
Anderson County Board of Commissioners

Regular Agenda

Monday, August 21, 2023 @ 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. **Public Hearing** – by Vice-Chairman Vowell
6. **Departments**
 - Tourism – New members to Anderson County Tourism Council
 - Jimmy Taylor replacing Art Miller
 - Serena Satterfield representing the marinas
7. **Committee Reports**
 - Purchasing Report – by Robby Holbrook, Finance Director
 - Budget Report – by Robby Holbrook, Finance Director
 - Operations Report – by Chairman Isbel
8. **Director of Schools**
 - No Report/Questions from Commissioners
9. **County Mayor**
 - No Report/Questions from Commissioners
10. **Law Director**
 - A. Contract Approvals
 - B. Anderson County Zoning Violations
 - C. Bankruptcies
 - D. Delinquent Taxes
 - E. Collections Case
 - F. Lawsuit Update
 - G. Anderson County v. Davis, Chrystine A.
11. **Committees/Boards Reports**
 1. Fire Commission Report– by Chairman Wandell
 2. Rules Committee Report – by Chairman Smallridge
 3. Legislative Committee Report – by Chairman Wells
12. **New Business**
13. **Old Business**
14. **Adjourn**

Respectfully Submitted
Joshua Anderson, Chairman

**Anderson County Board of Commissioners
Purchasing Committee Meeting Minutes
August 14, 2023
4:30 p.m.
Room 312 of the Courthouse**

Members Present: Tim Isbel (Committee Chair), Phil Yager, Tyler Mayes, Denise Palmer and Aaron Wells.

Public Comment Period

Commissioner Wells made a motion to add the contracts with US Cellular, Andrew Lang and Tennessee Orthopaedic Clinic as new business items. Commissioner Yager seconded the motion. Motion passed unanimously.

A. Contracts Approved by Law Director

1. **James Austin Jinks, EMS, Contract #24-0010** – Agreement to provide EMS employee tuition in the amount of \$1,000 for the Critical Care Paramedic State EMS License with the conditions that the employee passes the course, and remains employed full-time with EMS for one-year after obtaining license.
2. **Brandy Solomon, EMS, Contract #24-0011** – Agreement to provide EMS employee tuition in the amount of \$2,300 for the AEMT Course with the conditions that the employee passes the course, obtains her AEMT license within four months after course completion and remains employed full-time with EMS for one-year after obtaining license.
3. **Faith Phillips, EMS, Contract #24-0014** – Agreement to provide EMS employee tuition in the amount of \$2,300 for the AEMT Course with the conditions that the employee passes the course, obtains her AEMT license within four months after course completion and remains employed full-time with EMS for one-year after obtaining license.
4. **Southeastern Emergency Physicians dba TeamHealth Midsouth, EMS, Contract #24-0023** – Three-year contract for a Medical Director for \$30,000/year, the same cost as the previous contract.

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

B. Contracts Pending Law Director Approval

1. **Canon Solutions America Inc, EMS, Contract #24-0017** - Five- year copier lease. Pricing is from State Wide Contract at \$60.46 per month plus copy charges. Replaces \$211/month copier lease.
2. **Canon Solutions America Inc, Highway Department, Contract #24-0019** - Five- year copier lease. Pricing is from State Wide Contract at \$37.03 per month plus copy charges. Replaces obsolete copier.

Commissioner Yager made a motion to approve items 1 and 2 as a group pending the Law Director's approval and forward to County Commission with a recommendation for approval. Commissioner Mayes seconded the motion. Motion passed unanimously.

3. **Waste Management, Solid Waste, Contract #24-0021** – Ten-year landfill host agreement.

Commissioner Yager made a motion for discussion. Commissioner Palmer seconded the motion. Motion passed unanimously. Mayor Frank and Geoff Trabalka explained the contract in detail.

Commissioner Wells made a motion to approve pending the Law Director's approval and forward to County Commission with a recommendation for approval. Commissioner Palmer seconded the motion. Motion passed unanimously.

C. Other Business

1. **Surplus Real Estate on Highway 25W in Rocky Top** – Sale of Real Property to Powell-Clinch Utility District for \$20,000. Property transfer paperwork included in agenda as contract #24-0002.

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

D. New Business

1. **US Cellular, EMS, Contract #24-0024** – Three-year contract for vehicle tracking services. One-time cost of \$1,200 and monthly cost of \$310. Replaces contract that had monthly cost of \$838.

Commissioner Yager made a motion to approve pending the Law Director's approval and forward to County Commission with a recommendation for approval. Commissioner Wells seconded the motion. Motion passed unanimously.

2. **Andrew Lang, EMS, Contract #24-0010** – Agreement to provide EMS employee tuition in the amount of \$2,300 for the AEMT Course with the conditions that the employee passes the course, obtains his AEMT license within four months after course completion and remains employed full-time with EMS for one-year after obtaining license.

Commissioner Palmer made a motion to approve pending the Law Director's approval and forward to County Commission with a recommendation for approval. Commissioner Mayes seconded the motion. Motion passed unanimously.

3. **Tennessee Orthopaedic Clinics, BOE, Contract #24-0026** – Three-year contract for two Certified Athletic Trainers. Cost is \$10,000/year. Continues services with the same vendor and same cost the Board of Education has used since 2015.

Commissioner Mayes made a motion to approve pending the Law Director's approval and forward to County Commission with a recommendation for approval. Commissioner Wells seconded the motion. Motion passed unanimously.

E. Old Business

**ANDERSON COUNTY GOVERNMENT
SUMMARY OF BUDGET AMENDMENTS**

810/2023

<u>PAGE NO.</u>	<u>ITEM NO.</u>	<u>FUND - DEPARTMENT</u>	<u>AMOUNT</u>
1	1	General Fund 101 - Buildings/ADA	\$ 500.00
1	2	Fund 141 - Fiscal Services	\$ 20,000.00
2	3	Fund 141 - Fiscal Services	\$ 40,160,000.00
Group 2 - Appropriations - School (Commission Approval by Board Vote)			
2	4	Fund 141 - Special Education	\$ 152,000.00
3	5	Fund 141 - Fiscal Services	\$ 260,000.00
3	6	Fund 141 - Fiscal Services	\$ 1,250,000.00
Group 3 - Transfers - School (Commission Approval by Board Vote)			
Group 4 - Appropriations - NonSchool (Commission Approval by Board Vote)			
4	7	General Fund 101 - Drug Fund	\$ 21,120.00
4	8	General Fund 101 - County Clerk	\$ 10,000.00
5	9	Fund 131 - Highway	\$ 300,000.00
5	10	Fund 128 - Tourism	\$ 10,000.00
6	11	General Fund 101 - EMA	\$ 37,080.04
6	12	General Fund 101 - Circuit Court Clerk	\$ 20,000.00
7	13	General Fund 101 - Sheriff's Department	\$ 1,950.17
7	14	General Fund 101 - Sheriff's Department	\$ 56,875.00
8	15	General Fund 101 - Sheriff's Department	\$ 35,000.00
8	16	General Fund 101 - Sheriff's Department	\$ 35,000.00
9	17	General Fund 101 - Sheriff's Department	\$ 180,600.00
9	18	General Fund 101 - Sheriff's Department	\$ 1,187,400.00
10	20	General Fund 101 - Mayor	\$ 1,240.00
11	21	General Fund 101 - Mayor/Animal Shelter	\$ 1,200.00
11	22	General Fund 101 - Mayor/Dental	\$ 66,572.00
12	24	General Fund 101 - Finance/Sheriff	\$ 18,569.12
13	25	General Fund 101 - Finance/Conservation	\$ 75,000.00
13	26	Fund 116 - Solid Waste	\$ 19,347.00
14	27	General Fund 101 - Finance	\$ 391,400.00
15	29	General Fund 101 - Finance/Election	\$ 789,096.00
15	30	General Fund 101 - Finance/Mayor	\$ 411,199.43
Group 5 - Appropriations - General Fund Unassigned Fund Balance (Commission Approval by Board Vote)			
10	19	General Fund 101 - Sheriff's Department	\$ 36,000.00
12	23	General Fund 101 - Mayor	\$ 5,000.00
14	28	General Fund 101 - Finance	\$ 27,199.00
Group 6 - Transfers - NonSchool (Commission Approval by Board Vote)			
Group 7 - Miscellaneous			
16	A	Grant Approval for Tourism & SRO Grant from State	Motion Passed
16	B	Election Voting Machines/BA #29	Motion Passed
17	C	Industrial Park Infrastructure/BA #30	Motion Passed
17	D	EMS Location & Fund discussion	Motion Passed
17	E	VFD's Request from Fire Commission/ARP Funding	Motion Passed
17	F	Tourism Welcom Center Division of Funds	Motion Passed
18	F	Budget Approval from State of Tennessee	Information
18	H	General Sessions Courtroom Equipment/Fund 171	Motion Passed
18	I	New Business/ Claxton VFD Funding Request/ARP Funds	Motion Passed
18	J	Old Business	None
Group 8 - Additional Items not discussed during budget committee (requires 3/4 majority vote)			

ANDERSON COUNTY GOVERNMENT
CASH AND FUND BALANCE REPORT
July 31, 2023

Unaudited and we
have not closed June 23
yet this year. That will be
Mandy

FUND	DESCRIPTION	NON- SPENDABLE	RESTRICTED FUNDS	COMMITTED FUNDS	ASSIGNED FUNDS	UNASSIGNED FUND BALANCE	TOTAL FUND BALANCE	CASH
101	General Fund	\$ -	\$ 1,084,920	\$ 1,611,601	\$ 4,102,939	\$ 11,637,912	* \$ 18,437,372	\$ 17,794,773
115	Library Fund	\$ -	\$ 346,401		\$ -	\$ -	\$ 346,401	\$ 342,968
116	Solid Waste/Sanitation Fund	\$ -	\$ 532,277	\$ -	\$ -	\$ -	\$ 532,277	\$ 538,341
118	Ambulance Fund	\$ -		\$ -	\$ -	\$ 551,588	\$ 551,588	\$ 622,620
121	American Rescue Plan							\$ 9,675,041
122	Drug Control Fund	\$ -	\$ 152,163	\$ 8,754	\$ -	\$ -	\$ 160,917	\$ 152,043
127	Channel 95 Fund	\$ -	\$ -	\$ -	\$ 50,927	\$ -	\$ 50,927	\$ 73,226
128	Tourism Fund	\$ -	\$ 311,417	\$ -	\$ 200,000	\$ -	\$ 511,417	\$ 642,040
131	Highway Fund	\$ 77,670	\$ 269,737	\$ 3,336,343	\$ -	\$ -	\$ 3,683,750	\$ 3,795,238
141	General Purpose School Fund	\$ -	\$ -	\$ 10,463,879	\$ -	\$ -	\$ 10,463,879	\$ 13,066,465
143	Central Cafeteria	\$ 151,640	\$ 3,206,701	\$ -	\$ -	\$ -	\$ 3,358,341	\$ 4,414,728
151	General Debt Service Fund	\$ -	\$ 1,108,545	\$ -	\$ -	\$ -	\$ 1,108,545	\$ 957,720
152	Rural Debt Service Fund	\$ -	\$ 725,936	\$ -	\$ -	\$ -	\$ 725,936	\$ 286,260
156	Education Debt Service Fund	\$ -	\$ 140,391	\$ 113,813	\$ -	\$ -	\$ 254,204	\$ 271,007
171	Capital Projects Fund	\$ -	\$ 424,519	\$ -	\$ -	\$ -	\$ 424,519	\$ 458,955
177	Education Capital Projects Fund		\$ 635,800	\$ -	\$ -	\$ -	\$ 635,800	\$ 696,300
263	Employee Benefit Fund	\$ 33,174	\$ -	\$ -	\$ 1,206,635	\$ -	\$ 1,239,809	\$ 1,436,864
		\$ 262,484	\$ 8,938,807	\$ 15,534,390	\$ 5,560,501	\$ 12,189,500	\$ 42,485,682	\$ 55,224,589

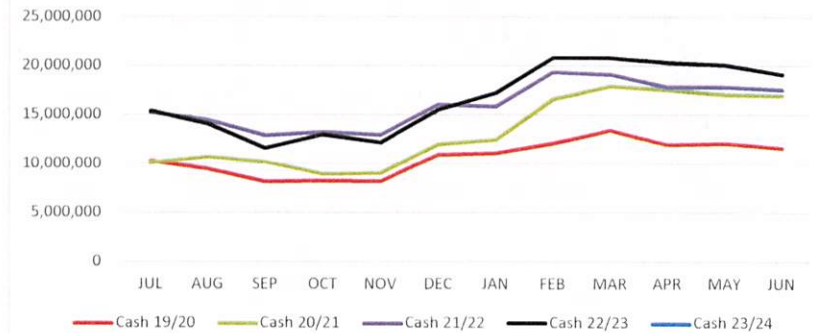
* General Unassigned Fund Balance limit of \$5.5MM requiring 2/3 (11) votes for budget amendments.

