or alter the jurisdiction of a governmental entity charged with oversight of public utilities or electric utilities.

(e) This section does not expand or alter the regulation of wind energy facility siting provided in title 65, chapter 17.

(f) This section does not alter:

(1) Exclusive rights to provide electric or natural gas services under state law; or

(2) Exclusive service areas for the provision of electric or natural gas services under state law.

(g) This section does not allow an entity listed in subdivisions (a)(1)–(6) to provide electric or natural gas services within the exclusive service area of another provider of electric or natural gas services.

(h) A local action that violates subsection (a) or (b) that existed on or before the effective date of this act is preempted by this part and void.

7-51-2203. Conflict with federal law.

If this part conflicts with federal law requirements pertaining to the types of energy sources or industrial materials used, delivered, converted, or supplied by the

entities described in § 7-51-2202(a)(1)-(6) to serve customers, then the federal law controls to the extent that this part conflicts with such federal law.

SECTION 2. If a provision of this act or the application of a provision of this act to any entity or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end, the provisions of this act are declared to be severable.

SECTION 3. The headings in this act are for reference purposes only and do not constitute a part of the law enacted by this act. However, the Tennessee Code Commission is requested to include the headings in any compilation or publication containing this act.

SECTION 4. This act takes effect July 1, 2022, the public welfare requiring it.

Anderson County Board of Commissioners
Intergovernmental Committee
Minutes

March 14, 2022
Room 312

Members Present: Catherine Denenberg, Tim Isbel, Bob Smallridge, Shain Vowell, Joshua Anderson and Tracy Wandell

Members Absent: None

Others: Terry Frank and Jay Yeager

Call to Order: Chairman Denenberg called the meeting to order.

No citizens addressed the Committee.

Commissioner Wandell made a motion to allow the Mayor and the Law Director to re-approach Resolution No. 21-07-876 and give the Mayor full authority to contact the Congressional Delegation, Tennessee General Assembly and the Department of Energy to have that on record from this body. Seconded by Commissioner Vowell. Motion passed to forward to full commission for approval.

Commissioner Smallridge made a motion to have a response back to this body within 90 days. Seconded by Commissioner Wandell. Motion passed.

Commissioner Wandell made a motion to allow Jay Yeager to send an invitation to Congressman Fleischmann to come to an Intergovernmental Committee meeting to discuss the American Nuclear clean up. Seconded by Commissioner Isbel. Motion passed to forward to full commission for approval.

New Business

None

Old Business

None

Adjournment

With no further business, the meeting adjourned.

Anderson County, Tennessee Board of Commissioners

RESOLUTION NO: 21-07-876

RESOLUTION REQUESTING FEDERAL AND STATE ASSISTANCE FOR THE REMEDICATION AND CLEAN-UP OF THE FORMER AMERICAN NUCLEAR SITE.

WHEREAS, the former American Nuclear site is located in the Claxton community of Anderson County, Tennessee and is currently under the control and ownership of the Tennessee Department of Environment and Conservation (TDEC), and

WHEREAS, prior to the abandonment and insolvency of the business in the early 1970's, the company processed cobalt and cesium for medical treatment facilities and received the majority of these highly enriched materials from the Oak Ridge National Laboratories and various subcontractors servicing Department of Energy facilities, and

WHEREAS, to date the site contains measurable amounts of toxic nuclear waste, thus the long-term dangers to the surrounding community are unknown.


NOW THEREFORE BE IT RESOLVED by the Anderson County Board of Commissioners meeting in regular session this 19th day of July 2021 that we pledge our support and cooperation in the remediation of the American Nuclear site and we are ready and willing to accept ownership and control of the land, once completely safe and acceptable for public use as determined by TDEC, with the intended stated public use as parking facility for the future Blockhouse Valley public recreational complex, nature preserve and outdoor research center.

BE IT FURTHER RESOLVED that we respectfully request:


- 1) Our Congressional delegation to the United States Congress request and appropriate federal stimulus or infrastructure money to diagnosis the extend of clean-up, remediate and support Anderson County efforts dedicated to the American Nuclear site, and
- 2) Our state representatives to the Tennessee General Assembly assist with this endeavor by requesting state stimulus monies be appropriated to the project initially for scoping and characterization studies and urge TDEC to remediate the site for the public safety of surrounding residents, and
- 3) The Department of Energy (DOE) to partner with Anderson County and TDEC to facilitate the successful clean-up and remediation of the former American Nuclear site, and
- 4) Authorize the Anderson County Environmental Coordinator to immediately apply for federal Environmental Protection Agency - Brownfields Environmental Assessment and Remediation Grants, and
- 5) That TDEC authorize Anderson County to commence with the Scoping and Characterization Study and financially contribute money necessary to cover the costs associated with said Study, and
- 6) That the Anderson County Clerk be directed to send a copy of this approved resolution to our federal delegation to the United States Congress, representatives to the Tennessee General Assembly, Secretary to the Department of Energy, Environmental Protection Agency and Commissioner for the Tennessee Department of Environment and Conservation.

