# Anderson County Board of Commissioners OPERATIONS COMMITTEE AGENDA

August 14, 2023 6:00 p.m. Room 312

1. Call to Order

2.	Prayer / Pledge of Allegiance
3.	Approval of Agenda
4.	Appearance of Citizens
5.	2024 Holiday Schedule, Juneteenth – by HR Director, Kim Jeffers-Whitaker
	<ol> <li>Mayor's Report         <ol> <li>Requesting motion to sunset the Alternatives to Incarceration Committee and rescind Resolution No. 13-06</li> <li>Requesting a legal opinion to verify the proper appointing authority for the tourism council and the authorizing statutes empowering the creation of the council. Requesting motion for commission to join in a request for clarifying legal opinion.</li> <li>Suggesting Anderson County adopt the updated CTAS Model Ethics Policy.</li> <li>Flagpole Project Update for Veterans Bridge – requesting motion to authorize the county mayor to initiate discussions with TWRA about a flag pole adjacent to Veterans Bridge.</li> <li>Requesting authorization to apply for a BlueCross Healthy Place Grant for amenities on Anderson County owned property at 96 Mariner Point Drive, Clinton, TN.</li> </ol> </li> <li>Law Director's Report</li> </ol>
7.	1. Building Codes Amendment Resolution No. 23-08-1123
8.	<b>Tourism Director, Stephanie Wells</b> – Referral from July Operations Committee meeting to obtain Information on how Tourism is collecting data for reporting.
9.	Anderson County Government 2024 Holiday Schedule
10	. Reminder to Speak Into Microphones
N	ew Business
O	Old Business
A	djournment

# Anderson County Human Resource Advisory Committee Minutes July 7th, 2023

## 10:00 a.m. in Room 118A of the Anderson County Courthouse 100 N. Main Street, Clinton TN 37716

#### **Members Present**

Property Assessor Johnny Alley, Sheriff Russell Barker, County Clerk Jeff Cole, Trustee Regina Copeland, Clerk & Master Hal Cousins, Finance Director Robby Holbrook, Circuit Court Clerk Rex Lynch, Register of Deeds Tim Shelton, Commissioner Aaron Wells, Highway Superintendent Gary Long

#### **Members Absent**

Mayor Terry Frank, Law Director Jay Yeager

#### Others Present

HR Director Kim Jeffers-Whitaker, HR Specialist Andrew Stone, HR Benefits Clerk Krystal Burkhart, Commissioner Tracy Wandell, Commission Chief Deputy Annette Prewitt

#### Call to Order

HR Advisory Committee Chairman Regina Copeland called the meeting to order. Quorum present.

#### **Approval of Prior Minutes**

Approval of Minutes from the May 17th, 2023 meeting.

Motion by Gary Long, seconded by Jeff Cole. Motion passed by voice vote.

#### Approval of Agenda

Approval of current Agenda for the July 7<sup>th</sup>, 2023 meeting.

Motion by Robby Holbrook, seconded by Jeff Cole to move the discussion of the Longevity Program before the HR Director Report, as well as to defer discussion on the Employee Handbook Updates until the next scheduled meeting. Motion passed by voice vote.

#### Appearance of Citizens

No citizens present.

#### Commission Referral of the 2024 Holiday Schedule, Juneteenth

HR Director, Kim Jeffers-Whitaker, presented the Juneteenth Holiday Employee Survey results to the Committee.

Motion by Gary Long, seconded by Rex Lynch, to approve the addition of the Juneteenth Holiday to the Anderson County Government 2024 Holiday Calendar. Motion passed with approval by Johnny Alley, Gary Long, Rex Lynch, Tim Shelton, Harold Cousins, Regina Copeland, Robby Holbrook, Russell Barker, and Jeff Cole. Motion opposed by Aaron Wells.

# Anderson County Human Resource Advisory Committee Minutes July 7th, 2023

## 10:00 a.m. in Room 118A of the Anderson County Courthouse 100 N. Main Street, Clinton TN 37716

#### **Old Business**

HR Director, Kim Jeffers-Whitaker, presented the following item to the committee:

• Longevity Program

Discussion included two Longevity Pay scenarios along with Longevity Pay Policy Language in an effort to mirror the Sheriff's Office longevity pay program with \$100 a year Longevity Program awarded at year 5 to Full Time employees, and \$50 a year Longevity Plan pay awarded at year 5 to Permanent, Active Part Time employees. Motion by Tim Shelton, seconded by Gary Long, to present the Longevity Plan that mirrored the Sheriff's Office to the Budget Committee with the amendment that the Longevity Plan begin at year 1 as does the Sheriff's Office program. Motion passed with approval by Johnny Alley, Gary Long, Rex Lynch, Tim Shelton, Harold Cousins, Regina Copeland, Robby Holbrook, Russell Barker, and Jeff Cole. Motion opposed by Aaron Wells.

#### **HR Director Report**

HR Director, Kim Jeffers-Whitaker, presented the following to the Committee:

- 2022 annual Human Resources & Risk Management statistics and accomplishments
- Discussion held on current Public Records Request Coordinator duties
   Motion by Tim Shelton, seconded by Jeff Cole, to refer the discussion of the Public Records Request Coordinator duties to the upcoming Records Committee meeting.
   Motion carried unanimously.

#### **New Business**

No new business presented.

#### **Next Meeting**

October 19th, 2023 at 10 a.m. in Room 118A

#### Adjourned



#### ANDERSON COUNTY GOVERNMENT

TERRY FRANK
COUNTY MAYOR

August 9, 2023

Commissioner Tim Isbel
Chairman, Operations Agenda

RE: Agenda

Dear Chairman Isbel and Honorable Members of the Operations Committee,

I wish to add the following items to the Agenda:

1. Housekeeping request. Sunset of the Alternatives to Incarceration Committee authorized per Resolution 12-321, then modified under Resolution No. 13-06-\_\_\_ (sic). (Exhibit A) The county mayor is designated to sit on this Committee, and we no longer meet. I am suggesting a motion to sunset the Resolutions. The initial resolutions were designed to build a program, and solicit input for establishing a foundation for operations. Since that time, the program has been firmly, soundly, and very successfully established under the Sheriff's Department. In addition, the State of Tennessee has moved towards a new jail accreditation process that incentivizes priority grant status and increased per diem rates for higher standards, as well as partnerships. Through the adoption of Resolution No. 2022-07-934 by the Anderson County Board of Commissioners that includes the "Stepping Up Initiative," (Exhibit B) a resource facilitation committee consisting of diverse leaders and community partnerships has been established. This committee can carry on any necessary collaboration envisioned by the original Alternatives to Incarceration Committee (a committee that has not met in years). See attached exhibits. I have met with Sheriff Barker, and he is supportive of this action.

Requesting motion: Whereas the Resolution 12-321 established the Alternatives to Incarceration Committee, and Resolution 13-06-\_\_\_ amended the Committee; and whereas the program now has a successful and firm foundation; and whereas Anderson County has now adopted the Stepping Up Initiative that required the creation of a resource facilitation committee that can carry on the collaboration

intended, we hereby desire to sunset the Alternatives to Incarceration Committee and rescind Resolution No. 13-06-\_\_\_.

See attached exhibits "A" and "B."

- 2. Housekeeping, Procedural Question. Tourism Council. Bylaws of the Anderson County Tourism Council note that the county mayor sits on the Tourism Council. It is my belief that this structure violates the Doctrine of Incompatible Offices, as it is my belief that the county mayor is the proper appointing authority for boards and committees with confirmation by the board of commissioners, unless otherwise provided by general law, or special or private act. It is my belief the mayor should not sit on this committee. I am requesting a legal opinion to verify the proper appointing authority for the tourism council. In addition, I am requesting the authorizing statutes empowering the creation of the council itself. I can locate no authority for the creation of such, unless it exists in advisory capacity with the agreement of the county mayor. Lastly, Section III references a reporting structure that notes the Council Board of Directors has the authority to screen and recommend the hiring and termination of an Executive Director to the County Commission for approval. I can locate no authorizing statutes for such reporting structure, and am requesting the specific statutory authority supporting this reporting structure. I am no authority, no expert, and such supporting law may exist—thus, my reason for requesting a legal opinion to ensure my proper actions, and duties as mayor. Requesting motion for commission to join me in a request for clarifying legal opinion.
- 3. Housekeeping Request. Following updates to state law regarding conflict of interest, (specifically Public Chapter 472 in 2021), I am suggesting Anderson County adopt the updated CTAS Model Ethics Policy, and upon passage, authorize the county mayor to notify the State Ethics Commission in writing, with copies to the Chairman of Commission, the Law Director, and the County Clerk, that the county has adopted the updated the model policy. This is another committee where the mayor sits on the committee, but like Tourism question above, it is my belief that this structure violates the Doctrine of Incompatible Offices, as the mayor is the proper appointing authority for boards and committees with confirmation by the board of commissioners, unless otherwise provided by general law, or special or private act. It is my belief the mayor should not sit on this committee.

I recognize this is a lot to put in front of the committee, so I am requesting this item be introduced tonight, but allowed to sit for 30 to 60 days and return to this committee for possible action at the September or October Operations meeting in order to give members sufficient time to study. I'll defer to will of Operations for either September or October meeting. See Exhibit D.