Cash Trends

July

Cash 19/20	10,272,483
Cash 20/21	10,101,594
Cash 21/22	15,225,725
Cash 22/23	15,379,674
Cash 23/24	17,794,773

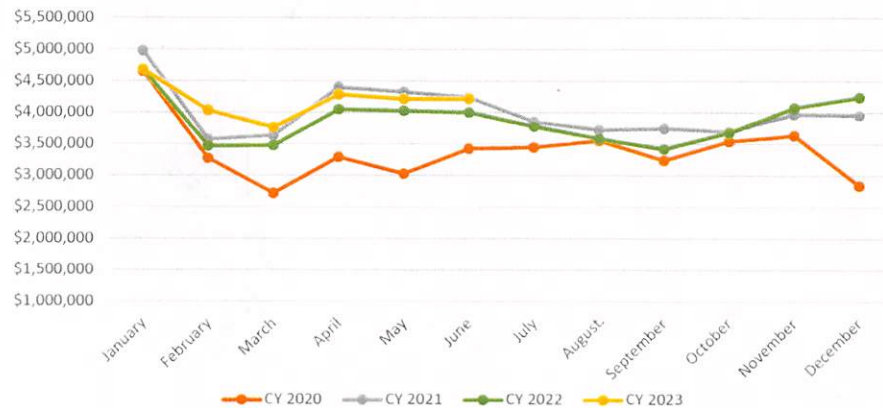
General Fund Cash Trends



Sales Tax

2022	Anderson Co.	Clinton	Rocky Top	Norris	Oak Ridge	Oliver Springs	Out of State	Total	
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	\$429,817.27	\$717,851.17	\$74,136.05	\$35,394.82	\$2,050,119.71	\$95,164.41	\$67,621.40	\$3,470,104.83	-3%
March	\$454,447.30	\$737,632.32	\$75,731.20	\$36,509.28	\$2,015,353.91	\$99,798.51	\$61,122.57	\$3,480,595.09	-4%
April	\$516,120.20	\$864,568.13	\$89,467.15	\$41,931.81	\$2,363,098.83	\$131,877.27	\$48,259.23	\$4,055,322.62	-8%
May	\$512,950.86	\$870,049.07	\$89,986.89	\$44,955.50	\$2,368,033.04	\$111,782.29	\$32,120.00	\$4,029,877.65	-7%
June	\$536,246.75	\$875,800.86	\$89,968.58	\$44,156.55	\$2,234,073.90	\$128,706.59	\$96,826.52	\$4,005,779.75	-5%
July	\$532,923.44	\$914,841.33	\$96,253.63	\$43,577.47	\$2,036,216.62	\$110,323.96	\$47,738.24	\$3,781,874.69	-2%
August	\$496,008.63	\$881,402.52	\$93,638.47	\$45,773.92	\$1,932,708.18	\$105,733.03	\$31,347.95	\$3,586,612.70	-4%
September	\$477,157.45	\$856,091.74	\$90,408.78	\$43,562.31	\$1,804,819.40	\$98,786.60	\$52,878.85	\$3,423,705.13	-9%
October	\$473,724.70	\$873,285.57	\$90,968.90	\$42,759.97	\$2,054,259.98	\$111,437.89	\$37,122.94	\$3,683,559.95	0%
November	\$496,087.49	\$875,444.28	\$85,734.94	\$40,023.47	\$2,435,489.42	\$105,640.46	\$43,317.82	\$4,081,737.88	3%
December	\$536,129.62	\$891,690.20	\$92,730.44	\$44,750.97	\$2,514,347.33	\$113,591.36	\$55,791.44	\$4,249,031.36	7%
Totals:	\$6,077,426.16	\$10,250,953.15	\$1,062,341.64	\$513,296.87	\$26,651,645.32	\$1,328,312.51	\$649,959.84	\$46,533,935.49	-3%
2023	Anderson Co.	Clinton	Rocky Top	Norris	Oak Ridge	Oliver Springs	Out of State	Total	
January	\$577,363.93	\$983,474.85	\$99,823.93	\$54,597.61	\$2,810,404.98	\$123,084.63	\$38,047.80	\$4,686,797.73	0%
February	\$451,005.03	\$792,205.54	\$90,544.60	\$40,952.34	\$2,492,887.42	\$112,060.65	\$58,937.22	\$4,038,592.80	16%
March	\$402,603.65	\$792,031.08	\$83,998.72	\$34,415.13	\$2,308,537.21	\$98,026.17	\$47,708.20	\$3,767,320.16	8%
April	\$542,319.00	\$941,144.56	\$99,034.54	\$45,470.06	\$2,498,001.90	\$127,078.86	\$37,123.00	\$4,291,171.92	6%
May	\$479,277.10	\$931,927.26	\$95,701.25	\$41,952.63	\$2,519,300.61	\$109,875.40	\$43,269.20	\$4,221,303.45	5%
June	\$510,889.49	\$946,295.97	\$97,499.57	\$53,532.00	\$2,440,604.57	\$127,490.31	\$48,233.08	\$4,224,544.99	5%
July									-100%
August									-100%
September									-100%
October									-100%
November									-100%
December									-100%
Totals:	\$2,963,458.20	\$5,387,079.26	\$566,602.61	\$270,919.77	\$15,069,736.69	\$697,616.02	\$273,318.50	\$25,229,731.05	-46%

Local Option Sales Tax - Total Net Collections



ARPA PROJECTS

		ARPA Funding Eligibility Category	REVENUE LOSS	OTHER ELIGIBILITIES	TOTAL			
		Total ARPA Allocation	\$ 10,000,000.00	\$ 4,952,074.00	\$ 14,952,074.00			
		-Less Budgeted To-Date	\$ (7,616,901.01)	\$ (3,184,304.47)	\$ (10,801,205.48)			
		Remaining Allocation	\$ 2,383,098.99	\$ 1,767,769.53	\$ 4,150,868.52			
	Project Identification Number	Project Name	BUDGETED	EXPENDED TO-DATE	BUDGETED BUT NOT EXPENDED	PROJECT STATUS	REVENUE LOSS	Date Approved by Commission
1	121-58836-189-GA003E	Employee Retention Payments -Exempt	\$ 85,013.68	\$ 85,013.68	\$ -	Complete	YES	4/18/2022
2	121-58836-189-GA003NE	Employee Retention Payments -Non-Exempt	\$ 614,826.78	\$ 614,826.78	\$ -	Complete	NO	4/18/2022
3.1	121-58836-339-GA912	TN Emergency Broadband Fund Grants -MF Highland	\$ 11,636.84	\$ 11,636.84	\$ -	Complete	YES	2/22/2022
5	121-58836-599-11802	EMS Budget Fund Balance Adjustment (Worker	\$ 280,000.00	\$ 280,000.00	\$ -	Complete	YES	8/15/2022
6	121-58836-716-SD001	Whole Body Scanner for Jail	\$ 135,000.00	\$ 135,000.00	\$ -	Complete	YES	12/20/2021
12	121-91401-708-GA002	A/V Technology for Room 118A	\$ 15,182.53	\$ 15,182.53	\$ -	Complete	NO	5/16/2022
18	121-91401-732-FJC01	Family Justice Center -Building Purchase	\$ 175,000.00	\$ 175,000.00	\$ -	Complete	YES	8/15/2022
21	121-91401-799-GA006	Oak Ridge Fire Dept. Training Center	\$ 273,500.00	\$ 273,500.00	\$ -	Complete	YES	8/15/2022
23	121-58836-355-GA014	Repair Chimes	\$ 18,635.00	\$ 18,635.00	\$ -	Complete	YES	1/17/2023
24	121-91401-790-GA015	A/V Technology for Room 312	\$ 13,994.24	\$ 13,994.24	\$ -	Complete	NO	3/20/2023
3	121-58836-339-GA012	TN Emergency Broadband Fund Grants -MF Comcast	\$ 250,000.00	\$ -	\$ 250,000.00	In Progress	NO	2/22/2022
4	121-58836-399-GA013	GIS Digitized Stormwater System And Outfall Map	\$ 103,060.00	\$ 63,060.00	\$ 40,000.00	In Progress	NO	11/21/2022
7	121-67101-402-13101 thru 13106	County Paving Projects	\$ 2,252,835.64	\$ 2,131,883.21	\$ 120,952.43	In Progress	YES	8/15/2022
8	121-91401-399-GA001	County-wide Assessment for Water & Sewer Planning	\$ 92,000.00	\$ 46,105.00	\$ 45,895.00	In Progress	YES	3/10/2022
10	121-91401-707-GA011	Witness Room/Archives Relocation	\$ 1,019,170.85	\$ 638,981.85	\$ 380,189.00	In Progress	YES	8/15/2022
11	121-91401-707-SC001	Senior Center Kitchen Improvements	\$ 664,700.00	\$ 10,815.84	\$ 653,884.16	In Progress	YES	5/16/2022
13	121-91401-709-GA005	IT Infrastructure Needs (e.g., Multi-Factor Authentication)	\$ 150,000.00	\$ 55,711.98	\$ 94,288.02	In Progress	YES	8/15/2022
14	121-91401-718-11801	EMS Ambulances for 2 years	\$ 1,357,726.00	\$ 500,511.66	\$ 857,214.34	In Progress	NO	8/15/2022
15	121-91401-718-GA004	Other Vehicles on Capital Requests	\$ 225,000.00		\$ 225,000.00	In Progress	YES	8/15/2022
16	121-91401-718-SD002	Sheriff's Vehicles for 2 Years	\$ 900,000.00	\$ 458,216.22	\$ 441,783.78	In Progress	YES	8/15/2022
22	121-91401-799-GA008	Other County Capital Outlay Requests (e.g., \$10k Judges)	\$ 40,000.00	\$ 9,334.76	\$ 30,665.24	In Progress	YES	8/15/2022
9	121-91401-399-GA010	Claxton Sewerline Study	\$ 30,000.00	\$ -	\$ 30,000.00	Pending	YES	8/15/2022
17	121-91401-731-GA007	Digital Poll Books -Election Office	\$ 100,000.00	\$ -	\$ 100,000.00	Pending	YES	8/15/2022
19	121-91401-790-11803	EMS Stretchers (12)	\$ 398,409.00	\$ -	\$ 398,409.00	Pending	YES	11/21/2022
20	121-91401-791-GA009	CDBG Waterline Project (Buchanan Ln, Judson Rd, Savage Garden)	\$ 450,000.00	\$ -	\$ 450,000.00	Pending	NO	8/15/2022
25	121-58836-399-SD003	Jail Medical Services	\$ 250,000.00	\$ -	\$ 250,000.00	Pending	YES	5/15/2023
26	121-58836-599-11804	EMS Budget Fund Balance Adjustment (FY24)	\$ 516,000.00	\$ -	\$ 516,000.00	Pending	YES	6/19/2023
27	121-91401-309-TDEC1	TDEC ARP Water Infrastructure Investment Plan (WIIP)	\$ 379,514.92	\$ -	\$ 379,514.92	Pending	NO	6/19/2023
			\$ 10,801,205.48	\$ 5,537,409.59	\$ 5,263,795.89			

BUDGET COMMITTEE MINUTES

AUGUST 10, 2023

Members Present:

Shain Vowell, Commissioner – Chairman
Aaron Wells, Commissioner
Bob Smallridge, Commissioner
Michael Foster, Commissioner
Sabra Beauchamp, Commissioner
Shelly Vandagriff, Commissioner
Tracy Wandell, Commissioner
Jerry White, 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 Roger Lloyd, Buildings & Grounds, that the following **TRANSFER** in General Fund 101 be approved.

Increase Expenditure Code:

101-51800-355	Travel	\$500.00
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Decrease Expenditure Code:

101-51800-524	Staff Development	\$500.00
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Justification: To cover lodging expenses for ADA Update Conference in Phoenix AZ August 2023.

Motion by Commissioner Michael Foster, seconded by Commissioner Sabra Beauchamp, and passed to approve the transfer request.

Absent: Commissioner Jerry White

THE 2nd 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:

141-72710-189-SPED	Other Salaries & Wages	\$20,000.00
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Decrease Expenditure Code:

141-72710-189	Other Salaries & Wages	\$20,000.00
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Justification: To transfer funds to identify part of Transportation Coordinator's salary paid through Special Education. This separation is necessary to clearly identify costs of the Special Education program as required by the State Department of Education.