RESOLVED DULY PASSED AND APPROVED this 19th day of July 2021.


Joshua N. Anderson, Chair, AC Commission


Terry Frank, Anderson County Mayor

ATTEST:


Jeff Cole, Anderson County Clerk

Anderson County Board of Commissioners
Information Technology Advisory Board
MINUTES

March 15, 2022 10:00 am
Room 118A

Members Present: Jeff Cole, Mayor Terry Frank, Kim Jeffers-Whitaker, Tim Shelton, Johnny Alley, Rex Lynch, Robby Holbrook, Phil Yager and Hal Cousins

Others Present: Brian Young, Tammy Catron

Members Absent: Gary Long, Regina Copeland, Jay Yeager, Russell Barker

Chairman Cole called the meeting to order.

Generators and Batteries - Discussion. No Action Taken.

Security Cameras – Discussion. No Action Taken.

IT Purchases

Motion by Mayor Frank for Finance Director to recommend to Budget Committee the designation of IT capital infrastructure funds in the amount of \$25,000 to be set aside under fund 171 as part of the annual budget, with infrastructure need expenditure approval of the IT Board Chairman, the Finance Director and Mayor. Seconded by Johnny Ally. Motion passed to forward to full commission for approval.

Old Business

None

New Business

None

Adjourn.

Anderson County Board of Commissioners
OPERATIONS COMMITTEE
MINUTES
March 14, 2022
6:00 PM Room 312

Members Present: Tim Isbel, Joshua Anderson, Robert McKamey, Phil Yager, Tracy Wandell, Theresa Scott and Rick Meredith

Members Absent: Steve Mead

Call to Order: Chairman Isbel called the meeting to order.

Chairman Isbel said the prayer.

Commissioner Meredith led the Pledge of Allegiance.

Commissioner Anderson requested to add Election Administrator, Mark Stephens to discuss election security to the agenda at 5A and Commissioner Vowell to discuss cemeteries under 5B. Mayor Frank requested to add a resolution that would support a partnership between the State of Tennessee and our Health Department for continuing education. Also, to add a support letter to the agenda under the Mayor's report if we do support the Comcast grant application.

Commissioner Wandell made a motion to approve the agenda as amended. Seconded by Commissioner Yager. Motion passed.

Commissioner Wandell made a motion that the Mayor and Law Director draft a letter of consent to place a historical marker at the Poor Farm. Seconded by Commissioner Anderson. Motion passed to forward to full commission for approval.

Commissioner McKamey made a motion to approve Resolution No. 22-03-915 to establish program fees for activities and optional senior center programs. Seconded by Commissioner Yager. Motion passed to forward to full commission for approval.

Commissioner Yager made a motion to approve Resolution No. 22-03-916 authorizing the Mayor to make application to the East Tennessee Human Resource Agency and Area Agency on Aging and Disability to deliver Senior Center Services and Title IIID Services under the Older Americans Act. Seconded by Commissioner Scott. Motion passed to forward to full commission for approval.

Commissioner Anderson made a motion to approve Resolution No. 22-03-917 to support a partnership for a contract between the State of Tennessee Department of Health and Anderson County Department of Health to establish an employee educational support program that provides approved County-Employee local Health Department employees with educational leave and tuition assistance for educational programs. Seconded by Commissioner Wandell. Motion passed to forward to full commission for approval.

Commissioner McKamey made a motion that we allow the Mayor to negotiate with Comcast. Seconded by Commissioner Meredith. Motion passed to forward to full commission for approval.

Election Security – Discussion. No Action Taken.

Commissioner McKamey made a motion to let the Law Director submit a resolution for the maintenance of the County's cemeteries at the next County Commission meeting. Seconded by Commissioner Wandell. Motion passed.

Commissioner Scott made a motion for the Law Director to draft a resolution opposing HB 2246. Seconded by Commissioner McKamey. Motion passed to forward to full commission for approval.

Waste Management Status
Discussion. No Action Taken.

East Wolf Valley Convenience Center Update
Discussion. No Action Taken.

Flag Placement Veteran's Bridge Update
Discussion. No Action Taken.

Pine Meadows / Ben's Trailer Park Update
Discussion. No Action Taken.

Tennessee Emergency Broadband Funds – ARP
Discussion. No Action Taken.

New Business:

None.

Old Business:

None

Meeting adjourned.