4. Flagpole Project Update for Veterans Bridge. TDOT will allow Anderson County to perform median landscaping with a lower profile monument, and I am further working with firm to design some monument options. However, we will not be able to install flagpoles in the median. Property adjacent to the Veterans Bridge is under ownership of TWRA, and Anderson County maintains the ramp with river access. In discussions with

- TDOT, we contemplated the feasibility of constructing a flag pole there. Requesting motion to authorize the county mayor to initiate discussions with TWRA about a flag pole adjacent to Veterans Bridge.
- 5. The BlueCross Foundation has a grant known as the BlueCross Healthy Place grant. The deadline is August 31, 2023, which is a pretty brisk timeline, but if I'm able to pull something together, I am requesting authorization to apply for a BlueCross Healthy Place Grant for amenities on Anderson County owned property at 96 Mariner Point Drive, Clinton, TN. This campus also is home to the Senior Center, but serves as a community space for the larger community. This is a no match requirement grant. Exhibit E.

Exhibit A

#### REGULAR SESSION

2565

JUNE 17, 2013

14. Commissioner Isbel moved to approve set the General Fund Unassigned Fund Balance Limit to \$4,000,000.00. Seconded by Commissioner Irwin.

Amended by Commissioner McKamey to set the General Fund Unassigned Fund Balance Limit to \$3,500,000.00. Seconded by Comissioner Meredith.

#### Voting for Amendment:

Voting Aye: Biloski, Creasey, Emert, Fritts, Iwanski, McKamey, Mead, Meredith and Shuey. NO: Alderson, Bates Hitchcock, Irwin, Isbel, Wandell and White. Amendment carried.

#### Voting for Amended Motion:

Voting Aye: Bates, Biloski, Creasey, Emert, Fritts, Irwin, Isbel, Iwanski, McKamey, Mead, Meredith and Shuey. NO: Alderson, Hitchcock, Wandell and White. Amended motion carried.

15. Commissioner Irwin moved to approve request from the School Department the following transfer. Seconded by Commissioner Meredith. Motion carried by voice vote.

Increase Expenditure Code:

141-71100-213	Payments to Retirees	\$29,453.50
141-71200-213	Payments to Retirees	2,267.50
141-71300-213	Payments to Retirees	5,837.50
141-72410-213	Payments to Retirees	7,395.00
141-72510-213	Payments to Retirees	1,984.10
	Total	\$46,937.60

#### Decrease Expenditure Code:

141-71100-204 State Retirement \$46,937,60

#### **Operations Committee Report**

- 16. Commissioner Hitchcock moved to approve recommendation from the Operations Committee to sell to the Hollingsworth Companies, 22.4 acres in the David Jones Industrial Park, with a 4.27 acre swap, at a cost of \$13,500 per acre, with 2.9 acres removed from the original parcel to be retained by Anderson County. Seconded by Commissioner McKamey. Motion carried by voice vote. Abstain: Meredith.
- 17. Commissioner Hitchcock moved to approve recommendation from the Operations Committee to re-establish the Alternatives to Incarceration program resolution under the direction and control of the Sheriff's Department. Seconded by Commissioner McKamey. Motion carried by voice vote.

#### Anderson County, Tennessee Board of Commissioners



RESOLUTION NO. 13-06\_\_\_

A RESOLUTION TO RE-ESTABLISH THE ANDERSON COUNTY ALTERNATIVES TO INCARCERATION PROGRAM UNDER THE DIRECTION AND CONTROL OF THE ANDERSON COUNTY SHERIFF'S OFFICE.

WHEREAS, Tennessee counties are authorized to establish, provide and maintain charitable, educational, recreative, curative, corrective, detentive, or penal institutions, departments, functions, facilities, instrumentalities, conveniences, services and such related programs. (See TCA § 6-2-201 (26) as authorized by TCA § 5-1-118 (a)(1)); and



WHEREAS, inmate participation in established work, educational and vocational programs may result in sentence credits for time served which will assist in the reduction of jail inmates and significantly reduce the financial burden on Anderson County taxpayers; and

WHEREAS, Anderson County desires to create an Alternatives to Incarceration Program under the direction and control of the Anderson County Sheriff, and the full-time position of Program Coordinator to oversee the administration of the established programs and coordinate departmental personnel and not-for-profit volunteer service providers; and

WHEREAS, it will be necessary to establish a high level of competency and accountability in the delivery of services provided by the Alternatives to Incarceration Program including classification, identification of treatment needs and resources, alternative supervision tools and improved communication to the courts; and

WHEREAS, Anderson County recognizes the critical importance of reducing the inmate population at the Detention Facility and increased budgetary costs of housing and caring for those incarcerated at the facility; and

WHEREAS, the Alternatives to Incarceration Program requires qualified and competent leadership to approach the increasingly complex legal and administrative requirements needed to address, design and administer work, educational, counseling, vocational training and alternative sentencing programs; and

WHEREAS, to assist with the creation and oversight of the Alternatives to Incarceration Program Anderson County wishes to create the Alternatives to Incarceration Advisory Committee to provide needed input and guidance by members of the local criminal justice community.

NOW THEREFORE, BE IT RESOLVED by the Anderson County Legislative Body meeting in regular session this 17th day of June, 2013 in Clinton, Tennessee that:

Section I: Alternatives to Incarceration Program. The Anderson County Alternatives to Incarceration Program is hereby established to design, implement, coordinate and administer work, educational, counseling, vocational and system-wide alternative sentencing programs geared towards reducing the overall inmate population at the Anderson County Detention Facility.

Section II: Alternatives to Incarceration Advisory Committee.

The Alternatives to Incarceration Advisory Committee is hereby created to assist with the implementation and establishment of the program and the development of its policies, procedures and programs. The Program Coordinator will meet with the Advisory Committee to update and notify the members of recent issues and developments within the program at regular intervals to be determined by the Advisory Committee. The Advisory Committee shall monitor and oversee the program and its Coordinator for the purpose of providing assistance when needed, evaluating concerns, and monitoring for policy compliance purposes. The voting members of the Advisory Committee are as follows:

- 1) County Sheriff
- 2) County Mayor
- 3) Circuit Court Clerk
- 4) District Attorney General
- 5) District Public Defender
- 6) County Commissioner, as selected by County Commission
- 7) Chief Jailer
- Community Mental Health or Correctional Professional, as selected by Sheriff.

Voting members may select a non-voting designated representative to serve in his or her absence at designated meetings for informational purposes and the representative may cast proxy votes for the identified voting member with prior approval of the voting member.



Section III: Alternatives to Incarceration Program Coordinator. The position of Alternatives to Incarceration Director is hereby created to oversee the daily operations of the program and administer programs and initiatives designed to reduce immate populations at the Anderson County Detention Facility. The Program Coordinator will be under the day-to-day direction and control of the Sheriff and Chief Jailer. The Program Coordinator shall report to the Advisory Committee and the County Commission for status reports as requested. Program Coordinator is a full-time employee of Anderson County Sheriff's Office. This position is declared to be exempt from overtime compensation under the Fair Labor Standards Act. Compensation will be set by the Anderson County Sheriff. Program Coordinator and all employees are eligible to receive all county benefits normally offered to full-time county employees and members of the Sheriff's classified service subject to all adopted rules and regulations of the Civil Service Board.

Section IV: Job Responsibilities. The Alternatives to Incarceration Program Coordinator shall be responsible for the following job duties:

- 1) Policies and Procedures. Development, interpretation and administration of policies and procedures for programs and personnel, and approval of not-for profit volunteers including, but not limited to: recruitment of a quality workforce, including volunteer service providers, and the associated hiring and engagement process; pay practices; training; evaluations; development and training of employees; benefits; staffing; employment resources; creation of programs and compliance with county policies and procedures as well as state and federal workplace laws.
- 2) <u>Program Planning and Design.</u> Plan, design and implement a variety of programs geared toward reducing the inmate population at the County's Detention Facility. Provide a variety of work, educational, counseling services, vocational training and sentencing options for the County Judiciary by analyzing data and development of program validation models through evidence based practices and data. Seek input from all criminal justice stakeholders and Advisory Committee members as to what programs best fit the needs of their client base.
- 3) <u>Budget Responsibilities</u>. Develops implements and administers the annual program budget and manages budgetary needs within the established and approved Sheriff's Office annual budget as approved by the Board of Commissioners.
- 4) <u>Communication with County Judiciary</u>. Ensures that effective methodologies and communication systems are in place to communicate with the County Judiciary and to receive needed input on program needs and administration. Communicates with the County Judiciary as requested on the activities of the program including, but not limited to, caseloads, client contacts, compliance with court orders, releases, revocations, referrals for treatment, termination of treatment, and any other aspect of client supervision needed by the courts so as to assist in assessing the effectiveness of the programs as well as ensuring defendants are held accountable to the orders of the courts.
- 5) <u>Administrative Guidance</u>. Provides supervision and administrative guidance for program employees and not-for-profit volunteer service providers. Provides advice to criminal justice stakeholders and Advisory Committee members when needed.
- 6) <u>Grant Opportunities.</u> Constantly seek out and apply for all grant opportunities that will assist with the stated mission of the program and implementation of future program needs.