Motion by Commissioner Michael Foster, seconded by Commissioner Sabra Beauchamp, and passed to approve the transfer request.

Absent: Commissioner Jerry White

THE 3rd 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 Revenue Code:

141-46510	Tennessee Investment in Student Achievement	\$40,160,000.00
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Decrease Revenue Code:

141-46511	Basic Education Program	\$40,160,000.00
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Justification: To correct revenue code for the state's new education funding program. At the time of budget preparation, the Comptroller's Office had not assigned the new revenue code.

Motion by Commissioner Michael Foster, seconded by Commissioner Sabra Beauchamp, and passed to approve the transfer request.

Absent: Commissioner Jerry White

APPROPRIATIONS REQUIRING FULL COMMISSION APPROVAL

THE 4th ITEM, to be presented to the Anderson County Budget Committee, was a written request from Kim Towe, Special Education, that the following **APPROPRIATION** in General Purpose School Fund 141 be approved.

Increase Revenue Code:

141-43551-SEFFS	Special Education Fees for Service	\$152,000.00
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Increase Expenditure Codes:

141-71200-399-SEFFS	Other Contracted Services	\$85,000.00
141-71200-429-SEFFS	Instructional Supplies & Materials	30,000.00
141-71200-499-SEFFS	Other Supplies & Materials	30,000.00
141-71200-524-SEFFS	In service/Staff Development	5,000.00
141-71200-524-SEFFS	In service/Staff Development	<u>2,000.00</u>
		\$152,000.00

Justification: To appropriate funds to pay Access Medical for their contracted 20% service fee from funds generated from the reimbursement to access students' insurance companies for services provided by our speech pathologists, occupational therapists, and physical therapists. Also, for our contracted period with LTVEC for an intern psychologist. Also for supplies and staff development for special education department.

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

Absent: Commissioner Jerry White

THE 5th 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 Equity	\$260,000.00
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Increase Expenditure Codes:

141-71100-213	Payments to Retirees	\$116,150.00
141-71100-214	Termination Benefits	56,000.00
141-71200-213	Payments to Retirees	18,660.00
141-71300-213	Payments to Retirees	20,240.00
141-72130-213	Payments to Retirees	9,600.00
141-72210-213	Payments to Retirees	22,500.00
141-72320-213	Payments to Retirees	5,650.00
141-72410-213	Payments to Retirees	7,700.00
141-72610-213	Payments to Retirees	<u>3,500.00</u>
		\$260,000.00

Justification: To appropriate funds for retirement bonus payments to recently retired employees and for retired insurance benefits for qualifying employees.

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

Absent: Commissioner Jerry White

THE 6th 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	\$1,250,000.00
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(Amendment will be from 141-34685 Committed for Capital Projects and a JE will replenish the reserve for 39000)

Increase Expenditure Codes:

141-76100-399	Other Contracted Services	\$30,000.00
141-76100-707	Building Improvements	<u>1,220,000.00</u>
		\$1,250,000.00

Justification: To appropriate funds for completion of capital projects at Norris Middle School, Clinton High School and other projects as needed.

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

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

Absent: Commissioner Jerry White

THE 7th ITEM, to be presented to the Anderson County Budget Committee, was a written request from Winnie Gadd, Drug Court, that the following **APPROPRIATION** in General Fund 101 be approved.

Increase Expenditure Code:

101-53330-399-2000	Drug Court-Other Contracted Services	\$21,120.00
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Decrease Reserve Code:

101-39000	Unassigned Fund Balance	\$21,120.00
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(Amendment will be from 101-34520-3000 Restricted Drug Court Drug Court Assessment Fees and a JE will replenish the reserve for 39000)

Justification: Funding a one year contract for a part-time counselor in the Recovery Court Program.

Motion by Commissioner Sabra Beauchamp, seconded by Commissioner Michael Foster, and passed to refer to the Anderson County Board of County Commissioners with a recommendation for approval.

Absent: Commissioner Jerry White

THE 8th ITEM, to be presented to the Anderson County Budget Committee, was a written request from Jeff Cole, County Clerk, that the following **APPROPRIATION** in General Fund 101 be approved.

Increase Revenue Code:

101-43383	Additional Fees-Title and Registration	\$10,000.00
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Increase Expenditure Codes:

101-52500-711	Furniture	\$2,300.00
101-52500-709	Data Processing Equipment	4,600.00
101-52500-335	Main and Repair	<u>3,100.00</u>
		\$10,000.00

Justification: Items needed due to relocation.

Motion by Commissioner Michael Foster, seconded by Commissioner Sabra Beauchamp, and passed to refer to the Anderson County Board of County Commissioners with a recommendation for approval.

Absent: Commissioner Jerry White

THE 9th ITEM, to be presented to the Anderson County Budget Committee, was a written request from Gary Long, Highway Department, that the following **APPROPRIATION** in Highway Fund 131 be approved.

Increase Expenditure Code:

131-62000-402	Asphalt	\$300,000.00
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Decrease Reserve Code:

131-34550	Restricted for Hwy	\$300,000.00
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Justification: To asphalt AC roads.

Motion by Commissioner Shelly Vandagriff, seconded by Commissioner Michael Foster, and passed to refer to the Anderson County Board of County Commissioners with a recommendation for approval.

Absent: Commissioner Jerry White

THE 10th ITEM, to be presented to the Anderson County Budget Committee, was a written request from Stephanie Wells, Tourism, that the following **APPROPRIATION** in Tourism Fund 128 be approved.

Increase Expenditure Codes:

128-58110-499	Other	\$7,000.00
128-58110-711	Furniture	<u>3,000.00</u>
		\$10,000.00

Decrease Reserve Code:

128-34535	Fund Balance	\$10,000.00
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Justification: Appropriation for expense associated with new facility including free standing storage, desk, seating, signage, etc.

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

Absent: Commissioner Jerry White

THE 11th ITEM, to be presented to the Anderson County Budget Committee, was a written request from Brice Kidwell, EMA, that the following **APPROPRIATION** in General Fund 101 be approved.

Increase Revenue Code:

101-47220	EMPG Grant	\$37,080.04
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Increase Expenditure Code:

101-54410-499-EMPG	Civil Defense-HazMat Supplies & Material	\$37,080.04
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Justification: To purchase supplies, materials, and equipment in order to respond to any hazardous material incident within Anderson County.

Motion by Commissioner Tracy Wandell, seconded by Commissioner Sabra Beauchamp, and passed to refer to the Anderson County Board of County Commissioners with a recommendation for approval.

Absent: Commissioner Jerry White

THE 12th 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	Unassigned Fund Balance	\$20,000.00
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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	\$20,000.00
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Justification: To replace outdated and malfunctioning computers, monitors and scanning equipment.

Motion by Commissioner Sabra Beauchamp, seconded by Commissioner Michael Foster, and passed to refer to the Anderson County Board of County Commissioners with a recommendation for approval.

Absent: Commissioner Jerry White

THE 13th ITEM, to be presented to the Anderson County Budget Committee, was a written request from Sheriff Russell Barker, Sheriff's Department, that the following **APPROPRIATION** in General Fund 101 be approved.

Increase Expenditure Code:

101-54110-338	Vehicle Maintenance	\$1,950.17
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Increase Revenue Code:

101-49700	Insurance Recovery	\$1,950.17
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Justification: This money is insurance recovery funds obtained after payout from the carrier after one of our vehicles was side swiped.

Motion by Commissioner Sabra Beauchamp, seconded by Commissioner Aaron Wells, to refer to the Anderson County Board of County Commissioners with a recommendation for approval.

THE 14th ITEM, to be presented to the Anderson County Budget Committee, was a written request from Sheriff Russell Barker, Sheriff's Department, that the following **APPROPRIATION** in General Fund 101 be approved.

Increase Expenditure Codes:

101-54110-187-4500	Sheriff Department-Overtime Pay-HIDTA	\$50,000.00
	Overtime	
101-54110-201-4500	Social Security	3,100.00
101-54110-204-4500	Retirement	3,000.00
101-54110-210-4500	Unemployment	50.00
101-54110-212-4500	Medicare	<u>725.00</u>
		\$56,875.00

Increase Revenue Code:

101-47990-4500	Other Direct Federal Revenue-HIDTA	\$56,875.00
	Overtime	

Justification: HIDTA Overtime Grant for Sheriff's Office. Reimbursable grant. High Intensity Drug Trafficking areas.

Motion by Commissioner Sabra Beauchamp, seconded by Commissioner Aaron Wells, 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 Sheriff Russell Barker, Sheriff's Department, that the following **APPROPRIATION** in General Fund 101 be approved.

Increase Expenditure Codes:

101-54110-187-5500	Sheriff Department-Overtime Pay-USMS	\$30,750.00
101-54110-201-5500	Social Security	1,907.00
101-54110-204-5500	Retirement	1,845.00
101-54110-210-5500	Unemployment	52.00
101-54110-212-5500	Medicare	<u>446.00</u>
		\$35,000.00

Increase Revenue Code:

101-47590-4500	Other Federal Thru State-Overtime Pay	\$35,000.00
	USMS Grant	

Justification: USMS Overtime Grant for Sheriff's office. Reimbursable grant. High Intensity Drug Trafficking Areas from United States Marshals Service.

Motion by Commissioner Sabra Beauchamp, seconded by Commissioner Aaron Wells, 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 Sheriff Russell Barker, Sheriff's Department, that the following **APPROPRIATION** in General Fund 101 be approved.

Increase Expenditure Codes:

101-54110-187-9007	Sheriff Department-Overtime Pay-THSO Grant	\$30,750.00
101-54110-201-9007	Social Security	1,907.00
101-54110-204-9007	Retirement	1,845.00
101-54110-210-9007	Unemployment	52.00
101-54110-212-9007	Medicare	<u>446.00</u>
		\$35,000.00

Increase Revenue Code:

101-47590-9007	Other Federal Thru State-Overtime Pay-THSO Grant	\$35,000.00
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Justification: THSO Overtime Grant for Sheriff's Office. Reimbursable grant. Tennessee Highway Safety Office geared towards reducing fatalities in the county.

Motion by Commissioner Sabra Beauchamp, seconded by Commissioner Aaron Wells, 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 Lounicia Bolton, Sheriff's Department, that the following **APPROPRIATION** in General Fund 101 be approved.

Increase Revenue Code:

101-46290-VCIF1	Violent Crime Intervention Fund Grant FY 24	\$180,600.00
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Increase Expenditure Code:

101-54110-716-VCIF1	Violent Crime Intervention Fund Grant FY 24	\$180,600.00
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Justification: To allocate FY24 Violent Crime Intervention Fund Grant funds from the Office of Criminal Justice programs to purchase tasers and ballistic shields.

Motion by Commissioner Sabra Beauchamp, seconded by Commissioner Aaron Wells, 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 Lounicia Bolton, Sheriff's Department, that the following **APPROPRIATION** in General Fund 101 be approved.

Increase Revenue Code:

101-46290-VCIF2	Violent Crime Intervention Fund Grant FY 24	\$1,187,400.00
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Increase Expenditure Codes:

101-54110-189-VCIF2	VCIF Collaborative FY24-Other Salaries & Wages	\$73,334.00
101-54110-187-VCIF2	VCIF Collaborative FY24-Overtime Pay	50,000.00
101-54110-201-VCIF2	VCIF Collaborative FY24-Social Security	4,457.00
101-54110-204-VCIF2	VCIF Collaborative FY24-State Retirement	4,400.00
101-54110-206-VCIF2	VCIF Collaborative FY24-Life Insurance	166.00
101-54110-207-VCIF2	VCIF Collaborative FY24-Medical Insurance	31,053.00
101-54110-208-VCIF2	VCIF Collaborative FY24-Dental Insurance	1,050.00
101-54110-209-VCIF2	VCIF Collaborative FY24-S/T Disability Insurance	249.00
101-54110-210-VCIF2	VCIF Collaborative FY24-Unemployment Compensation	42.00
101-54110-212-VCIF2	VCIF Collaborative FY24-Employer Medicare	1,063.00
101-54110-513-VCIF2	VCIF Collaborative FY24-Workers' Comp Ins	96.00
101-54110-504-VCIF2	VCIF Collaborative FY24-Indirect Cost	10,000.00
101-54110-499-VCIF2	VCIF Collaborative FY24-Other Supplies & Materials	20,700.00
101-54110-431-VCIF2	VCIF Collaborative FY24-Law Enforcement Supplies	409,000.00
101-54110-524-VCIF2	VCIF Collaborative FY24-In Service/Staff Development	10,400.00
101-54110-718-VCIF2	VCIF Collaborative FY24-Cap Outlay-Motor Vehicles	185,000.00
101-54110-471-VCIF2	VCIF Collaborative FY24-Software	221,000.00

101-54110-716-VCIF2	VCIF Collaborative FY24-Law Enforcement	165,300.00
	Equipment	\$1,187,400.00

Justification: To allocate FY24 Violent Crime Intervention Fund Collaborative Grant funds from the Office of Criminal Justice Programs for two staff positions and to purchase equipment. Additional funds are allocated to FY25 (\$697,600) and will be brought forward at a later date.