Anderson County Board of Commissioners

RESOLUTION NO. 22-03-915

A RESOLUTION TO ESTABLISH PROGRAM FEES FOR ACTIVITIES AND OPTIONAL SENIOR CENTER PROGRAMS

WHEREAS, the Anderson County Board of Commissioners first approved for Anderson County to take over management of funds of the Office on Aging and Senior Center on June 15, 2015 and begin the process of transitioning to operation of the Anderson County Senior Center; and

WHEREAS, Anderson County has been successfully operating the Office on Aging and Senior Center to provide services through the Office on Aging, and offers a variety of programs and activities to improve quality of life, prevent and combat depression, to aid in socialization, and to keep seniors mentally and physically active and healthy; and

WHEREAS, services provided through the Anderson County Office on Aging are not subject to fees; and

WHEREAS, the Anderson County Senior Center has established voluntary programs, separate from services offered through the Office on Aging. These voluntary programs include activities such as pottery and painting classes, gardening and floral projects, field trips, and other activities that may have costs associated with these voluntary activities;

NOW THEREFORE BE IT RESOLVED by the Anderson County Board of Commissioners, meeting in regular session on the 21st day of March 2022, in Clinton, Tennessee, resolves to authorize the Anderson County Senior Center to establish fees to offset cost of materials, supplies, or other costs for voluntary activities or programs, unrelated to services provided through the Office on Aging, and that such fees will be receipted and deposited to a Revenue Code dedicated to "Program Fees" authorized through the Anderson County Finance Office and the Anderson County Board of Commissioners.

APPROVED AND ADOPTED, this 21st day of March, 2022.

APPROVED:

Josh Anderson, Commission Chairman

Terry Frank, Anderson County Mayor

ATTEST:

Jeff Cole, Anderson County Clerk

Anderson County Board of Commissioners

RESOLUTION NO. 22-03-916

A RESOLUTION AUTHORIZING THE COUNTY MAYOR TO MAKE APPLICATION TO THE EAST TENNESSEE HUMAN RESOURCE AGENCY AND AREA AGENCY ON AGING AND DISABILITY TO DELIVER SENIOR CENTER SERVICES AND TITLE IIID SERVICES UNDER THE OLDER AMERICANS ACT

WHEREAS, Anderson County has been notified by the East Tennessee Human Resource Agency and the East Tennessee Area Agency on Aging and Disability of the need to apply for funding to provide senior center services and Title IIID services under the Older Americans Act; and

WHEREAS, if awarded funding, the associated contract will provide operational funding each fiscal year from July 1, 2022 through June 30, 2026.

NOW THEREFORE BE IT RESOLVED by the Anderson County Board of Commissioners, meeting in regular session on the 21st day of March, 2022, in Clinton, Tennessee, that the County Mayor be authorized to submit an application to ETHRA and ETAAD on behalf of the Anderson County Senior Center.

ADOPTED this 21st day of March 2022.

APPROVED:

Josh Anderson, Commission Chairman

Mrs. Terry Frank, Anderson County Mayor

ATTEST:

Jeff Cole, County Clerk

Anderson County Board of Commissioners

RESOLUTION NO. 22-03-917

A RESOLUTION TO SUPPORT A PARTNERSHIP FOR A CONTRACT BETWEEN THE STATE OF TENNESSEE DEPARTMENT OF HEALTH AND ANDERSON COUNTY DEPARTMENT OF HEALTH TO ESTABLISH AN EMPLOYEE EDUCATIONAL SUPPORT PROGRAM THAT PROVIDES APPROVED COUNTY-EMPLOYED LOCAL HEALTH DEPARTMENT EMPLOYEES WITH EDUCATIONAL LEAVE AND TUITION ASSISTANCE FOR EDUCATIONAL PROGRAMS

WHEREAS, Anderson County desires to partner with the State of Tennessee to provide educational leave and tuition assistance for Associate, Bachelor, Master, and Doctoral degree and certificate programs for approved county-employed local health department employees;

WHEREAS, the Anderson County Health Department will adopt an educational support policy that is in accordance with Tennessee Department of Health's Educational Support Policy, and

WHEREAS, the Anderson County Health Department's Policy will comport with the TDH Educational Support Policy, including, without limitation, the Policy's:

- A. Procedures for applying for educational leave and tuition assistance;
- B. Criteria for approving employees who request educational leave and tuition assistance;
- C. Required service commitments for employees who receive educational leave and tuition assistance,
- D. Tax obligations that participating employees may incur from accepting such tuition assistance and notification of whether any tax withholding by Grantee shall be made; and

NOW THEREFORE, BE IT RESOLVED, that if awarded a contract, Anderson County agrees to pay tuition assistance directly to educational institutions offering Educational Programs in which employees are participating, and invoice the State of Tennessee for reimbursement.

BE IT FURTHER RESOLVED, by the Anderson County Board of Commissioners, meeting in regular session on Monday, March 21, 2022, that this resolution shall take effect immediately upon its passage.

ADOPTED this 21st day of March 2022.

APPROVED:

Josh Anderson, Commission Chairman

Mrs. Terry Frank, Anderson County Mayor

ATTEST:

Jeff Cole, County Clerk