- 7) <u>Compliance with State and Federal Laws</u>. Administers and ensures compliance with all mandated state and federal laws related to inmate rights, personnel issues and program compliance monitoring.
- 8) <u>Training Programs</u>. Conducts staff training programs to improve the overall quality of the program and detention facility staff.
- 9) Special Studies and Research. Performs a variety of special studies and analyses for the Sheriff and Chief Jailer. Provides written reports to supervisors and Advisory Committee members when requested.
- 10) <u>Maintains Competence</u>. Keeps abreast of professional developments in the related fields of alternative sentencing, counseling, education, vocational training, community corrections and the legal environment affecting the established programs. Attends annual training seminars and conferences on job related topics and concerns as needed.
- 11) <u>County Attorney Reports and Notifications</u>. Notifies, consults with, and reports to the County Attorney with regard to legal opinions, all lawsuits, claims or potential claims arising from program activities.
- 12) <u>Create Partnerships and Communication Networks</u>. Program coordinator shall endeavor to create partnerships and ongoing communication exchange networks with local, state and federal agencies, mental health contributors, community corrections programs, drug court, not-for-profit volunteer service providers and components of the local criminal justice system to provide input to programs and facilitate the exchange of needed information in an effort to improve the efficiency of the program.
- 13) <u>Miscellaneous Assignments</u>. Performs other miscellaneous job duties as assigned, either verbally or written, at the request of the Sheriff or Chief Jailer.
- 14) <u>Discrimination Prohibited</u>. Takes preventative measures to ensure that no person supervised by the program coordinator or seeking employment, or currently employed with program shall be discriminated against on the basis of race, nationality, color, gender, age, handicap, and political or religious preference.
- 15) <u>Disclosure of Criminal Record and Motor Vehicle Convictions.</u>
  Requires that all persons seeking employment or providing volunteer service with the program be required to disclose, before employment is offered, or volunteer participation is granted, all criminal and motor vehicle convictions.
- 16) Re-entry Assistance.

  Assist released inmates with re-entry programs including: housing, halfway house connections, employment opportunities, vocational assistance, continued counseling and treatment assistance, transportation resources, parole and probation contacts and personal identification and verification documents.
- 17) <u>Surety Bond Requirement</u>. Safeguards that all persons seeking employment with the Anderson County Alternatives to Incarceration Program shall be bondable for surety and performance bond purposes for the particular position sought. No person shall be employed by Anderson County Government that is unfit for surety and performance bond coverage.
- 18) Oath of Office. Any personnel working for the Alternatives to Incarceration Program shall take the required oath of office administered for all personnel of the Sheriff's Office and shall comply with all training requirements adopted by the Tennessee Corrections Institute and all requirements established by the Civil Service Board.

**JUNE 17, 2013** 

Section V: Termination of the Alternatives to Incarceration Coordinator. The County Sheriff may terminate the Alternatives to Incarceration Coordinator at will upon the consultation and advice of the Alternatives to Incarceration Advisory Committee. Termination appeals may be heard and decided by the Anderson County Civil Service Board.

Section VI: Conflict with Prior Resolutions. All past Resolutions in conflict with this Resolution are hereby repealed effective immediately.

Section VII: Effective Date. This Resolution shall take effect immediately upon passage by the Anderson County Legislative Body, the public welfare requiring it.

RESOLVED, adopted and effective this 17th day of June, 2013.



18. Commissioner Alderson moved to approve recommendation from the Operations Committee allowing the convenience centers to contact a not-for-profit from an approve list to donate discarded health care equipment, bicycles, toys, etc., that are not defined as scrap metal. Seconded by Commissioner Mead. Motion carried by voice vote.

#### Old Business

19. Commissioner Irwin moved to approve fixing the Tax Levy in Anderson County, Tennessee for the fiscal year beginning July 1, 2013/June 30, 2014. Seconded by Commissioner Isbel.

Voting Aye: Alderson, Bates, Biloski, Creasey, Emert, Fritts, Hitchcock, Irwin, Isbel, Iwanski, McKamey, Mead, Meredith, Shuey, Wandell and White. Motion carried.

## RESOLUTION FIXING THE TAX LEVY IN ANDERSON COUNTY, TENNESSEE FOR THE FISCAL YEAR BEGINNING JULY 1, 2013

SECTION 1. BE IT RESOLVED, by the Board of County Commissioner of Anderson County, Tennessee assembled in regular called session on the 17th day of June, 2013 that the combined property tax rate for Anderson County, Tennessee, for the fiscal year beginning July 1, 2013, shall be \$2.50 on each \$100.00 of the taxable property within the boundaries of the City of Clinton; \$2.347 on each \$100.00 of the taxable property within the boundaries of the City of Oak Ridge; and \$2.529 on each \$100.00 of the taxable property in Oliver Springs, Lake City, Norris, and Rural Anderson County, which levy is to be provide revenue for each of the following funds and otherwise conform to the following levies:

Fund o	rea Within Boundaries f Clinton	Area Within Boundaries of Oak Ridge	Lake City, Oliver Springs Nortis and Rural Anderson County
General Fund	. 6915	.6915	.6915
Solid Waste Fund	. 0619	.0619	.0619
Library Fund	. 0262	.0262	.0262
Highway Fund	. 0275	.0275	.0275
General Purpose School Fun	d 1.44	1.44	1.44
General Debt Service	.10	.10	.10
Rural School Debt Service	.00	.00	.029
High School Debt Service	153	.00	,153
TOTAL	2.50	2,347	2, <u>529</u>

## Exhibit 13

Search Correction



BODY SCANNERS ARE NOW AT ALL TDOC FACILITIES. VISITATION IS AVAILABLE BY APPOINTMENT ONLY.

CLICK HERE FOR CONTACT INFORMATION TO SCHEDULE A VISIT.

## Reentry Success Act of 2021

The Reentry Success Act of 2021 (Public Chapter 410) provides compensation to Tennessee counties who provide evidence-based programming for inmates housed in county jails. Evidence-based programming is defined as a program shown by scientific research to effectively reduce recidivism rates and increase an offender's likelihood of success following release from incarceration, including programs focused on education, vocational training, mental health, substance abuse rehabilitation, or building healthy relationships.

Resources regarding approved evidence-based programming can be accessed here:

- Using Evidence In Program Inventories and Budgeting
- Evidence-Based Budgeting In Tennessee

#### Results First Clearinghouse Database

The <u>Results First Clearinghouse Database</u> is an online resource that brings together information on the effectiveness of social policy programs from nine national clearinghouses. It applies color-coding to the clearinghouses' distinct rating systems, creating a common language that enables users to quickly see where each program falls on a spectrum from negative impact to positive impact. As such, this database can help users easily access and understand the evidence base for a variety of programs.

## Anderson County, Tennessee Board of Commissioners

#### **RESOLUTION NO. 2022-07-934**

RESOLUTION TO AUTHORIZE THE ANDERSON COUNTY SHERIFF'S OFFICE TO COMMENCE THE REQUIRED PROCESS FOR THE DETENTION FACILITY TO BECOME AN ACCREDITATED CORRECTIONAL FACILITY AND FURTHER CREATE THE "STEPPING UP INITIATIVE" DESIGNED TO REDUCE THE NUMBER OF INMATES WITH MENTAL ILLNESS DISORDERS BY INSTITUTING EVIDENCE-BASED TREATMENT PROGRAMS.

WHEREAS, very few local jails and detention facilities have achieved the highly regarded accreditation status. The process to achieve accreditation status is an arduous and a continuous endeavor requiring a complete and comprehensive review of internal policies and operational standards; however, those few jurisdictions receiving the prestigious status benefit from higher morale, reduced inmate grievances and lawsuits, priority grant status and increased per diem rates for housing state prisoners; and

WHEREAS, an important initial task in the accreditation process is addressing the growing national concern related to the housing of inmates with mental health disorders and the lack of adequate treatment programs; and

WHEREAS, Anderson County routinely provides treatment services to hundreds of inmates each year with serious mental illness disorders, however, the commencement of the Stepping Up Initiative will implement a variety of programs narrowly-tailored and individually designed to address the many needs of those individuals incarcerated; and

WHEREAS, with the abolishment of several regional treatment facilities across Tennessee, including the Lakeshore Mental Health Institute in Knoxville, many Tennessee residents suffering from mental health disorders end up in local jails that are not equipped with the proper resources and personnel to provide needed treatment; and

WHEREAS, the problems facing local correctional facilities are manifested in evidence-based data showing incarceration rates of serious mental health illnesses in local jalls are three to six times higher than for the general public; almost three-quarters of inmates with serious mental health illnesses housed in local jails have co-occurring substance abuse disorders; adults with mental health illnesses tend to stay confined in local jails for longer periods of time and, upon release, are at a much higher risk of recidivism than people without these disorders; local jails spend two to three times more on inmates suffering from mental health disorders than those inmates without treatment needs; and

WHEREAS, without proper treatment alternatives, inmates with mental health disorders continue to cycle through the criminal justice system, often resulting in tragic outcomes for the individuals and families, resulting in financial strains on the already burdened local criminal justice system; and

WHEREAS, through the Stepping Up Initiative, the Anderson County Sheriff's Office will establish partnerships with the National Association of Counties, the Council of State Governments — Criminal Justice Callaborative, the American Psychiatric Association Foundation; and other public and private partners to contribute to this worthy program designed to reduce the number of people in the Detention

Center who suffer from mental health illnesses by assisting in individualized program development designed to provide the incarcerated individual with proper treatment options.

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NOW THEREFORE, BE IT RESOLVED by the Anderson County Board of Commissioners meeting in regular session this 18th day of July 2022 that we authorize the Anderson County Sheriff to initiate the process required to become an Accredited Correctional Facility pursuant to Tennessee Correctional Institute Standards, Rule 1400-05-.04.