Motion by Commissioner Sabra Beauchamp, seconded by Commissioner Aaron Wells, 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 Sheriff Russell Barker, Sheriff's Department, that the following **APPROPRIATION** in General Fund 101 be approved.

Increase Expenditure Code:

101-54110-718	Sheriff's Department-Motor Vehicle	\$36,000.00
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Decrease Reserve Code:

101-39000	Unassigned Fund Balance	\$36,000.00
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Justification: Insurance recovery realized on June 30, 2023 for \$15,250.00 rolled in unassigned fund balance. The additional funding will come from revenue for vehicles sold on GovDeals during FY 22/23. \$58,975 total realized and was earmarked by Commission for the Sheriff's Dept. to purchase new vehicles and equipment. These funds also rolled into fund balance.

Motion by Commissioner Sabra Beauchamp, seconded by Commissioner Aaron Wells, 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, County Mayor's Office, that the following **APPROPRIATION** in General Fund 101 be approved.

Increase Expenditure Code:

101-51300-399-ORRC1	ORRCA Website Holding	\$1,240.00
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Increase Revenue Code:

101-48990-ORRC1	Other Local Revenue ORRCA website	\$1,240.00
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Justification: Mayor Frank is currently serving as chairwoman of Oak Ridge Reservation Communities Alliance. One of the duties of the Chair is responsibility for the ORRCA website, <https://orrcatn.com>, and regular posting of DOE/TDEC correspondence for the public. This amendment is to establish a specific code to pay for web hosting and annual SSL certificate for the site during FY 23/24. Expenses will be reimbursed through a grant that funds ORRCA.

Motion by Commissioner Bob Smallridge, seconded by Commissioner Sabra Beauchamp, 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 Shelter, that the following **APPROPRIATION** in General Fund 101 be approved.

Increase Expenditure Code:

101-55120-399-ANML1	Animal Control-Animal Spay/Neu Grant FY24	\$1,200.00
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Increase Revenue Code:

101-46980-ANML1	Other State Grants-Animal Spay/Neu Grant	\$1,200.00
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Justification: To allocate State grant funds to provide low cost spay/neuter services for FY24.

Motion by Commissioner Bob Smallridge, seconded by Commissioner Sabra Beauchamp, 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, Anderson County Dental Clinic, that the following **APPROPRIATION** in General Fund 101 be approved.

Increase Expenditure Codes:

101-55160-131	Medical Personnel	\$46,000.00
101-55160-201	Social Security	2,852.00
101-55160-204	State Retirement	1,150.00
101-55160-206	Life Insurance	90.00
101-55160-207	Medical Insurance	15,120.00
101-55160-208	Dental Insurance	572.00
101-55160-209	S/T Disability Insurance	100.00
101-55160-210	Unemployment Compensation	21.00
101-55160-212	Employer Medicare	<u>667.00</u>
		\$66,572.00

Increase Revenue Code:

101-43180	Health Dept. Collections	\$66,572.00
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Justification: Pre-COVID, AC employed a hygienist part-time. Now that all programming has returned to normal, and we have a full-time dentist, we are requesting the ability and authorization to employ a hygienist again. This will require no additional equipment or capital investment. Request is to employ hygienist full-time, with revenues derived from 4 days of appointments. Also,

position will be able to assist with children in schools; position will allow Dr. Hudson to maximize her time, providing more economical patient service delivery.

Motion by Commissioner Bob Smallridge, seconded by Commissioner Sabra Beauchamp, 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 Terry Frank, County Mayor's Office, that the following **APPROPRIATION** in General Fund 101 be approved.

Decrease Reserve Code:

101-39000	Unassigned Fund Balance	\$5,000.00
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Increase Expenditure Code:

101-51300-355	Travel	\$5,000.00
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Justification: More travel is expected following Mayor Frank's appointment to the Tennessee Nuclear Energy Advisory Council, created by Governor Lee's Executive order 101, and her appointment by Governor Lee to the Tennessee Commission on Aging and Disability. For cash flow purposes, additional funds are needed; however, both the TN Nuclear Energy Advisory Council and TN Commission on Aging and Disability will reimburse Anderson County for any travel-related expenditures for attendance at the council and board-related meetings. Meetings are held in Nashville, Tennessee.

Motion by Commissioner Bob Smallridge, seconded by Commissioner Sabra Beauchamp, 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 Robby Holbrook, Finance Department, that the following **APPROPRIATION** in General Fund 101 be approved.

Increase Expenditure Code:

101-54210-312-SMHT3	State Mental Health Transport Grant	\$18,569.12
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Decrease Reserve Code:

101-39000	Unassigned Fund Balance	\$18,569.12
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(Amendment will be from 101-34525-SMHT3 Restricted for Public Safety State Mental Health Grant and a JE will replenish the reserve for 39000)

Justification: Available funds from Mental Health Transport Grant leftover from prior year. We receive a check for the full grant, and usually return any unspent funds. This year the grant is allowing unspent funds to roll over to be spent. This budget amendment is placing the unspent funds of \$18,569.12 in this fiscal year 23/24.

Motion by Commissioner Sabra Beauchamp, seconded by Commissioner Bob Smallridge, 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 Robby Holbrook, Finance/Parks, that the following **APPROPRIATION** in General Fund 101 be approved.

Increase Expenditure Code:

101-51240-790-SBGT	Conservation Commission-Other Equipment	\$75,000.00
	Sports Betting Gaming Tax	

Decrease Reserve Code:

101-39000	Unassigned Fund Balance	\$75,000.00
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(Amendment will be from 101-34510-SBGT Restricted for General Government-Sports Betting Gaming Tax and a JE will replenish the reserve for 39000)

Justification: At the July 10th Conservation Board meeting a motion was approved to present to the Budget Committee a BA to utilize the Sports Gaming Tax revenue earmarked for the Parks to purchase new playground equipment for Anderson County Park. This purchase should not exceed \$75,000. The equipment will include an ADA component.

Motion by Commissioner Sabra Beauchamp, seconded by Commissioner Bob Smallridge, 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 Robby Holbrook, Finance Department, that the following **APPROPRIATION** in Solid Waste Fund 116 be approved.

Increase Expenditure Code:

116-55754-316	Landfill Operation & Maintenance-Contributions	\$19,347.00
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Decrease Reserve Code:

116-34630-WMCOM	Committed For Public Health & Welfare- Waste Management Commission Contributions	\$19,347.00
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Justification: Unrestricting available funds for County Commission from Waste Management.

Motion by Commissioner Sabra Beauchamp, 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 Robby Holbrook, Finance Department, that the following **APPROPRIATION** in General Fund 101 be approved.

Increase Expenditure Codes:

101-51900-799-NWDSP	Other General Administration-Other	\$275,000.00
	Capital Outlay-Norwood Safety Project	
101-55110-707-SPNMG	Local Health Center-Building Improvements	<u>116,400.00</u>
	Special Needs Matching Grant	\$391,400.00

Decrease Reserve Codes:

101-39000	Unassigned Fund Balance	\$275,000.00
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(Amendment will be from 101-34730-NWDSP Assigned for Public Health & Welfare-Norwood Safety Project and a JE will replenish the reserve for 39000)

101-39000	Unassigned Fund Balance	<u>116,400.00</u>
		\$391,400.00

(Amendment will be from 101-34730-SPNMG Assigned for Public Health & Welfare-Special Needs Match Grant and a JE will replenish the reserve for 39000)

Justification: Reclassifying funds from an assigned code back to the appropriate expenditure code for the Norwood Safety Project and Special Needs Matching Grant for Health Department. Motion by Commissioner Sabra Beauchamp, seconded by Commissioner Bob Smallridge, and passed to refer to the Anderson County Board of County Commissioners with a recommendation for approval.

Motion by Commissioner Sabra Beauchamp, 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 Robby Holbrook, Finance Department, that the following **APPROPRIATION** in General Fund 101 be approved.

Increase Expenditure Code:

101-51900-599	Other General Administration-Other Charges	\$27,199.10
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Decrease Reserve Code:

101-39000	Unassigned Fund Balance	\$27,199.10
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Justification: Deductible billing from Tennessee Risk Management for claims against Anderson County by employees, citizens, and prisoners.

Motion by Commissioner Sabra Beauchamp, 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 Department/Election, that the following **APPROPRIATION** in General Fund 101 be approved.

Increase Revenue Codes:

101-47590-HAVG1	Other Fed/Thru State-Help America	\$657,553.70
	Vote Grant 1	
101-46190-HAVG1	Other State Grants-Help America	<u>131,542.30</u>
	Vote Grant 1	\$789,096.00

Increase Expenditure Code:

101-51500-731-HAVG1	Election Commission-Voting Machines	\$789,096.00
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Justification: Help America Vote Again Grant for the Election office to purchase new voting machines. 100% grant no match for County.

Motion by Commissioner Tracy Wandell, seconded by Commissioner Sabra Beauchamp, 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 Robby Holbrook, Finance Department/Mayor, that the following **APPROPRIATION** in General Fund 101 be approved.

Decrease Reserve Codes:

101-39000	Unassigned Fund Balance	\$310,462.78
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(Amendment will be from 101-34690-1000 Committed for Other Purposes-Industrial & Land Purchase-ACEDA and a JE will replenish the reserve for 39000)

101-39000	Unassigned Fund Balance	<u>100,736.65</u>
		\$411,199.43

(Amendment will be from 101-34685-1000 Committed Future Land Purchase-Industrial/Land Purchase and a JE will replenish the reserve for 39000)

Increase Expenditure Code:

101-51900-316-CCTY	General Administration-Contributions-City of	\$411,199.43
	Clinton Industrial Park Cost Share	

Justification: Cost share of paving with City of Clinton for 3 Industrial Parks located within the city limits.

Motion by Commissioner Michael Foster, seconded by Commissioner Sabra Beauchamp, and passed to refer to the Anderson County Board of County Commissioners with a recommendation for approval.

SECTION A, Grant Applications

1. Finance Director Robby Holbrook presented a Tourism Council request for Budget Committee referral, to the Anderson County Board of County Commissioners with a recommendation for approval, to apply for the "Tourism Enhancement Grant: Round 6". (To be used for parking lot paving.)

Motion by Commissioner Michael Foster, seconded by Commissioner Bob Smallridge to approve the application request.

Motion to Amend by Commissioner Aaron Wells, seconded by Commissioner Sabra Beauchamp, to take the required matching funds from the Tourism Fund Balance.

Motion to amend passed. Voting No: Commissioners White and Foster.

Motion as amended passed. Voting No: Commissioner Wells.

2. Finance Director Robby Holbrook presented a request from the Tourism Council for approval to apply for the "FY2023-2024 Tourism Marketing Grant" from the Tennessee Department of Tourist Development.

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

3. Finance Director Robby Holbrook presented a request from the Sheriff's Office to approve the FY24 Statewide School Resource Officers (SRO) Grant and funding.

Motion by Commissioner Tracy Wandell, seconded by Commissioner Michael Foster, and passed to refer to the Anderson County Board of County Commissioners with a recommendation for approval.

SECTION B, Election Grant/Mark Stephens

Administrator of Elections Mark Stephens presented an Election Commission request for Budget Committee approval of the grant contract and budget for the purchase of new voting machines, with funding providing from the Help America Vote Act.

Motion by Commissioner Tracy Wandell, seconded by Commissioner Sabra Beauchamp, and passed to refer to the Anderson County Board of County Commissioners with a recommendation for approval.

This is reflected as "Item 29th" above.

SECTION C, Industrial Park Infrastructure/Mayor Frank

Mayor Terry Frank presented a request, on behalf of the City of Clinton, for the County to provide 50% of the funding (\$411,199.43) for the resurfacing of J.D. Yarnell Industrial Parkway in the Eagle Bend Industrial Park.

This is reflected as “Item 30th” above.

SECTION D, EMS Location and Fund Discussion

Finance Director Robby Holbrook opened a discussion regarding placement of an EMS station location in Claxton and the possibility of moving the EMS operation into the Fund 101 –General Fund.

Motion by Commissioner Tracy Wandell, seconded by Commissioner Bob Smallridge and passed, to approve exploring moving EMS to the General Fund in the FY24-25 budget.

SECTION E, VFD’s Request from Fire Commission

EMS Director Nathan Sweet presented a consolidated plan for purchasing AED’s.

Motion by Commissioner Tracy Wandell, seconded by Commissioner Aaron Wells, to allocate up to \$275,318.46 in ARP funds for the purchase of AED’s.

Motion passed to refer to the Anderson County Board of County Commissioners with a recommendation for approval.

Finance Director Robby Holbrook presented a request from the Fire Commission for \$50,000.00 for each Fire Department and the Rescue Squad for the purchase of specific items.

Motion by Commissioner Tracy Wandell, seconded by Commissioner Sabra Beauchamp, to allocate \$550,000.00 in ARP funds for the purchase of AED’s.

Motion passed to refer to the Anderson County Board of County Commissioners with a recommendation for approval.

SECTION F, Tourism Welcome Center Sale and Division of Funds

Finance Director Robby Holbrook opened a discussion on the appropriate division of funds generated from the sale of the Tourism Center sale.

Motion by Commissioner Tracy Wandell, seconded by Commissioner Jerry White, to split the proceeds between the Fund 128 and Fund 101 on a 50/50 basis (\$337,030.00 each).

Motion to Amend by Commissioner Aaron Wells, seconded by Commissioner Sabra Beauchamp, for \$311,877.00 to go to Fund 128 –Tourism and \$362,183.00 to Fund 101 – General Fund.

Motion to amend passed. Voting Yes: Commissioners Wells, Vandagriff, Wandell, Beauchamp, and Vowell. Voting No: Commissioners Smallridge, Foster, and White.

Motion as amended passed. Voting Yes: Commissioners Wells, Vandagriff, Wandell, Beauchamp, Vowell, and Smallridge. Voting No: Commissioners Foster and White.

SECTION G, Budget Approval from State of Tennessee

Finance Director Robby Holbrook informed the committee that the State formally approved the County's FY23-24 Budget.

No action taken.

SECTION H, General Sessions Courtroom Equipment/Rex Lynch

Circuit Court Clerk Rex Lynch presented a request for funds to replace the defective recording equipment in the General Sessions Courtroom.

Motion by Commissioner Sabra Beauchamp, seconded by Commissioner Tracy Wandell, to approve allocation of the funds from Fund -171 Capital Outlay.

Motion passed to refer to the Anderson County Board of County Commissioners with a recommendation for approval.

SECTION I, New Business

Commissioner Tracy Wandell presented a request for \$13,475.23 in funding for the replacement of the defective repeater in the Claxton area.

Motion by Commissioner Aaron Wells, seconded by Commissioner Sabra Beauchamp, to allocate \$13,475.23 in ARP funds for the replacement of the repeater.

Motion passed to refer to the Anderson County Board of County Commissioners with a recommendation for approval.

SECTION J, Old Business

None.

Meeting Adjourned.



Robby Holbrook, Finance Director

Anderson County Board of Commissioners
OPERATIONS COMMITTEE
MINUTES
August 14, 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 Allen said the prayer.

Chairman Anderson led the Pledge of Allegiance.

Commissioner Mayes made a motion to strike item number 9 from the agenda. Seconded by Commissioner Allen. Motion Passed.

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

No citizens addressed commission.

Commissioner McKamey made a motion to approve to add Juneteenth Holiday to the Anderson County Government Holiday Schedule giving employees fourteen holidays. Seconded by Commissioner Anderson. Motion passed to forward to full commission for approval.

Mayor

Commissioner Yager made a motion to approve the following: 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 Resolutions No. 13-06-___ and Resolution 12-421.

Seconded by Commissioner Mayes. Motion passed to forward to full commission for approval.

Commissioner Yager made a motion to approve the Mayor's request for a legal opinion to verify the proper appointing authority for the Tourism Council and the specific statutory authority supporting the reporting to ensure proper actions and the Mayor's duties. Seconded by Commissioner Allen. Motion passed.

CTAS Modal Ethics Policy – No Action, Mayor to bring back to this Committee in September or October.

Commissioner Anderson made a motion authorizing the Mayor to initiate discussions with TWRA about a flag pole adjacent to Veterans Bridge. Seconded by Commission McKamey. Motion passed to forward to full commission for approval.

Commissioner McKamey made a motion to authorize the Mayor to apply for a BlueCross Healthy Place Grant for amenities on Anderson County owned property at 96 Mariner Point Drive, Clinton, TN. Seconded by Commissioner Mayes. Motion passed to forward to full commission for approval.

Law Director

Commissioner Yager made a motion to approve Resolution No. 23-08-1123 to adopt the 2018 Edition of Various International Building Codes as the Official Building Codes of Anderson County. Seconded by Commissioner Verran. Motion passed to forward to full commission for approval.

Tourism – Discussion on procedures for collecting data for reporting. – No Action Taken.

New Business:

None

Old Business:

None

Meeting Adjourned

Anderson County Government Holiday Schedule 2024

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

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

Section R314.6 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.

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

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

Table N1102.1.2 (R402.1.2) 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

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

“l”: “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.”

Table N1102.1 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

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

Section R403.3.3 Duct Testing (Mandatory) and Section R403.3.4 Duct Leakage (Prescriptive) are optional.

Table 402.2.2 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

**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
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Email: jyeager@aclawdirector.com

MEMORANDUM

TO: Ms. Annette Prewitt, Chief Deputy to the County Commission

CC: County Commission

FROM: N. Jay Yeager

DATE: August 16, 2023

RE: Law Director's Report – August 21, 2023 – County Commission Meeting

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

A. Contract Approvals:

1. USDA Loan- Animal Shelter
2. ESS (Addendum)- Schools
3. Comcast- Norris Library
4. Cherokee Health System- Schools
5. Instructure- Schools
6. Brandy Solomon (AEMT Class Agreement)- EMS
7. Ridgeview- Schools
8. Faith Phillips (AEMT Class Agreement)- EMS
9. James Jinks (Paramedic School Tuition)- EMS
10. O'Reilly Automotive- Renewal
11. Kaitlyn Tucker (Schools)- Renewal
12. Ridgeview- Preschool & Headstart- Renewal
13. Phillips Taylor (Parent Driver)- Schools
14. ETHRA- Office on Aging and Senior Center Funding
15. A&G Safety Solutions- Schools
16. E3 Diagnostics- Schools
17. Canon- Highway Dept.
18. Delta Math Solutions- Schools
19. State of Tennessee- SRO Grant
20. Norvex Supply- Renewal
21. Ray Varner Ford- OEM Parts (Renewal)
22. Tennessee Orthopedic Clinics- Schools
23. Canon Copier Lease- EMS

24. Moore & Foust- Wastewater Treatment Plant Analysis
25. Memorandum of Agreement with ACWA for TDEC ARP Grant
26. TCPS- EMS
27. Lively Reflective Concrete- Schools (Renewal)
28. US Cellular- Tracking Services- EMS
29. Andrew Lang (Tuition Agreement)-EMS
30. GCE- Softball Field, Buildings, Driveways, Sidewalks and Parking Lot at Clinton High School
31. Waste Management (Amendment to Host Agreement)- Solid Waste
32. Johnson Controls- DARC Jolly Building and Courthouse
33. CEV Multimedia- Schools

B. Anderson County Zoning Violations:

Newly Filed:

1. 105 Peach Orchard Road
2. 146 Blacksberry Road
3. 156 Queen Street
4. 202 Shipe Road
5. 303 Frost Bottom
6. 222 Old Tacora Hills Road
7. 343 Frost Bottom Road
8. 320 Strong Hollow Road

Lien Filed:

1. 880 and 884 Oliver Springs Highway

Closed and Compliant:

1. 2102 Clinton Highway
2. 344 Old Clear Branch Road
3. 127 Ridge Lane
4. 207 Sinking Springs Road
5. 152 Queen Street
6. 1662 Mountain Road
7. 2416 Lake City Highway

C. Bankruptcies:

1. J and D Mallett- Chapter 13 Bankruptcy. Received Notice of Confirmation for Chapter 13 Plan. Debtors do not owe any delinquent city or county taxes, no action necessary.
2. S and D Pinthanond- Chapter 13 Bankruptcy. Received Notice of Confirmation for Chapter 13 Plan. Debtors do not owe any delinquent county taxes, no action necessary.
3. M. Coker- Chapter 13 Bankruptcy. Received Notice of Chapter 13 Case. Debtor does not owe any delinquent city or county taxes, no action necessary.
4. A. Adkins- Chapter 7 Bankruptcy. Received Notice of Discharge, no action required.
5. R. Chitwood- Chapter 7 Bankruptcy. Received Notice of Discharge, no action required.
6. S. Daugherty- Chapter 7 Bankruptcy. Received Order for Allowance and Payment of Administrative Claims. Order allows for payment to Chapter 7 Trustee, no action required.
7. J and S Lewis- Chapter 7 Bankruptcy. Received Notice of Discharge, no action required.

8. Diebold Holding Company- Chapter 11 Bankruptcy. Received Notice as Non-voting Status to Holders of Claims and Interests as well as Order Confirming Chapter 11 Plan. As a Non-voting Holder, the Chapter 11 case does not affect the financial obligations that Diebold may currently have with the County and Diebold will continue to meet those obligations. No action needed
9. W and L Gallaher- Chapter 7 Bankruptcy. Received Notice of Chapter 7 and No Proof of Claim Deadline due to a no asset case. No action needed.
10. M and A Davis- Chapter 13 Bankruptcy. Received Agreed Order to proceed with case and withdraw Debtors “no defense”. No action needed. Also received Order Confirming Plan, still no action needed.
11. S. Sexton- Chapter 7 Bankruptcy. Received Notice of Case and No Proof of Claim Deadline due to no assets. No action needed.
12. K. Manley Jr- Chapter 7 Bankruptcy. Received Notice of Case and No Proof of Claim Deadline due to no assets. No action needed.
13. B and H Rounds- Chapter 7 Bankruptcy. Received Order of Discharge, no action needed.
14. R. Justice- Chapter 7 Bankruptcy. Received Notice of Case and No Proof of Claim Deadline due to no assets. No action needed.
15. M. Howell- Chapter 7 Bankruptcy. Received Notice of Trustee’s Final Report and Application for Compensation. Report shows no assets recovered, no action required.
16. S. Sexton- Chapter 7 Bankruptcy. Received Notice of Case and No Proof of Claim Deadline due to no assets. No action needed.
17. J. Salzwedel, Sr.- Chapter 13 Bankruptcy. Received Chapter 13 Plan. Received Notice due to lawsuit file by Credit Acceptance in Anderson County General Sessions, no court fees owing so no action needed.
18. R. Mitchell- Chapter 7 Bankruptcy. Received Order of Discharge, case is now closed. No action required.
19. A. Caldwell- Chapter 7 Bankruptcy. Received Notice of Amendment to remove the homestead exemption for a property owned with someone outside of the bankruptcy. No action required.
20. J Arwood- Chapter 13 Bankruptcy. Received Notice of Filing. Property taxes are paid by Mortgage Company and are current. No claim at this time.
21. D and L Smith- Chapter 13 Bankruptcy. Received Order Confirming Chapter 13 Plan. Property taxes are paid by Mortgage Company and current. No claim at this time.
22. J and J Tackleson- Chapter 13 Bankruptcy. Received Order Granting Motion to Modify and Confirming Modified Plan. Receiving Notices due to action filed in Anderson County General Sessions, no outstanding court fees therefore no claim necessary.

D. Delinquent Taxes

1. Change Order- VRL Hotel 11 LLC was closed in 2021. Order required to remove 2022 Delinquent Tax record for the City of Norris.

E. Collections Case

1. Anderson County vs. Elizabeth Olmedo (Chappelear) filed in Anderson County General Sessions Court, 23CV0607 set for hearing on September 19, 2023 for a debt owed to Anderson County Emergency Service for breach of contract.

F. Lawsuit Update

1. Ayers, Betty Jane, Ayers, David Russell and Bruun, Sarah Walker v. Stephens, Mark, Anderson County Elections Administrator – Voting Machine contest related to the 2020 Presidential race. Case Dismissed by Federal Court. No liability to Anderson County.

2. Hayes, James Bradley v. Deputy Kevin Perkins ACSO- Dismissed by Federal Court, No liability to AC.

G. Anderson County v. Davis, Chrystine A. - Authorization to execute and foreclose on judgment lien and sell real property to satisfy debt to County.

H. Courtesy Resolution – Requested by ASAP – National Overdose Awareness Day

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE

BETTY JANE AYERS,
DAVID RUSSELL AYERS, and
SARAH WALKER BRUUN,

Plaintiffs,

v.