BE IT FURTHER RESOLVED, that we authorize the commencement of the Stepping Up Initiative designed to reduce and treat the inmate population suffering from serious mental health concerns. The Anderson County Sheriff is hereby authorize to:

- 1) Establish a comprehensive resource facilitation committee consisting of a diverse team of leaders and community partnerships, appointed by the Sheriff;
- 2) Establish program goals and specific methodology to be utilized to identify inmates with mental health disorders in the Detention Facility;
- 3) Develop needs-based programs to accomplish the overall goal of reducing inmates with mental health disorders in the Detention Facility and local criminal justice system;
- 4) Establish policies that will address and regulate these programs to assist in reducing the high-level of recidivism and co-occurring substance abuse disorders;
- 5) Implement research-based approaches that will advance the established programs;
- 6) Examine existing treatment options to determine what programs are currently available in the community or that can be readily created to assist with the program goals;
- 7) Identify funding streams for each element of the treatment protocol and program goals;
- 8) Collect and review data to assess individual needs to better identified those individuals in need of individualized programs and services;
- 9) Create a process to track individual progress of program participants while incarcerated and when released from the Detention Facility;
- 10) Design post-incarceration programs focusing on aftercare therapies, housing, vocational education and employment:
- 11) Report and share successes and failures with other jurisdictions;
- 12) Complete all necessary steps to achieve Correctional Accreditation of the Detention Facility, and maintain such status and attached benefits.

RESOLVED, DULY PASSED AND APPROVED this 18th day of July 2022,

Joshua N. Anderson, Chair

Russell Barker, Sheriff

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ATTEST:

Frank, County Mayor

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# Anderson County Tourism Council Bylaws Revised January 21, 2008

Exhibit C

#### I. Organization Name

This organization is unincorporated and shall be named the Anderson County Tourism Council. The role of the Council is to serve the five municipalities (Clinton, Lake City, Norris, Oak Ridge and Oliver Springs) and the unincorporated areas of Anderson County in carrying out the County's tourism related economic development initiatives. Recognizing that the Council was formed by the County Commission, it shall adhere to all local, state and federal laws and regulations, which apply to Anderson County Government.

#### II. Mission and Objectives

The purpose of the Council is to sustain continuous economic growth for the county through tourism by planning developments that will protect the ecology and preserve the community's way of life. It shall follow best business practices set forth by the policies in this document. This shall be accomplished by:

- A. Supporting the Anderson County Commissioners to carry out the goals and objectives in the area of tourism,
- B. Supporting area municipalities (Clinton, Lake City, Norris, Oak Ridge and Oliver Springs) and all unincorporated communities in their individual tourism efforts,
- C. Researching, analyzing, translating and evaluating tourism data, trends and issues that directly affect the decision making process in creating annual marketing campaigns for the County,
- D. Promoting the County at the local, state, national and international levels. This can be accomplished through the development of marketing and promotional pieces in both paper and electronic media, and though direct communication with customers at trade shows, conventions, tourism-related events, the Welcome Center and via the telephone.

#### III. Tourism Council Employees

A. Executive Director-The Anderson County Tourism Council Board of Directors has the authority to screen and recommend the hiring and termination of an Executive Director to the County Commission for approval. Upon selection, the Executive Director will execute the functions, operations, and purposes of the Council. The Board of Directors and County Commission shall delegate to the Executive Director all authority and responsibility necessary to properly administer the business of the Council, within the goals and objectives agreed upon by the Board of Directors and the Executive Director. The Executive Director shall have full charge of the Council offices and all of the employees, including authority to employ and terminate employment of Council employees. The Executive Director shall be paid a salary and provided fringe benefits in accordance with the County's employment policies. The responsibility, powers and duties of the Executive Director shall be as a minimum:

Revised 1/21/2008 Page 1 of 4

- 1. To see that all the rules, regulations and policies of the County are enforced.
- 2. To schedule all meetings with the Board of Directors, fully briefing them on the status of said goals and objectives of the Council.
- 3. To prepare for the Council a budget each fiscal year showing the estimated revenues and expenditures of the Council for the ensuing year.
- 4. To keep the County Commission fully appraised as to the financial condition and needs of the Council's facilities, programs and activities.
- 5. To recommend to the Board of Directors the adoption of such measures as deemed necessary or explicit.
- To hire and supervise other Council employees in accordance with personnel policies of the County. To remove any Council employee when such removal is deemed necessary or advisable for the public good.
- B. Executive Director Reports: The County Commission may require the Executive Director to come before them at any regular, special or called meeting and answer question either orally or in writing. They may require at any time from the Executive Director written reports upon any matter involving the Council or facilities and equipment of the Council that they may deem proper. The Executive Director shall report regularly and at intervals at least quarterly, his or her general acts on behalf of the Council and its activities.
- C. Personnel Policies: Employees of the Council shall adhere to the policies established in the prevailing Anderson County Employee Policy Manual.
- D. Employee Benefits: The employees of the Council shall be covered under the County's Group Health, Accident, Disability, and Retirement policies. They shall also adhere to the County's prevailing leave allocation policy.

#### IV. Board of Directors

Upon approval of the County Commission, the Board of Directors has the authority to hire and retain the Executive Director on behalf of the County.

- A. Membership: The Board of Directors shall be comprised of twenty (20) members. The Executive Director shall conduct a search of potential membership candidates. From that search, the County Commission shall be presented a slate of members in writing for approval at the County Commission meeting in June. The County Commission shall have the final appointment authority. Membership is based on the following criteria:
  - 1. Anderson County Mayor
  - 2. Anderson County Board of Commissioners (Two)
  - 3. Municipality Administration Representative (Five)-Each municipality (Clinton, Lake City, Norris, Oak Ridge and Oliver Springs) will be entitled to one member of their choice, preferably the Mayor or a member of his or her staff subject to approval of the County Commission, to serve one year term. Existing members may be recommended for reappointment to new terms.
  - 4. Tourism Industry Representative (nine)-The Commission shall elect seven members annually on a fiscal year basis to serve one year terms. These members will represent the tourism industry in the following categories: Oak Ridge Convention and Visitor's

Revised 1/21/2008 Page 2 of 4



- Bureau, state parks, docks and marinas, attractions, heritage and hospitality. Existing members may be recommended for reappointment to new terms.
- 5. Chamber of Commerce (Three)-Each Chamber (Anderson County, Lake City and Oak Ridge) will be entitled to nominate one member of their choices, preferable the Executive Director or their designee.
- B. Officers: The initial officers of the Anderson County Tourism Council Board of Directors shall be a Chairperson and Vice-Chairperson. The Chairperson shall preside over the Board Meetings and represent the Board Directors at Commission Meetings or affiliated Commission Meetings. The Vice-Chairperson shall in the event of the absence or inability of the Chairperson to exercise duties become acting chairperson of the organization with all the rights, privileges and powers. Officers shall be election at the annual July Board of Directors meeting and serve for one year. Officers may serve unlimited consecutive terms.
- C. Terms of Membership: All newly appointed and re-appointed Board of Directors members shall be seated annually at the July meeting and shall be participating members thereafter. A member may be removed after the second consecutive absence from a scheduled Board meeting.
- D. Vacancies: Vacancies on the Board of Directors shall be filled, based on the departing member's membership category, within sixty days. Appointees to vacancies will serve the remainder of the retiring member's term.
- E. Removal: A Board of Directors member may be removed or suspended only for cause. For the purposes of this action, an Executive Committee will be formed within the Board to investigate the allegations. The Committee will present findings to the Board for suggested resolution. The Executive Director will then present the Board's recommendation, with supporting evidence, to the County Commission for final decision.
- F. Compensation: Board of Directors members shall not receive any compensation for their services. However, they may be reimbursed for expenses incurred in the performance of preapproved tourism related business and/or travel.

#### V. Meetings

- A. Convening the Board of Directors: the Board shall meet in January, April, July and October. The Executive Director shall provide the Board and local media a seven day notice of the meeting date, location, and tentative agenda. The Executive Director will present the next year's projected goals at the July meeting. Additional meetings may be called by the Executive Director as deemed necessary. Notice, including purpose of the meeting, shall be given to each member at least seven (7) days prior to said meeting.
- B. Quorum: At any meeting of the Board, seven (7) members shall constitute a quorum for the purpose of transacting business.

#### VI. Finance

- A. Fiscal Year: The fiscal year of the Council shall start on July 1<sup>st</sup> and go through June 30<sup>th</sup>.
- B. Funds: All monies appropriated to the Council by the County Commission shall be placed in a general operating fund under the Council's code.
- C. Fund Balance: Any unspent funds in the Tourism Council's code at the end of the fiscal year shall be placed in a Fund Balance for the Tourism Council use only. The Fund Balance monies can only be used for expenditures approved by the Board of Directors followed by the approval of County Commission.

Revised 1/21/2008 Page 3 of 4

- D. Disbursements: Disbursements shall be made by purchase order requisition and submitted to the Anderson County Purchasing Agent.
- E. Budget: The Executive Director will prepare for the Council a budget each fiscal year showing the estimated revenues and expenditures of the Council for the ensuing year. This will be submitted to the Board of Directors for confirmation at the January meeting. Upon confirmation, the Executive Director will present the proposed budget to the County Commission for funding. Funding levels currently stand at ninety percent of the County's annual hotel tax receipts.
- F. Bonding: The Anderson County Tourism Council members and the employees together with the operations and activities of the Tourism Council shall be insured as an arm of Anderson County Government by the County's general liability insurance policy.
- VI. Performance Measurements: The Council's performance measurement criteria must be confirmed by the Board of Directors for submission and approval to the County Commission and must include effectiveness measurements in addition to a report of activities. Performance measures may include indicators of the Council's impact, gauging increase in visitor volume, increases in pertinent county tax revenue, and other factors as deemed appropriate. The Executive Director shall report to the County Commission on the Council's performance and accomplishments on at least an annual basis.
- VIII. Amendments: Any Board member may propose amendments to these bylaws. Proposed amendments shall be directed to the Executive Director for recommendation to be brought before the Board.