TRE HARGETT,
MARK STEPHENS,
GEN. JONATHAN THOMAS SKRMETTI,
JANET M. KLEINFELTER,
DAVID KUSTOFF,
JIM COOPER,
STEVE COHEN,
MARSHA BLACKBURN, and
BILL HAGERTY,

Defendants.

No.: 3:22-CV-370-TAV-JEM

MEMORANDUM OPINION

Before the Court is defendants Tre Hargett, General Jonathan Thomas Skrmetti, and Janet M. Kleinfelter's (the "State Defendants") motion to dismiss [Doc. 4] and defendants David Kustoff, Jim Cooper, Steve Cohen, Marsha Blackburn, and Bill Hagerty's (the "Federal Defendants") motion to dismiss [Doc. 13]. Both the State Defendants and the Federal Defendants move the Court to dismiss plaintiffs' complaint pursuant to Federal Rules of Civil Procedure 12(b)(1) and (b)(6). Defendant Mark Stephens ("Stephens") has filed a motion requesting to join-in and adopt by reference the State Defendants' motion to dismiss [Doc. 12]. Plaintiffs have responded to these motions [Doc. 19], and this matter is now ripe for the Court's review. *See* E.D. Tenn. L.R. 7.1(a), 7.2. For the reasons

explained below, Stephens's motion [Doc. 12] will be **GRANTED**, defendants'¹ motions [Docs. 4, 13] will be **GRANTED**, and this case will be **DISMISSED**.

I. Background

On or about September 20, 2022, plaintiffs, proceeding *pro se*, filed this action in the Anderson County Circuit Court, and on October 19, 2022, the Federal Defendants filed a notice of removal to federal court [Docs. 1, 1-1]. Plaintiffs' *pro se* complaint is, respectfully, difficult for the Court to comprehend. As the Court reads the complaint, plaintiffs are residents and registered voters of the State of Tennessee [Doc. 1-1, p. 18]. They allege that defendants have failed to discontinue the use of electronic voting machines that are "easily able to be accessed" and "votes switched" [*Id.* at 7–8]. In addition, plaintiffs assert that defendants failed "to send the vote back to the States to be re-certified on January 6, 2021, [] which was an act of treason in light of the content of the evidence they were given, as they allowed a man they knew We the People had not elected to be sworn in as President" [*Id.* at 8]. Plaintiffs demand that defendants "immediately resign and face prosecution under the law, or contact this Court for a date of hearing on this matter" [*Id.*].

Plaintiffs maintain that "we the people, as individual members of the public have standing as citizens and taxpayers under common law" and "have this right of redress per the U.S. Constitution," citing the first paragraph of the U.S. Constitution [*Id.*]. Plaintiffs

¹ "Defendants" refers collectively to the State Defendants, the Federal Defendants, and Stephens.

also quote Article I, Sections 1, 2, 4, and 5 of the Tennessee Constitution [*Id.* at 9]. They state that venue is proper in this Court under Article I, Section 5 and Article IV, Section 1, Paragraph 2 of the Tennessee Constitution and the Fourteenth Amendment to the U.S. Constitution, the Elections Clause, Article I, Section 4, Clause 1 [*Id.* at 11].

In plaintiffs' statement of the claim, plaintiffs assert that "the methods by which elections at the local, state, and [f]ederal levels in Tennessee were conducted in 2020 and are being conducted in 2022 cannot be shown to provide the fair elections guaranteed to every citizen under the U.S. and Tennessee Constitutions, per the 14th Amendment to the U.S. Constitution, the Elections Clause (Art. I, § 4, cl. 1), Art. I, § 5, and Article IV, § 1, ¶ 2 of the Tennessee Constitution" [*Id.* at 13]. Plaintiffs contend that "[a] cryptographic security risk inherent in all voting machines by design, a Trapdoor mechanism [] makes the output of votes shown in reported election results impossible to reconcile with the ballot inputs, except under a full visual inspection and re-count of all paper ballots cast" [*Id.*].

Plaintiffs explain that "Tennessee's voting systems possess the capability to be accessed by the internet" and "our votes switched" [*Id.* at 14]. They contend that "the machines used in Hamilton County, Tennessee, are Dominion ImageCast machines, like those used in Mesa County, Colorado" [*Id.* at 15]. Plaintiffs also maintain that they "can find no EAC certification for Anderson County's voting machines in any minutes/reports of the State Election Commission Meetings," and they feel "Anderson County machines and possibly many others throughout the state are and have not been EAC certified per HAVA law in 2018, 2020, or for the upcoming elections" [*Id.* at 16]. Plaintiffs allege that

“[g]iven the number of machines in use in Tennessee, it is highly likely that some were either connected to the Internet or transmitted data that manipulated votes, denying some in Tennessee our right of suffrage per Article 1, § 5 of the Tennessee Constitution” [*Id.*].

Plaintiffs urge that “[t]he probability of changing the votes after the machines read the ballots or have votes punched in is too high to leave such a critical part of the foundation of the United States, free and fair elections, to the intentions of foreign and domestic bad actors who would sway election results at all levels, local, state, and [f]ederal” [*Id.* at 16–17]. Plaintiffs argue that retention of the November 2020 election data is critical to verifying the 2020 election results and ensuring the fairness of all future elections [*Id.* at 17]. In addition, they argue that “[u]ntil an in-person, paper ballot, day-of-election voting process is re-established, with results reported immediately after the voting period ends, Americans cannot have any level of confidence that the reported results of any elections accurately reflect the votes cast” [*Id.*]. Plaintiffs state that before and during the November 2020 election, neither of the two Voting System Testing Laboratories typically accredited by the Election Assistance Commission had current unexpired accreditations, and as a result, there could be no such approval of Tennessee’s voting systems for the November 2020 election [*Id.* at 18]. Plaintiffs then cite and quote meeting minutes, reports, and memoranda addressing the issue of voting machines in Tennessee [*Id.* at 22–26].

Plaintiffs quote Amendment XIV, Section 3 of the U.S. Constitution to argue that defendants have violated their oaths to uphold the state and federal constitutions [*Id.* at 28–29]. Plaintiffs maintain that by utilizing voting machines subject to “the Trapdoor

mechanism,” Tennessee has deprived its voters of the capability of knowing that their votes were accurately counted [*Id.* at 30]. As relief, plaintiffs demand “a full forensic audit and investigation of Tennessee’s November 2020 election results, data and electronic machines, and additionally demand an immediate order for the preservation of all 2020 election data and records” [*Id.* at 31]. Plaintiffs argue that irreparable harm will be suffered if these records are destroyed, as there will be no way to prove the integrity of their votes [*Id.*]. Plaintiffs also demand “an emergency temporary/permanent injunction restraining order against the use of any electronic voting equipment or method in the State of Tennessee until this investigation is complete” [*Id.* at 31–32]. They further demand that all future elections be conducted using the paper ballot method, that the results of every county in Tennessee for the 2020 elections be retabulated, and that the Court address the lack of action taken by defendants in the face of plaintiffs’ evidence [*Id.* at 32–33].²

II. Standard of Review

Defendants have brought motions to dismiss under Federal Rule of Civil Procedure 12(b)(1). Rule 12(b)(1) permits a party to seek dismissal based on a lack of subject matter jurisdiction. Rule 12(b)(1) motions fall into two categories: “facial attacks and factual attacks.” *United States v. Ritchie*, 15 F.3d 592, 598 (6th Cir. 1994). “A facial attack is a challenge to the sufficiency of the pleading itself.” *Id.* In considering whether jurisdiction has been established on the face of the pleading, “the court must take the material

² The Court notes that plaintiffs’ complaint is lengthy and contains many duplicative allegations. However, the Court has attempted to summarize the allegations and claims to the best of its ability.

allegations of the [pleading] as true and construed in the light most favorable to the nonmoving party.” *Id.* (citing *Scheuer v. Rhodes*, 416 U.S. 232, 235–37 (1974)). “A factual attack, on the other hand, is not a challenge to the sufficiency of the pleading’s allegations, but a challenge to the factual existence of subject matter jurisdiction.” *Id.* In that instance, no presumptive truthfulness applies to the complaint’s factual allegations and the Court “is free to weigh the evidence and satisfy itself as to the existence of its power to hear the case.” *RMI Titanium Co. v. Westinghouse Elec. Corp.*, 78 F.3d 1125, 1134 (6th Cir. 1996) (internal quotation marks omitted).

Here, defendants’ Rule 12(b)(1) argument is properly construed as a factual attack, as they contend that the Court lacks subject matter jurisdiction because plaintiffs lack Article III standing to bring this lawsuit [Docs. 4, 12, 13]. Notably, unlike a motion to dismiss for failure to state a claim under Rule 12(b)(6), “where subject matter jurisdiction is challenged under Rule 12(b)(1)[,] . . . the plaintiff has the burden of proving jurisdiction in order to survive the motion.” *RMI Titanium*, 78 F.3d at 1134 (internal quotation marks omitted). In addition, the Court is not required to presume the factual allegations contained in the complaint are true. *See id.*

Given plaintiff’s *pro se* status, the Court notes that federal courts have a duty to “liberally construe the briefs of pro se litigants and apply less stringent standards to parties proceeding pro se than to parties represented by counsel.” *Bouyer v. Simon*, 22 F. App’x 611, 612 (6th Cir. 2001). At the same time, however, “the lenient treatment generally accorded to pro se litigants has limits.” *Pilgrim v. Littlefield*, 92 F.3d 413, 416 (6th Cir.

1996). As such, courts have not typically “been willing to abrogate basic pleading essentials in *pro se* suits.” *Wells v. Brown*, 891 F.2d 591, 594 (6th Cir. 1989).

III. Analysis

A. Stephens’s Motion to Join-In and Adopt by Reference the State Defendants’ Motion to Dismiss

The Court first addresses Stephens’s motion to join-in and adopt by reference the State Defendants’ motion to dismiss [Doc. 12]. Stephens states that the same allegations in the complaint that apply to the State Defendants also generally apply to him. He contends that plaintiffs’ claims are generalized grievances about the voting machines and voting procedures used and are not justiciable controversies to confer federal subject matter jurisdiction. Based on Stephens’s contentions, the Court finds his motion to be well-taken and made in the interest of judicial efficiency. As a result, Stephens’s motion to join-in and adopt by reference the State Defendants’ motion to dismiss [Doc. 12] will be **GRANTED**, and Stephens will be permitted to join-in and adopt by reference the State Defendants’ motion to dismiss [Doc. 4].

B. Motions to Dismiss

Because there is some overlap between the State Defendants’ and the Federal Defendants’ motions to dismiss, the Court will analyze both motions together.

Both the State Defendants and the Federal Defendants move to dismiss plaintiffs’ complaint pursuant to Federal Rules of Civil Procedure 12(b)(1) and (b)(6) for lack of subject matter jurisdiction and failure to state a claim upon which relief can be granted

[Docs. 4, 13].³ Beginning with the State Defendants' motion, they argue that plaintiffs' complaint, when viewed as a whole, is nothing more than a generalized grievance and not the kind of controversy that is justiciable in federal court [Doc. 5, p. 6]. As a result, they contend this Court lacks subject matter jurisdiction over this case [*Id.*].

In support, the State Defendants assert that plaintiffs do not allege any facts establishing a concrete and particularized injury, i.e., an injury affecting plaintiffs in a personal and individual way resulting from the use of the current voting systems in Tennessee [*Id.* at 11]. Instead, plaintiffs allege that “it is highly likely that some [voting machines] were either connected to the Internet or transmitted data that manipulated votes, denying some in Tennessee our right of suffrage” and that “[b]y utilizing voting machines subject to the Trapdoor mechanism . . . Tennessee has deprived its voters of the capability of knowing that their vote was accurately counted” [*Id.* at 11–12].

However, the State Defendants argue that this injury is one that is common to all citizens of the State of Tennessee and not just plaintiffs [*Id.* at 12]. In fact, the State Defendants maintain that throughout the complaint, plaintiffs refer to themselves as representatives of “We the People,” reinforcing the conclusion that they are pressing a generalized, as opposed to a personal, grievance [*Id.*]. But the State Defendants report that the U.S. Supreme Court has consistently held that a plaintiff raising only such a generally available grievance about government does not state an Article III case or controversy,

³ Because the Court disposes of this case on subject matter jurisdiction grounds, the Court will not address the State Defendants' and the Federal Defendants' additional arguments.

citing *Lance v. Coffman*, 549 U.S. 437 (2007) [*Id.*]. As a result, the State Defendants contend that plaintiffs lack standing because they are not affected by the continued use of the current voting systems in Tennessee in any personal and individual way [*Id.* at 13]. To the contrary, the State Defendants urge that the continued use of these voting systems affects all Tennessee voters equally [*Id.*].