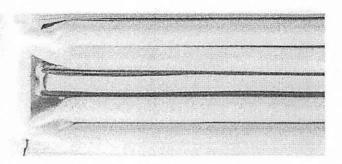


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#### 2022 CTAS Model Ethics Policy



#### News Date 06/15/2022

The General Assembly passed the "Comprehensive Governmental Ethics Reform Act of 2006" in February of 2006, which is codified at T.C.A. § 8-17-101 et seq. Among other provisions, the Ethics Reform Act requires local governments to adopt ethical standards related to the acceptance of gifts and disclosure of conflicts of interest and directs CTAS to develop a model policy.

We have updated the CTAS Model Ethics Policy due to changes in the law since the Model Policy was first drafted. Specifically, in 2021, Public Chapter 472 was enacted, which amends T.C.A. § 5-21-121, the conflict-of-interest provision of the County Financial Management System of 1981. In 2022, Public Chapter 700 was enacted, which amends T.C.A. § 5-14-114, the conflict-of-interest provision of County Purchasing Law of 1957.

#### Adoption of Ethics Policy

Adoption of the updated CTAS model policy is not required. The county can keep using the policy it adopted in 2007. If the county adopts the updated model policy as it is written with no changes, the county may simply notify the State Ethics Commission in writing at the address below that the county has adopted the updated model policy.

Tennessee Ethics Commission 404 James Robertson Parkway Ste. 104 Nashville, TN 37243 (615) 741-7959

Learn more about county ethics policies in our electronic library, e-Li: https://www.ctas.tennessee.edu/eli/county-ethics-policies







## **County Technical Assistance Service**

#### INSTITUTE for PUBLIC SERVICE

#### **CTAS MODEL ETHICS POLICY - 2022**

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Tennessee Ethics Commission 404 James Robertson Parkway Ste. 104 Nashville, TN 37243 615-741-7959

## CODE OF ETHICS COUNTY, TENNESSEE

#### Section 1. Definitions.

- (1) "County" means \_\_\_\_\_ County, which includes all boards, committees, commissions, authorities, corporations, or other instrumentalities appointed or created by the county or an official of the county, and specifically including the county election commission and the county health department.
- (2) "Officials and employees" means and includes any official, whether elected or appointed, officer, employee or servant, or any member of any board, agency, commission, authority or corporation (whether compensated or not), or any officer, employee or servant thereof, of the county.
- (3) "Personal interest" means, for the purpose of disclosure of personal interests in accordance with this Code of Ethics, a financial interest of the official or employee, or a financial interest of the official's or employee's spouse or child living in the same household, in the matter to be voted upon, regulated, supervised, or otherwise acted upon in an official capacity.
- <u>Section 2. Disclosure of personal interest in voting matters</u>. An official or employee with the responsibility to vote on a measure shall disclose during the meeting at which the vote takes place, before the vote and to be included in the minutes, any personal interest that affects or that would lead a reasonable person to infer that it affects the official's vote on the measure. In addition, the official or employee may, to the extent allowed by law, recuse himself or herself from voting on the measure.
- Section 3. Disclosure of personal interest in non-voting matters. An official or employee who must exercise discretion relative to any matter other than casting a vote and who has a personal interest in the matter that affects or that would lead a reasonable person to infer that it affects the exercise of the discretion shall disclose, before the exercise of the discretion, when possible, the interest on the attached disclosure form and file the disclosure form with the county clerk. In addition, the official or employee may, to the extent allowed by law, recuse himself or herself from the exercise of discretion in the matter.
- <u>Section 4. Acceptance of gifts and other things of value</u>. An official or employee, or an official's or employee's spouse or child living in the same household, may not accept, directly or indirectly, any gift, money, gratuity, or other consideration or favor of any kind from anyone other than the county:
- (1) For the performance of an act, or refraining from performance of an act, that he would be expected to perform, or refrain from performing, in the regular course of his duties; or
- (2) That a reasonable person would understand was intended to influence the vote, official action, or judgment of the official or employee in executing county business.



An official or employee who accepts any gift, money, gratuity, or other consideration or favor of any kind from anyone other than the county shall disclose such acceptance on the attached disclosure form and file the disclosure form with the county clerk.

It shall not be considered a violation of this policy for an official or employee to receive entertainment, food, refreshments, meals, health screenings, amenities, foodstuffs, or beverages that are provided in connection with a conference sponsored by an established or recognized statewide association of county government officials or by an umbrella or affiliate organization of such statewide association of county government officials.

Section 5. Ethics Complaints. A County Ethics Committee (the "Ethics Committee") consisting of five members shall be appointed to one-year terms by the county mayor with confirmation by the county legislative body, to be appointed each year at the same time as internal committees of the county legislative body. At least three members of the committee shall be members of the county legislative body; one member shall be a constitutional county officer or, should no constitutional county officer be willing to accept appointment, an additional member of the county legislative body; and the remaining member may be either a member of a board, committee, commission, authority, corporation, or other instrumentality governed by this policy, or an additional member of the county legislative body. The Ethics Committee shall convene as soon as practicable after their appointment and elect a chair and a secretary. The records of the Ethics Committee shall be maintained by the secretary and shall be filed in the office of the county clerk, where they shall be open to public inspection.

Questions and complaints regarding violations of this Code of Ethics or of any violation of state law governing ethical conduct should be directed to the chair of the Ethics Committee. Complaints shall be in writing and signed by the person making the complaint and shall set forth in reasonable detail the facts upon which the complaint is based.

The County Ethics Committee shall investigate any credible complaint against an official or employee charging any violation of this Code of Ethics or may undertake an investigation on its own initiative when it acquires information indicating a possible violation, and make recommendations for action to end or seek retribution for any activity that, in the Committee's judgment, constitutes a violation of this Code of Ethics. If a member of the Committee is the subject of a complaint, such member shall recuse himself or herself from all proceedings involving such complaint.

#### The Committee may:

- (1) Refer the matter to the county attorney for a legal opinion and/or recommendations for action;
- (2) In the case of an official, refer the matter to the county legislative body for possible public censure if the county legislative body finds such action warranted;

- (3) In the case of an employee, refer the matter to the official responsible for supervision of the employee for possible disciplinary action if the official finds discipline warranted:
- (4) In a case involving possible violation of state statutes, refer the matter to the district attorney for possible ouster or criminal prosecution;

The interpretation that a reasonable person in the circumstances would apply shall be used in interpreting and enforcing this Code of Ethics. When a violation of this Code of Ethics also constitutes a violation of a personnel policy or a civil service policy, the violation shall be dealt with as a violation of the personnel or civil service provisions rather than as a violation of this Code of Ethics.

Section 6. Applicable State Laws. In addition to the ethical principles set out in this Code of Ethics, state laws also provide a framework for the ethical behavior of county officials and employees in the performance of their duties. Officials and employees should familiarize themselves with the state laws applicable to their office or position and the performance of their duties. To the extent that an issue is addressed by state law (law of general application, public law of local application, local option law, or private act), the provisions of that state law, to the extent they are more restrictive, shall control. Following is a brief summary of selected state laws concerning ethics in county government. For the full text of these statutes, see the Tennessee Code Annotated (T.C.A.) sections indicated.

Campaign finance – T.C.A. Title 2, Chapter 10. Part One (campaign financial disclosure) requires candidates for public office to disclose contributions and contributors to their campaigns. Part Three (campaign contribution limits) limits the total amount of campaign contributions a candidate may receive from an individual and sets limits on the amount a candidate may receive in cash.

Conflict of interest – T.C.A. § 12-4-101 is the general conflict of interest statute that applies in all counties. It prohibits anyone who votes for, lets out, or in any manner supervises any work or contract from having a direct financial interest in that contract, purchase or work, and it requires disclosure of indirect financial interests by public acknowledgment.

Conflict of interest – T.C.A. § 49-6-2003 applies to the department of education in all counties and prohibits direct and indirect conflicts of interest in the sale of supplies for use in public schools.

Conflict of interest – T.C.A. § 5-1-125 applies in all counties and prohibits county officials and employees from purchasing surplus county property except where it is sold by public bid.

Conflict of interest – T.C.A. § 54-7-203 applies in all counties that are governed by the County Uniform Highway Law. It prohibits officials and employees in the highway department and members of the county legislative body from having any personal interest in purchases of supplies, materials, machinery, and equipment for the highway department.

Conflict of interest –T.C.A. § 5-14-114 applies in counties that have adopted the County Purchasing Law of 1957. It prohibits the purchasing agent, members of the county purchasing commission, members of the county legislative body, and other officials of the county from having a direct interest in a contract or purchase order for supplies, materials, equipment, or contractual services used by or furnished to a department or agency of the county government.

Conflict of interest – T.C.A. § 5-21-121 applies in counties that have adopted the County Financial Management System of 1981. It prohibits the director, purchasing agent, members of the committee, members of the county legislative body, other officials of the county, members of the board of education, members of the highway commission, and employees of the finance department and purchasing department from having a direct interest in the purchase of supplies, materials, equipment, or contractual services for the county. In addition, it requires the disclosure of indirect financial interests by public acknowledgment.

Conflict of interest – T.C.A. § 5-5-112 governs conflict of interests of members of the county legislative body who are also employees of the county or whose spouse is an employee of the county.

Conflict of interest disclosure statements – T.C.A. § 8-50-501 and the following sections require candidates and appointees to local public offices to file a disclosure statement with the state ethics commission listing major sources of income, investments, lobbying activities, professional services provided, bankruptcies, certain loans, and other information, and to keep these statements up to date.

Gifts – T.C.A. § 5-14-114 applies in counties that have adopted the County Purchasing Law of 1957. It prohibits the purchasing agent, members of the county purchasing commission, members of the county legislative body, and other officials of the county from accepting or receiving, directly or indirectly, from a person, firm, or corporation to which a contract or purchase order may be awarded, by rebate, gift, or otherwise, money or anything of value whatsoever, or a promise, obligation, or contract for future reward or compensation.