Turning to the Federal Defendants' motion, they similarly argue that plaintiffs lack Article III standing, as they cannot show any of the three elements required for standing [Doc. 14, p. 7]. In support, the Federal Defendants state that plaintiffs have not suffered an injury in fact [*Id.*]. Like the State Defendants, the Federal Defendants cite to *Lance v. Coffman*, 549 U.S. 437 (2007) as a U.S. Supreme Court case that decides the issue in the election context [*Id.* at 7–8]. They maintain that plaintiffs bring their complaint as “individual members of the public” and claim to have standing as “citizens and taxpayers under common law” [*Id.* at 8]. Their complaint alleges that the electronic voting machines used in the Tennessee 2020 election have the ability to be easily accessed via the internet and the potential for their votes to be switched [*Id.*].

However, the Federal Defendants argue that plaintiffs allege no evidence that their votes were actually switched but simply that their vote has the means to be disenfranchised and will continue to be in danger of such if continued use of the electronic machines is allowed [*Id.*]. The Federal Defendants contend that these overarching, broad allegations about the administration of the Tennessee election process are precisely the type of undifferentiated, generalized grievances about the conduct of government that courts have

refused to permit [*Id.*]. Not only is this clearly an injury common to all citizens of the State of Tennessee, but the Federal Defendants argue that plaintiffs have consistently styled themselves as representative of the people, further supporting the conclusion that their alleged injury is nothing more than an undifferentiated, general grievance [*Id.* at 8–9]. The Federal Defendants maintain that it is clear from the allegations in plaintiffs’ complaint that plaintiffs themselves have not suffered a harm in any personal way, and as a result, they lack standing [*Id.* at 9]. The Federal Defendants further note that plaintiffs do not have taxpayer standing to bring their suit because they have not alleged a violation of the Establishment Clause, citing to *Hein v. Freedom from Religion Found., Inc.*, 551 U.S. 587, 593 (2007) [*Id.*].

Plaintiffs’ response is largely unresponsive to the arguments made by the State Defendants and the Federal Defendants in their respective motions to dismiss [Doc. 19]. Instead, plaintiffs utilize their response as an opportunity to restate the allegations made against defendants in their complaint [*Id.* at 1–2, 6–7, 9–10, 12, 15]. While plaintiffs cite and quote several cases, statutes, and constitutional provisions, they provide little to no explanation of how these authorities support their case [*Id.* at 4–6, 7–9, 10–13, 15–16]. They also reiterate arguments they previously made in support of their request for remand to state court [*Id.* at 3, 8, 10, 15; Doc. 3], which the Court has already addressed and denied [Doc. 18].

Plaintiffs demand that defendants resign from their positions, or that they attend a hearing within 10 days to dispute the evidence presented [Doc. 19, p. 14]. They also state

that a writ of quo warranto is a remedy under common law in which the burden of proof is on defendants, and plaintiffs should not have the burden of defending why this case should not be dismissed [*Id.*]. They demand for the Court to shift the burden of proof to defendants, hold a hearing,⁴ order default judgment,⁵ and order defendants to resign and face prosecution [*Id.* at 15].

“Article III of the Constitution gives federal courts subject matter jurisdiction over actual cases or controversies, neither of which exists unless a plaintiff establishes his standing to sue.” *Murray v. U.S. Dep’t of Treasury*, 681 F.3d 744, 748 (6th Cir. 2012). Thus, “standing is the threshold question in every federal case.” *Id.* (internal quotation marks omitted).

“Plaintiffs bear the burden of establishing standing, and they must support each element in the same way as any other matter on which the plaintiff bears the burden of proof, i.e., with the manner and degree of evidence required at successive stages of the litigation.” *Schickel v. Dilger*, 925 F.3d 858, 866 (6th Cir. 2019) (internal quotation marks omitted). For standing under Article III, a plaintiff must show: (1) “an injury-in-fact—a harm that is both concrete and actual or imminent, not conjectural or hypothetical,” (2) “a causal connection [] between the plaintiff’s injury and the alleged conduct of the

⁴ The Court notes that because defendants’ motions to dismiss can be resolved on the basis of the paper record alone and do not involve complex legal or factual questions, a hearing is not necessary in this case. *See Rutkofske v. Norman*, No. 95-2038, 1997 WL 299382, at *3 (6th Cir. June 4, 1997).

⁵ Default judgment is not appropriate in this case where defendants have not “failed to plead or otherwise defend” [*See Docs. 4, 12, 13*]. Fed. R. Civ. P. 55(a).

defendant,” and (3) “redressability—a substantial likelihood that the requested relief will remedy the alleged injury in fact.” *Davis v. Detroit Pub. Schs. Cmty. Dist.*, 835 F. App’x 18, 23 (6th Cir. 2020) (internal citations and quotation marks omitted).

“To establish injury in fact, a plaintiff must show that he or she suffered ‘an invasion of a legally protected interest’ that is ‘concrete and particularized’ and ‘actual or imminent, not conjectural or hypothetical.’” *Spokeo, Inc. v. Robins*, 578 U.S. 330, 339 (2016) (quoting *Lujan v. Defs. of Wildlife*, 504 U.S. 555, 560 (1992)). “For an injury to be ‘particularized,’ it ‘must affect the plaintiff in a personal and individual way.’” *Id.* (quoting *Lujan*, 504 U.S. at 560 n.1). In addition, “[a] ‘concrete’ injury must be ‘*de facto*’; that is, it must actually exist.” *Id.* at 340. In the context of declaratory or injunctive relief, plaintiffs “must show a present ongoing harm or imminent future harm.” *Shelby Advocs. for Valid Elections v. Hargett*, 947 F.3d 977, 981 (6th Cir. 2020). Furthermore, as is particularly relevant to this case, the U.S. Supreme Court has held:

[A] plaintiff raising only a generally available grievance about government—claiming only harm to his and every citizen’s interest in proper application of the Constitution and laws, and seeking relief that no more directly and tangibly benefits him than it does the public at large—does not state an Article III case or controversy.

Lance, 549 U.S. at 439 (quoting *Lujan*, 504 U.S. at 573–74).

One case particularly instructive is *Shelby Advocs.*, where an organization along with four individuals sued an assortment of state and local election officials and entities, alleging that “in future elections, the defendants will burden their right to vote, dilute their votes, and disenfranchise them in violation of the Fourteenth Amendment’s Equal

Protection and Due Process clauses.” 947 F.3d at 989. In the plaintiffs’ complaint, they feared that their votes in future elections would be “denied or substantially burdened.” *Id.* Specifically, the plaintiffs complained that the election workers had failed to recertify the voting machines as Tennessee requires. *Id.* at 980. In addition, they made several allegations as to the county’s use of digital voting machines, including that (1) “the machines connect to the Internet [which] makes them vulnerable to hacking and cyberattacks,” (2) “[t]he machines may also be hacked, [] by insertion of a memory card containing malware,” (3) “the machines do not produce a paper record of each voter’s choices, which [] makes them difficult to audit for voter-protection purposes, whether to confirm that the machines recorded the votes accurately at the outset or to confirm that hackers did not modify the votes afterwards,” and (4) “the machines sometimes ‘flip’ votes, recording a vote cast for A as a vote cast for B due to programming or maintenance problems.” *Id.*

The plaintiffs in *Shelby Advocs.* stated that each of these problems were partly the responsibility of the state, as “it has failed to enact standards that sufficiently protect elections from hacking and voting-machine malfunctions because it does not require all counties to use paper ballots with optical scanning, and it does not prohibit Internet-capable voting machines or prescribe rules for handling voting-machine memory cards.” *Id.* The plaintiffs requested injunctive relief similar to the relief sought in this case, including preventing the use of the machines in future elections and examination into the voting machines. *Id.*

With respect to the issue of standing, the Sixth Circuit determined that the plaintiffs’ “alleged future risk of vote dilution or vote denial stemming from maladministration and technology problems” had an imminence problem. *Id.* at 981. The court found that “[t]he complaint’s allegations with respect to injury all boil down to prior system vulnerabilities, previous equipment malfunctions, and past election mistakes,” and “the Supreme Court has not been sympathetic to claims that past occurrences of unlawful conduct create standing to obtain an injunction against the risk of future unlawful conduct.” *Id.* (collecting cases). While the plaintiffs had alleged “vote-flipping,” the court found that the plaintiffs had not alleged “that this vote-flipping ever happened to any of them or in any election in which they were candidates, and the evidence they produced indicates that ‘all errors’ were ‘corrected prior to casting [the] ballot[s].’” *Id.*

The Sixth Circuit continued that even if “the plaintiffs had adequately alleged past harm, they have not plausibly alleged, much less shown, that future vote-flipping is ‘certainly impending.’” *Id.* at 981–82 (quoting *Clapper v. Amnesty Int’l USA*, 568 U.S. 398, 402 (2013)). “Nor, to the extent the Supreme Court has suggested the possibility that a ‘substantial risk’ plus mitigation costs can satisfy the imminence requirement, would that make a difference.” *Id.* at 982. Thus, the court concluded that “[t]he plaintiffs have not plausibly shown that there is a substantial risk of vote flipping,” and “[i]n the absence of imminent harm, the individual plaintiffs have no standing to sue and thus no basis for moving forward with their claims.” *Id.*

Here, plaintiffs’ allegations mirror those in *Shelby Advocs.*, and for that reason, they suffer from the same defects. Specifically, plaintiffs’ allegations pertain to “elections at the local, state, and [f]ederal levels in Tennessee [that] were conducted in 2020” [Doc. 1-1, p. 13], indicating that any alleged injury occurred in the past. In addition, they assert that “Tennessee’s voting systems *possess the capability* to be accessed by the internet” and “votes switched” [*Id.* at 14 (emphasis added)]. Plaintiffs contend that “[g]iven the number of machines in use in Tennessee, it is *highly likely* that some were either connected to the Internet or transmitted data that manipulated votes” [*Id.* at 16 (emphasis added)]. Plaintiffs further state that “[t]he *probability* of changing the votes after the machines read the ballots or have votes punched in is too high to leave such a critical part of the foundation of the United States, free and fair elections, to the intentions of foreign and domestic bad actors who *would sway* election results at all levels, local, state, and [f]ederal” [*Id.* at 16–17 (emphasis added)].

As explained by the Sixth Circuit in *Shelby Advocs.*, plaintiffs’ allegations of past unlawful conduct cannot create standing to obtain an injunction against the risk of future unlawful conduct. *See* 947 F.3d at 981 (collecting cases). Even if plaintiffs adequately alleged past harm, they have not plausibly alleged, much less shown, that future vote-flipping is certainly impending or that a substantial risk exists, as they reference phrases

such as “possess the capability,” “highly likely,” and “probability” [*Id.* at 14–17].⁶ *See Clapper*, 568 U.S. at 414 (“[R]espondents’ speculative chain of possibilities does not establish that injury [] is certainly impending[.]”).

In addition, plaintiffs have not alleged that any purported “vote-flipping” happened to them personally, as they reference that “some in Tennessee” were denied their right of suffrage without identifying who those individuals are [Doc. 1-1, p. 16]. They also continually reference “We the People” and maintain that “we the people, as individual members of the public have standing as citizens and taxpayers under common law” [*Id.* at 8]. These allegations demonstrate that plaintiffs seek to assert a right possessed by every citizen, which is “a generalized grievance that is plainly undifferentiated and common to all members of the public.” *Lance*, 549 U.S. at 440–41 (internal quotation marks omitted); *see also Ayers v. Wilkinson*, No. 21-0551, 2021 WL 5992117, at *3 (D.D.C. May 10, 2021) (finding that references to the plaintiff as a representative of “We the People” throughout the complaint reinforces “the conclusion that she is pressing a generalized, as opposed to a personal, grievance”). As the U.S. Supreme Court has held,

⁶ Throughout the complaint, plaintiffs reference evidence and exhibits regarding the existence of and the potential for vote-flipping [*See, e.g.*, Doc. 1-1, pp. 13–15, 28]. Recently, the Federal Defendants filed a notice supplementing the removal documents, which included the complaint along with several exhibits that were not originally presented to the Court when this action was removed [*See Docs.* 23, 23-1]. The Court has reviewed the exhibits attached to the complaint and finds they do not change the outcome of this case. Specifically, plaintiffs’ exhibits relate to claimed widespread voting issues across the country or in places other than Anderson County, Tennessee [*See, e.g.*, Doc. 23-1, pp. 37–41, 56–59, 76, 96, 182, 325]. However, even if plaintiffs can show an imminent risk elsewhere, “that does not translate into an imminent risk that individuals will hack the voting machines in [Anderson] County, Tennessee.” *Shelby Advocs.*, 947 F.3d at 983.

this type of generalized grievance is not sufficient for standing. *See Lance*, 549 U.S. at 442.⁷

Moreover, “the payment of taxes is generally not enough to establish standing to challenge an action taken by the Federal Government.” *Hein*, 551 U.S. at 593. An exception to this rule is where a plaintiff challenges “a law authorizing the use of federal funds in a way that allegedly violates the Establishment Clause.” *Id.* Here, plaintiffs have made no such challenge, so they also lack standing as taxpayers. For all these reasons, plaintiffs have failed to establish the requisite “injury-in-fact” needed for Article III standing.