Gifts – T.C.A. § 5-21-121 applies in counties that have adopted the County Financial Management System of 1981. It prohibits the finance director, purchasing agent, and employees in those departments from accepting anything of value, directly or indirectly, from anyone who furnishes supplies, materials or equipment to the county.

Honoraria – T.C.A. § 2-10-116 prohibits elected officials from accepting an honorarium (including money or anything of value, but not including reimbursement for actual expenses) for an appearance, speech, or article in their official capacity.

Private use of public property – T.C.A. § 54-7-202 applies in counties that are governed by the County Uniform Highway Law. It prohibits the private use of equipment, rock, and other highway materials.

Court sales – T.C.A. § 39-16-405 prohibits judges, clerks of court, court officers, and employees of court, from bidding on or purchasing any property sold through the court for which such person discharges official duties.

Sheriff sales - T.C.A. § 8-8-206 prohibits sheriffs and deputy sheriffs from purchasing, either directly or indirectly, any property sold through their own judicial sale no matter which court is involved.

Rules of the Supreme Court – Rule 10, Cannon 5 (Code of Judicial Conduct) establishes ethical rules for judges and other court personnel when exercising judicial functions.

Fee statutes – T.C.A. §§ 8-21-101, 8-21-102, and 8-21-103 set out circumstances where fees are authorized, prohibit officials from requiring payment of fees in advance of performance of services except where specifically authorized, and set penalties for charging excessive or unauthorized fees.

Consulting fee prohibition for elected county officials – T.C.A. §§ 2-10-122 and 2-10-124 prohibit officials from receiving compensation for advising or assisting a person or entity in influencing county legislative or administrative action.

Crimes involving public officials— T.C.A. § 39-16-101 and the following sections prohibit bribery, soliciting unlawful compensation, and buying and selling in regard to offices.

Official misconduct – T.C.A. § 39-16-402 applies to public servants and candidates for office and prohibits unauthorized exercise of official power, acting in an official capacity exceeding the servant's power, refusal to perform a duty imposed by law, violating a law relating to the servant's office or employment, and receiving a benefit not provided by law.

Official oppression - T.C.A. § 39-16-403 prohibits abuse of power by a public servant.

Bribery for votes – T.C.A. §§ 2-19-121, 2-19-126, and 2-19-127 prohibit bribery of voters in elections.

Misuse of official information – T.C.A. § 39-16-404 prohibits a public servant from attaining a benefit or aiding another person in attaining a benefit from information which was obtained in an official capacity and is not available to the public.

Ouster law – T.C.A. § 8-47-101 sets out conduct which is punishable by ouster from office, including misconduct in office and neglect of duty.

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#### CONFLICT OF INTEREST DISCLOSURE STATEMENT

**Instructions:** This form is for reporting personal interests required to be disclosed under Section 3 of the Code of Ethics of this county. Officials and employees are required to disclose personal interests in matters that affect or would lead a reasonable person to infer that it would affect the exercise of discretion of an official or employee.

1. Date of disclosure:
2. Name of official or employee:
3. Office and position:
4. Description of personal interest (describe below in detail):
Signature of official or employee
Witness Signature
Printed name of witness

COUNTY	CODE	OF	<b>ETHICS</b>
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#### **GIFT DISCLOSURE STATEMENT**

**Instructions:** This form is for reporting the acceptance of any gift, money, gratuity, or other consideration or favor of any kind from anyone other than the county required to be disclosed under Section 4 of the Code of Ethics of this county.

1. Date of disclosure:
2. Name of official or employee:
3. Office and position:
4. Description of gift, money, gratuity, or other consideration or favor (describe below in detail):
Signature of official or employee
Witness Signature
Printed name of witness

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## Anderson County, Tennessee

#### **Board of Commissioners**

RESOLUTION NO. 05-07 282

## A RESOLUTION TO ADOPT A CODE OF ETHICS FOR OFFICIALS AND EMPLOYEES OF ANDERSON COUNTY GOVERNMENT

WHEREAS, Section 49 of the Comprehensive Governmental Ethics Reform Act of 2006, Public Chapter I (hereinafter the "Ethics Reform Act") requires county legislative bodies to adopt certain ethical standards by resolution on or before June 30, 2007; and

WHEREAS, Anderson County desires to adopt a Code of Ethics for Anderson County and its Officials and Employees as required by Tennessee law.

NOW THEREFORE, BE IT RESOLVED by the Anderson County Legislative Body meeting in regular session at Clinton, Tennessee, on this 16th day of April, 2007, that pursuant to the mandates contained in the Tennessee Ethics Reform Act of 2006, the following is hereby duly adopted and approved:

SECTION 1. The attached Code of Ethics is hereby adopted as the Official Code of Ethics for Anderson County, Tennessee.

SECTION 2. Upon approval of this resolution, the County Clerk is directed to:

- (a) Mail a copy of this resolution to the State Ethics Commission; and
- (b) Mail a copy of this resolution and the attached Code of Ethics to each county office governed thereby, including all boards, committees, commissions, authorities, utilities, departments, subsidiaries, corporations or other instrumentalities appointed or created by the county or an official of the county, and including the county school board, the county election commission, the county health department and utility districts in the county; and
- (c) Post notice of the reporting procedures for the Code of Ethics on each public bulletin board in the Anderson County courthouse.

SECTION 3. This resolution shall take effect upon its passage and approval, the public welfare requiring it.

RESOLVED, this 16th day of April, 2007.

Myron Iwanski, Chair, County Commission

Rex Lynch, County Mayor

ATTEST:

Jeff Cole, County Clerk

## Code of Ethics Anderson County, Tennessee

#### Section 1. Definitions.

- (1) "County" means Anderson County Tennessee, which shall include all boards, committees, commissions, authorities, corporations, or any other instrumentalities of Anderson County Government appointed or created by the County, or an official of the County, and including the County School Board, the County Election Commission, the County Health Department, and Utility Districts of the County.
- (2) "Official and employee" means and includes any Anderson County official, singular or plural, whether elected or appointed, officer, employee, or any member of any board, agency, commission, authority or corporation (whether compensated or not) or any person employed or appointed by Anderson County.
- (3) "Personal interest" means, for the purpose of disclosure of personal interests in accordance with this Code of Ethics, a financial interest of the official or employee, or a financial interest of the official's or employee's spouse or child living in the same household, in the matter to be voted upon, regulated, supervised, decided or otherwise acted upon in an official capacity.

#### Section 2. Disclosure of Personal Interest in Voting Matters.

An official or employee with the responsibility to vote on a measure shall disclose during the meeting at which the vote takes place, before the vote and to be included in the minutes of the meeting, any personal interest that affects or that would lead a reasonable person to infer that it affects the official's or employee's vote on the measure. In addition, the official or employee may, to the extent allowed by law, abstain from voting on the measure.

#### Section 3. Disclosure of Personal Interest in Non-Voting Matters.

An official or employee who must exercise discretion relative to any matter other than casting a vote; including but not limited to, managing, supervising, or awarding any contract, and who has a personal interest in the matter that affects or that would lead a reasonable person to infer that it affects the exercise of discretion shall disclose, before the exercise of discretion when possible, the personal interest on the authorized Disclosure Form and file that form with the County Clerk. In addition, the official or employee may, to the extent allowed by law, recuse himself or herself from the exercise of discretion in the matter.

#### Section 4. Acceptance of Gifts and Other Things of Value.

An official or employee, or an official's or employee's spouse or child living in the same household, may not accept, directly or indirectly, any gift, money, gratuity, or other consideration or favor of any kind from anyone other than the County:

- (1) For the performance of an act, or refraining from performance from an act, that he or she would be expected to perform or refrain from performing in the regular course of his or her County duties; or
- (2) That a reasonable person would understand was intended to influence the vote, official action, or judgment of the official or employee in executing County business.

It shall not be considered a violation of this policy for an official or employee to receive entertainment, food, refreshments, meals, health screens, immunizations, vaccines, amenities, or items necessary to the performance of the official or employees' duties that are provided by the County, or in connection with a conference, meeting, or employee fair sponsored by the County, other governmental entity, or an established and recognized state-wide association of county government officials or by an umbrella or affiliate organization of such state-wide association of county government officials, or professional organization, association or licensing board.

#### Section 5. County Ethics Commission.

A County Ethics Commission (hereinafter "Commission") consisting of sixteen (16) voting members shall be appointed to serve two (2) year terms, subject to the initial term provision recited below, with no term limits, and shall consist of the following membership:

- A) County Mayor, or designee;
- B) Chairman of the County Legislative Body, or designee;
- C) County Clerk, or designee;
- D) Circuit Court Clerk, or designee;
- E) Clerk and Master, or designee;
- F) Director of Schools, or designee
- G) Highway Superintendent, or designee:
- H) Member of the Judiciary as selected by the Honorable Judges of the County and Seventh (7<sup>th</sup>) Judicial District, or designee;
- 1) Assessor of Property, or designee:
- J) Register of Deeds, or designee;
- K) Sheriff, or designee;
- L) Trustee, or designee;
- M) Member of the County Legislative Body as selected by their membership, or designee:
- N) Member of the County School Board as selected by their membership, or designee;
- O) County Mayor Appointment:
- P) County Legislative Body Appointment; and
- Q) Ombudsman/Law Director, ex officio.

Designees and appointees can be selected from other County Officials, employees or citizens.

Initial Terms shall run from July 1, 2007 until September 30, 2010. Subsequent two (2) year membership terms shall begin on October 1, 2010.

The Commission shall convene as soon as practical after their appointment and elect a Chair and Secretary. All meetings, with the exception of executive sessions, shall be open to the public and

publicly noticed in a newspaper of general circulation in the County for at least one time no less than five (5) days prior to the meeting.

A majority of Commission members present shall constitute a quorum. The Commission shall act officially by majority vote of the entire membership. Death of a member and abstentions for stated cause shall reduce the needed majority vote accordingly.

The Commission shall have original jurisdiction to hear and decide all violations of this Code.

Unless specifically governed herein, or by state law, the Commission shall conduct all meetings in accordance with Robert's Rules of Order, most recent edition.

The official records, minutes and closed investigations of the Commission shall be maintained by the Secretary and filed in the Office of the Anderson County Clerk, where they shall be open for public inspection during reasonable business hours.

#### Section 6. Complaints.

Questions and complaints regarding violations of this Code of Ethics or any violation of state law governing ethical conduct should be directed to the Ombudsman for the Commission. Complaints shall be in writing and signed by the person making the complaint. At least one witness shall sign the complaint attesting to the authenticity of the signature only. All complaints shall be as specific as possible and shall set forth in reasonable detail the facts upon which the complaint is based. Complaints will be received by U.S. Mail only addressed to the following:

Anderson County Ethics Commission 101 South Main Street, Suite 310 Clinton, TN 37716

The Commission or Ombudsman shall investigate any credible complaint against an official or employee charging any violation of this Code of Ethics, or may undertake an investigation on its own initiative when it acquires information indicating a possible violation, and make recommendations for such action to end or seek retribution and/or restitution for any activity that, in the Commission's judgment constitutes a violation of this Code of Ethics. If a member of the Commission or the Ombudsman is the subject of a complaint, such member shall recuse himself or herself from all proceedings involving such complaint. If the Ombudsman is the subject of the complaint, the Chair of the Ethics Commission shall receive and investigate the complaint and otherwise serve and act in the role of Ombudsman.

#### Section 7. Ombudsman.

The County Law Director shall serve in the position of Ombudsman and shall receive and investigate all complaints regarding violations of this Code of Ethics. The Ombudsman shall make an initial inquiry to determine if the act complained of lies within the original jurisdiction of this Code and Commission, as defined herein. If the Ombudsman determines that jurisdiction is vested with the Commission then the alleged violation will be investigated and referred to the Commission for further action. The Ombudsman shall cause reasonable notice to be given to the affected official or supervising department head when an ethics complaint is received. All ethical violations defined herein will be referred the Commission.



After the investigation is complete, or within ninety (90) days of the postmark on the complaint, whichever comes first, the Ombudsman shall report the matter to:

- 1) The Commission, if the act complained of falls within the original jurisdiction of the Commission; and/or
- The Department Head or Elected Official, Board, or Commission supervising the official or employee for additional action; and/or
- 3) Local law enforcement agency or the District Attorney General if criminal activity is suspected; and/or
- 4) State Ethics Commission or the State Election Commission if the act complained of falls within the appropriate jurisdiction; and/or
- 5) The District Attorney General or Law Director for ouster investigation and appropriate action; or
- The Ombudsman shall dismiss the complaint for lack of reasonable supporting and corroborating evidence, lack or jurisdiction, lack or merit, lack of cooperation from the complainant, or complainant's unwillingness to testify before the Commission or Court of law, or withdrawal of the complaint by the complainant.

#### Section 8. Enforcement Options.

The Commission may, upon majority vote:

- Refer the matter to the Law Director for a legal opinion and/or recommendation for action; or
- In the case of an official, refer the matter to the County Legislative Body for
  possible public censure by resolution of the County Legislative Body if such
  body finds such action warranted;
- In the case of an employee, refer the matter to the official or department head responsible for supervision and control of that employee for possible disciplinary action if the official or department head finds such discipline warranted;
- 4) In a case involving possible violations of state statute, refer the matter to the District Attorney General for possible ouster or criminal prosecution.

When interpreting and enforcing the provisions of this Code the Commission and/or Ombudsman shall use the standard of what an objective reasonable person would have done, or would have perceived was done, under the facts and circumstances given. When a violation of this policy also constitutes a violation of a personnel policy or civil service policy, the violation shall be dealt with as a violation of the personnel or civil service policy provisions rather than a violation of this policy.

#### Section 9. Applicable State Laws.

In addition to the ethical principles set out in this Code, state law also provides a framework for the ethical behavior of County officials and employees in the performance of their duties. Officials and employees should familiarize themselves with state laws applicable to their office, position and the performance of their duties. To the extent that an issue is addressed by state law, (law of general application, public law of local application, local option law, or private



act), the provisions of state law, to the extent they are more restrictive, shall control. The following is a brief nonexclusive survey of selected state laws concerning ethics in County government. For the full text of these statutes see the identified Tennessee Code Annotated (T.C.A.) sections.

Campaign Finance – T.C.A. Title 2, Chapter 10. Part 1 (Campaign Financial Disclosure) requires candidates for public office to disclose contributions and contributors to their campaigns. Part 3 (Campaign Contribution Limits) limits the total amount of campaign contributions a candidate may receive from an individual and sets limits on the amount a candidate may receive in cash.

Conflict of Interest – T.C.A. §12-4-101 is the general conflict of interest statute that applies in all counties. It prohibits anyone who votes for, lets out, or in any manner supervises any work or contract from having a direct financial interest in that contract, purchase, or work, and it requires disclosure of indirect financial interests by public acknowledgment.

Conflict of Interest – T.C.A. §49-6-203 applies to the Department of Education or School Board in all counties and prohibits the direct and indirect conflict of interest in the sale of supplies for use in public schools.

Conflict of Interest – T.C.A. §5-1-125 applies in all counties and prohibits county officials and employees from purchasing surplus county property except where it is sold by public bid.

Conflict of Interest – T.C.A. §54-7-203 applies in all counties that are governed by the County Uniform Highway Law. It prohibits officials and employees in the Highway Department and members of the County Legislative Body from having any personal interest in purchases of supplies, materials, machinery, and equipment for the Highway Department.

Conflict of Interest – T.C.A. §5-14-114 is part of the Purchasing Law of 1957, lawfully adopted and in effect in Anderson County. It prohibits the purchasing agent, members of the purchasing commission, and all county officials from having any financial or personal beneficial interest in any contract or purchase of goods or services for any department or agency of the County.

Conflict of Interest – T.C.A. §§5-5-102 and 12-4-101 govern disclosures and abstentions from voting due to conflicts of interest related to members of the County Legislative Body.

Conflict of Interest Disclosure Statements – T.C.A. §§8-50-501 et seq. requires candidates and appointees to local public offices to file a disclosure statement with the State Ethics Commission listing major sources of income, investments, lobbying activities, professional services provided, bankruptcies, certain loans, and other information, and to keep these statements up to date.

Gifts – T.C.A. § 5-14-114 is part of the Purchasing Law of 1957, lawfully adopted and in effect in Anderson County. It prohibits the purchasing agent, members of the purchasing commission, and all county officials from receiving anything of value, directly or indirectly, from anyone who may have or could obtain a contract or purchase order with the County.



Honorarium - T.C.A. §2-10-116 prohibits elected officials from accepting an honorarium, (including money or anything of value, but not including reimbursement for actual expenses) for an appearance, speech, or written article in their official capacity.

Private Use of Public Property – T.C.A. §54-7-202 applies to the Anderson County Highway Department. It prohibits the private use of equipment, rock, and other highway materials.

Court Sales - T.C.A. §39-16-405 prohibits judges, clerks of the court, court officers, and employees of court from bidding on or purchasing any property sold through the court for which such person discharges official duties.

Rules of the Supreme Court - Rule 10, Cannon 5, (Code of Judicial Conduct), establishes ethical rules for Judges and other court personnel when exercising judicial functions.

Rules of the Supreme Court – Tennessee Rules of Professional Conduct, establishes ethical rules for Tennessee attorneys.

Fee Statutes – T.C.A. §§8-21-101, 8-21-102, and 8-21-103 set out circumstances where fees are authorized, prohibit officials from requiring payment of fees in advance of performance of services except where specifically authorized and set penalties for charging excessive or unauthorized fees.

Consulting Fee Prohibition for Elected County Officials – T.C.A. §§2-10-122 and 2-10-124 prohibit officials from receiving compensation for advising or assisting a person or entity in influencing County legislative or administrative action.

Crimes Involving Public Officials – T.C.A. §§39-16-101 et seq. and the following sections prohibit bribery, soliciting unlawful compensation, and buying and selling in regard to offices.

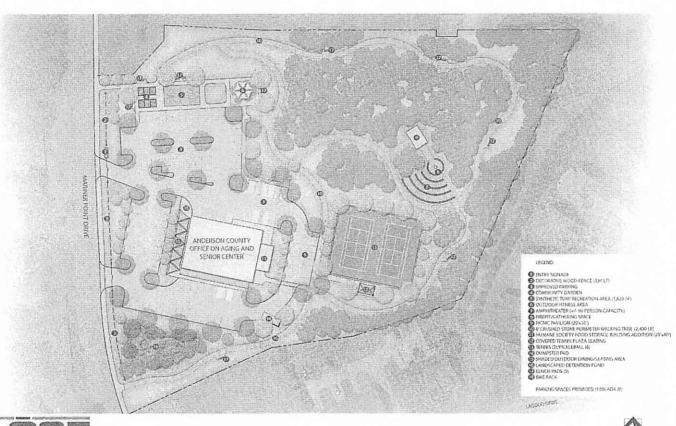
Official Misconduct – T.C.A. §39-16-402 applies to public servants and candidates for office and prohibits the unauthorized exercise of official power acting in an official capacity exceeding the servant's power, refusal to perform a duty imposed by law, violating a law relating to the servant's office or employment, and receiving a benefit not provided by law.

Official Oppression - T.C.A. §39-16-403 prohibits abuse of power by a public servant.

Bribery for Votes - T.C.A. §§2-19-121, 2-19-126, and 2-19-127 prohibit bribery of voters in an election.

Misuse of Official Information – T.C.A. §39-16-404 prohibits a public servant from obtaining a benefit or aiding another person in obtaining a benefit from information which was obtained in his/her official capacity and is not available to the public.

Public Official Ouster Law – T.C.A. §8-47-101 sets out conduct that is punishable by ouster from office, including misconduct in office and neglect of duties. Ouster cases may be filed by either the Law Director or District Attorney General.





ANDERSON COUNTY SENIOR CENTER

CLINTON, TN



### Anderson County, Tennessee

## Board of Commissioners RESOLUTION NO. 23-08-1123

RESOLUTION TO ADOPT THE 2018 EDITION OF VARIOUS INTERNATIONAL BUILDING CODES AS THE OFFICIAL BUILDING CODES OF ANDERSON COUNTY, TENNESSEE TO INCLUDE THE FOLLOWING SPECIFIC 2018 CODE TITLES: INTERNATIONAL ENERGY CONSERVATION CODE, INTERNATIONAL RESIDENTIAL CODE, REPEAL PRIOR EDITIONS PREVIOUSLY ADOPTED, AND TO PROVIDE ENFORCEMENT MECHANISMS.

**WHEREAS,** Tennessee Code Annotated, § 5-20-102, allows the County Legislative Body to adopt standard and common building codes by reference; and

WHEREAS, Anderson County currently operates under, and enforces various provisions of the International Building Code and desires to update to the most recent edition and repeal editions previously adopted and to amend specific sections; and

WHEREAS, Anderson County wishes to specifically adopt the 2018 editions of the various International Building Codes including; the International Residential Code and International Energy Conservation Code. These codes shall apply to all structures governed by the *Anderson County Zoning Resolution* and under the jurisdiction of the Anderson County Building Commissioner; and

WHEREAS, the Anderson County Building Commissioner and staff, with the assistance of the County Law Director when requested, as authorized under T.C.A. § 5-20-104, shall be charged with enforcement of these codes; and

WHEREAS, the 2018 International Energy Conservation Code and International Residential Code shall be on file in the County Clerk's office and subject to public inspection for a period of three (3) weeks prior to the official effective date.

**NOW THEREFORE, BE IT RESOLVED** by the Anderson County Board of Commissioners meeting in regular session this 21st day of August 2023 that we here by repeal all prior versions of the International Energy Conservation Code and International Residential Code in conflict with the following amendments, and further adopt and authorize the enforcement of the 2018 edition of these codes.

**NOW THEREFORE, BE IT FURTHER RESOLVED** that we specifically amend the following codes and individual provisions:

#### **SECTION 1-2018 INTERNATIONAL RESIDENTIAL CODE**

Figure R301.2 (2) Deleted and replaced with Figure R301.2 (2) Seismic Design Categories Site Class D from 2015 IRC

<u>Section R314.6</u> Power Source relating to Smoke Alarms is amended to create Exception 3 that shall read:

Exception 3. Interconnection and hardwiring of smoke alarms in existing areas shall not be required where the alterations or repairs do not result in the removal of interior walls or ceiling finishes exposing the structure.

<u>Section N1102.4.1.2 (R402.4.1.2) Deleted</u> and replaced with Section N1102.4.2.1 Testing Option and Section N1102.4.2.2 Visual Inspection from 2009 IRC

<u>Section N1103.3.3 (R403.3.3) Duct</u> Testing (Mandatory) and Section N1103.3.4 (R403.3.4) Duct Leakage (Prescriptive) are optional.

<u>Table N1102.1.2 (R402.1.2)</u> Deleted and replaced with Table N1102.1 Insulation and Fenestration Requirements by Component and Table N1102.1.2 Equivalent U-Factor from 2009 IRC

Section N1102.4.4 (R402.4.4) Deleted in its entirety

<u>Table N1102.1</u> adopted from 2009 edition and is amended by adding the following as a footnote:

"I": "Log walls complying with ICC400 and with a minimum average wall thickness of 5" or greater shall be permitted in Zone 3 when a Fenestration U-Factor of .50 or lower is used, a Skylight U-Factor of .65 or lower is used, a Glazed Fenestration SHGC of .30 or lower is used, a 90 AFUE Furnace is used, an 85 AFUE Boiler is used, and a 9.0 HSPF Heat Pump (heating) and 15 SEER (cooling) are used."

<u>Table N1102.1</u> adopted from the 2009 edition and is amended by adding the following as a footnoted:

"m": "Log walls complying with ICC400 and with a minimum average wall thickness of 5" or greater shall be permitted in Zone 4 when a Fenestration U-Factor of .35 or lower is used, a Skylight U-Factor of .60 or lower is used, a 90 AFUE Furnace is used, an 85 AFUE Boiler is used, and a 9.0 HSPF Heat Pump (heating) and 15 SEER (cooling) are used."

#### **SECTION 2-2018 INTERNATIONAL ENERGY CONSERVATION CODE**

<u>Section R402.1.2</u> Deleted and replaced with Section 402.4.2.1 Testing Option and Section 402.4.2.2 Visual Inspection Option from 2009 IECC.

<u>Section R403.3.3</u> Duct Testing (Mandatory) and Section R403.3.4 Duct Leakage (Prescriptive) are optional.

<u>Table 402.2.2</u> Deleted and replaced with Table 402.1.1 Insulation and Fenestration Requirements by Component 2009 IECC.

Table R402.1.4 Deleted and replaced with Table 402.1.3 Equivalent U-Factors 2009 IECC.

APPROVED, DULY PASSED this 21st day of August 2023.

EFFECTIVE after three weeks from the date filed with the County Clerk for public inspection.

Joshua Anderson, Chairman	Terry Frank, Mayor
	ATTEST:
	Jeff Cole, County Clerk

# Anderson County Board of Commissioners OPERATIONS COMMITTEE MINUTES

July 10, 2023 6:00 PM Room 312

**Members Present:** 

Tim Isbel, Denise Palmer, Tyler Mayes, Joshua Anderson, Phil

Yager, Stephen Verran, Robert McKamey and Anthony Allen

**Members Absent:** 

None

Call to Order:

Chairman Isbel called the meeting to order.

Chairman Isbel said the prayer.

Chairman Anderson led the Pledge of Allegiance.

Commissioner Palmer requested to add the Strategic Planning Workshop to the agenda under Old Business.

Commissioner Yager made a motion to approve the Agenda as amended. Seconded by Commissioner McKamey. Motion passed.

No citizens addressed commission.

Commissioner McKamey made a motion to approve the Land Lease for the Anderson County Rescue squad with a 10 year lease with option to renew another 10 years and allow the land to be surplused back to the County pending the School Board's approval. Seconded by Commissioner Mayes. Motion passed to forward to full commission for approval.

#### Mavor

Commissioner Mayes made a motion to forward to full commission for approval to add quarterly County Commission meetings, January, April, July and October, beginning at 9:30 am with the public hearing portion beginning at 9:00 am. Seconded by Commissioner Allen. Motion passed.

#### **Old Business:**

The Strategic Planning Workshop will meet Thursday, October 26th & Friday, October 27th, 2023.

#### **New Business:**

To have Stephanie Wells, Tourism Director come to Operations Committee meeting next month to obtain information of how Tourism is collecting data for reporting.

#### **Meeting Adjourned**

## Anderson County Government Holiday Schedule 2024

<ul><li>News Years Day</li></ul>	Monday	January 1, 2024
<ul> <li>Martin Luther King, Jr. Da</li> </ul>	ay Monday	January 15
<ul><li>Presidents Day</li></ul>	Monday	February 19
<ul> <li>Good Friday</li> </ul>	Friday	March 29
<ul><li>Memorial Day</li></ul>	Monday	May 27
<ul><li>Juneteenth</li></ul>	Wednesday	June 19
<ul> <li>Independence Day</li> </ul>	Thursday Friday	July 4 July 5
<ul><li>Labor Day</li></ul>	Monday	September 2
<ul><li>Veterans Day</li></ul>	Monday	November 11
<ul><li>Thanksgiving</li></ul>	Thursday Friday	November 28 November 29
<ul><li>Christmas</li></ul>	Tuesday Wednesday	December 24 December 25

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# Days

158

163

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### Popular Holidays in 2024

Holidays in red denotes a Federal Holiday.

Monday, Jan 1 - New Years Day 2024

Monday, Jan 15 - Martin Luther King Day 2024

Wednesday, Feb 14 - Valentines Day 2024

Monday, Feb 19 - Presidents Day 2024

Sunday, Mar 17 - St. Patrick's Day 2024

Sunday, Mar 10 - Daylight Saving Starts 2024

Sunday, Mar 31 - Easter 2024 Good Friday Mar 29

Sunday, May 12 - Mothers Day 2024

Monday, May 27 - Memorial Day 2024

Sunday, June 16 - Fathers Day 2024

Wednesday, June 19 - Juneteenth 2024

Thursday, July 4 - Independence Day 2024

Monday, Sept 2 - Labor Day 2024

Monday, Oct 14 - Columbus Day 2024

Thursday, Oct 31 - Halloween 2024

Sunday, Nov 3 - Daylight Saving Ends 2024

Monday, Nov 11 - Veterans Day 2024

Thursday, Nov 28 - Thanksgiving 2024

Wednesday, Dec 25 - Christmas Day 2024

No

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