As to plaintiffs’ request for a writ of quo warranto, “[a] writ of quo warranto is [a] common-law writ used to inquire into the authority by which a public office is held or a franchise is claimed.” *Hughes v. Martin*, No. 3:22-cv-00332, 2022 WL 1598254, at *1 (M.D. Tenn. May 19, 2022) (internal quotation marks omitted). However, “[a] private individual lacks standing to institute a quo warranto proceeding.” *Id.* (quoting *Allen v. Stark State Coll.*, Nos. 19-3723, 19-3975, 2020 WL 4382781, at *2 (6th Cir. June 4, 2020)).

⁷ Plaintiffs cite case law in their complaint that stands for the proposition that everyone has a right to vote and to have their vote counted [Doc. 1-1, p. 30]. However, this right does not negate the fact that plaintiffs must allege “a plain, direct and adequate interest in maintaining the effectiveness of their votes, not merely a claim of the right possessed by every citizen to require that the government be administered according to law.” *Baker v. Carr*, 369 U.S. 186, 208–09 (1962) (internal citations and quotation marks omitted) (finding that the plaintiffs had standing to sue where they sought relief “to protect or vindicate an interest of their own, and of those similarly situated” when a voting classification “disfavors the voters in the counties in which they reside, placing them in a position of constitutionally unjustifiable inequality vis-a-vis voters in irrationally favored counties”).

Thus, because plaintiffs are private individuals [*See* Doc. 1-1, pp. 8, 18], they lack standing to seek relief via a writ of quo warranto.

Further, many of the forms of relief requested by plaintiffs cannot be redressed by this Court. *See Love v. Vilsack*, 908 F. Supp. 2d 139, 144–45 (D.D.C. 2012) (“To satisfy th[e] element [of redressability], a plaintiff must show in the first instance that the court is capable of granting the relief sought.”). First, the Court cannot order defendants to resign from their official positions or review decisions made within the discretion of their positions. *See Clapper*, 568 U.S. at 408 (“The law of Article III standing, which is built on separation-of-powers principles, serves to prevent the judicial process from being used to usurp the powers of the political branches.”). Similarly, “the Court lacks the authority to compel the executive branch to initiate a prosecution.” *Ayers*, 2021 WL 5992117, at *3 (quoting *Heckler v. Chaney*, 470 U.S. 821, 831 (1985)) (“[A]n agency’s decision not to prosecute or enforce, whether through civil or criminal process, is a decision generally committed to an agency’s absolute discretion.”).⁸

Based on the foregoing, plaintiffs lack Article III standing to bring this cause of action. The Court reaches this conclusion as to plaintiffs’ claims brought under federal and state law. *See Davis*, 835 F. App’x at 23 (“Federal courts must determine that a plaintiff

⁸ Plaintiffs cite case law for the proposition that the Court can infer a private right of action for damages even when an action has not been expressly provided because “every wrong must have a remedy” [Doc. 19, pp. 11–12]. However, the Court does not reach the issue of whether plaintiffs have stated any “wrong” on the part of defendants because plaintiffs must first demonstrate that they have standing to bring this lawsuit, which they have failed to do.

has standing under Article III before considering whether a plaintiff has state-law standing.”). As a result, the Court lacks subject matter jurisdiction to hear this case.

IV. Conclusion

For the reasons explained above, Stephens’s motion [Doc. 12] will be **GRANTED**, defendants’ motions to dismiss [Docs. 4, 13] will be **GRANTED**, and this case will be **DISMISSED**. A separate order shall enter.

ENTER:

s/ Thomas A. Varlan
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE

BETTY JANE AYERS,
DAVID RUSSELL AYERS, and
SARAH WALKER BRUUN,

Plaintiffs,

v.

TRE HARGETT,
MARK STEPHENS,
GEN. JONATHAN THOMAS SKRMETTI,
JANET M. KLEINFELTER,
DAVID KUSTOFF,
JIM COOPER,
STEVE COHEN,
MARSHA BLACKBURN, and
BILL HAGERTY,

Defendants.

No.: 3:22-CV-370-TAV-JEM

ORDER

For the reasons stated in the Memorandum Opinion entered contemporaneously with this Order, defendant Mark Stephens's motion [Doc. 12] is **GRANTED**, the State Defendants' motion to dismiss [Doc. 4] is **GRANTED**, and the Federal Defendants' motion to dismiss [Doc. 13] is **GRANTED**. Plaintiffs' claims are **DISMISSED** against all defendants, and the Clerk of Court is **DIRECTED** to **CLOSE** this case.

IT IS SO ORDERED.

s/ Thomas A. Varlan
UNITED STATES DISTRICT JUDGE

ENTERED AS A JUDGMENT
LeAnna R. Wilson
CLERK OF COURT

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE

BETTY JANE AYERS,
DAVID RUSSELL AYERS, and
SARAH WALKER BRUUN,

Plaintiffs,

v.

TRE HARGETT,
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JANET M. KLEINFELTER,
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STEVE COHEN,
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ORDER

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IT IS SO ORDERED.

s/ Thomas A. Varlan
UNITED STATES DISTRICT JUDGE

ENTERED AS A JUDGMENT
LeAnna R. Wilson
CLERK OF COURT

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE**

JAMES BRADLEY HAYES,)	
)	
<i>Plaintiff,</i>)	
)	Case No. 3:20-cv-375
v.)	
)	Judge Atchley
)	
KEVIN PERKINS,)	Magistrate Judge McCook
)	
<i>Defendant.</i>)	
)	

ORDER

Before the Court is Plaintiff Hayes’s letter, which the Court construes as a Motion to Reconsider its final judgment in this matter. [Doc. 57]. Plaintiff filed the initial complaint in August of 2020. [Doc. 1]. The matter was set to proceed to trial on April 4, 2023. [Doc. 28]. After Plaintiff missed several pretrial deadlines, the trial was canceled and an Order to Show Cause was issued. [Doc. 50]. Plaintiff filed a Motion for Continuance, which the Court interpreted as a response to its prior Order to Show Cause. [Doc. 51]. The Court granted Plaintiff’s request to allow this matter to proceed and issued another Order with new, clearly established deadlines by which Plaintiff was required to file pretrial materials. [Doc. 53]. Plaintiff once again failed to meet these deadlines and the Court dismissed this action. [Doc. 55, 56]. Plaintiff’s letter currently before the Court requests “more time,” and for the Court to appoint a lawyer. [Doc. 57]. Because the letter was received after the matter was closed, the Court construes the letter as a Motion to Alter or Amend Judgment pursuant to Rule 59 of the Federal Rules of Civil Procedure. For the reasons explained below, Plaintiff’s Motion [Doc. 57] is **DENIED**.

I. STANDARD

Because Plaintiff's Motion was filed within twenty-eight days of entry of judgment, Federal Rule of Civil Procedure 59 controls. *See* Fed. R. Civ. P. 59(e); *Mack v. S. Health Partners*, No. 2:17-cv-31, 2019 WL 13242679 (E.D. Tenn. July 1, 2019). Rule 59 "provides a procedure for correcting manifest errors of law or fact or considering the import of newly discovered evidence." *Helton v. ACS Group*, 964 F. Supp. 1175, 1182 (E.D. Tenn. 1997). "A motion to alter or amend judgment [pursuant] to Fed. R. Civ. P. 59(e) may be made for one of three reasons: (1) an intervening change of controlling law; (2) evidence not previously available has become available; or (3) it is necessary to correct a clear error of law or prevent manifest injustice." *Id.* A Rule 59(e) motion is "not intended [to] relitigate issues previously considered." *Id.* "[W]here the movant is attempting to obtain a complete reversal of the court's judgment by offering essentially the same arguments presented on the original motion, the proper vehicle for relief is an appeal." *Id.* (internal citation omitted).

II. ANALYSIS

This case was dismissed because Plaintiff failed to file several vital pretrial documents originally due in October 2022 and February 2023. Plaintiff's initial deadline to submit his final witness list was October 25, 2022, and the deadline to submit his pretrial disclosures was February 14, 2023. [Doc. 28]. Plaintiff was encouraged to seek another lawyer after his previous counsel withdrew from the matter, but new counsel was never engaged. [See Doc. 35]. Plaintiff was further informed that, should he proceed pro se, "it is his obligation to stay up to date on the status of this case and to comply with the deadlines set by the Court." [*Id.*]. After missing the aforementioned deadlines and receiving notice of deficiencies from Defendant, this Court issued an Order to Show Cause requiring Plaintiff to clarify whether he intends to pursue the case and

explain why it should not be dismissed for failure to comply. [Doc. 50]. Plaintiff wrote a letter claiming previous counsel had given him “the impression that he had filed any and all criterion that had to be meet (sic) prior to th[e] trial date.” [Doc. 51.]. Rather than dismiss the case, the Court took Plaintiff at his word and allowed him an additional opportunity to correct the deficiencies and continue to trial. [Doc. 53]. Plaintiff was explicitly directed to file the delinquent pretrial documents and warned that “failure to comply with this Court order *will result in dismissal of this action* pursuant to Federal Rule of Civil Procedure 41(b).” [*Id.*] (emphasis added). However, again, Plaintiff did not meet the deadlines explicitly established by the Court. [*See id.*]. As a result, the matter was dismissed and closed. [Doc. 55, 56].

Days after the Court issued its judgment dismissing the case, Plaintiff wrote another letter. This time, Plaintiff alleges that he received the Court’s Order establishing new deadlines after those deadlines had passed. [Doc. 57; *see* Doc. 53]. When looking to the Rule 59 factors, there has been no intervening change of controlling law. Plaintiff offers what may be considered new evidence by claiming he did not receive the Court’s Order establishing new deadlines in time to respond to the deadlines that were set forth. [Doc. 57]. The alleged delay in receiving these new deadlines should also be considered in the broader category that strives to prevent manifest injustice.

Even when taking Plaintiff at his word that he did not receive the new deadlines in time to comply, this “new evidence” does not change the fact that he has still not filed these documents. At the time of this Order, the case has been dismissed for more than five weeks and Plaintiff has made no discernable effort to file the necessary materials, even while he is undoubtedly aware of the requirements. Plaintiff has not only received the original Order to Show Cause that identified the deficiencies [Doc. 50], but also the Order establishing new deadlines [Doc. 53] and numerous

notices from Defendant. [Doc. 46, 52, 54]. Plaintiff has received the Order Dismissing this case as well.¹ [Doc. 55]. Despite knowing which specific filings have created his current predicament, Plaintiff has not complied. Instead, Plaintiff simply asks for more time—yet again. The Court does not find this “new evidence” compelling.

Further, as Plaintiff has been aware of these requirements for at least four months² but done nothing to address the deficiency, there is no manifest injustice in this case being dismissed. The Court notes that, “while *pro se* litigants may be entitled to some latitude when dealing with sophisticated legal issues, acknowledging their lack of formal training, there is no cause for extending this margin to straightforward procedural requirements that a layperson can comprehend as easily as a lawyer.” *Jourdan v. Jabe*, 951 F.2d 108, 109 (6th Cir. 1991). Plaintiff’s *pro se* status did not prevent him from complying with the Court’s clear orders. The Court has given Plaintiff ample opportunity to correct course, and it finds that he has been dilatory in meeting the requirements outlined.

Thus, given its finite judicial resources and the number of *pro se* parties on its docket who work diligently to meet their deadlines, the Court does not find Plaintiff’s letter provides adequate reasoning to alter the judgment. Accordingly, Plaintiff’s Motion [Doc. 57] is **DENIED**.

SO ORDERED.

/s/ Charles E. Atchley, Jr.
CHARLES E. ATCHLEY JR.
UNITED STATES DISTRICT JUDGE

¹ The Court knows that Plaintiff received the Order closing this matter because he wrote another letter titled “Written Motion for Appeal.” [Doc. 58]. The delinquent pretrial documents were not included with this letter.

² At minimum, Plaintiff was alerted to this issue through this Court’s Order to Show Cause filed on March 14, 2023, [Doc. 50].

IN THE 7TH JUDICIAL DISTRICT FOR ANDERSON COUNTY, TENNESSEE
(CHANCERY DIVISION)

MARJORIE PRESSLEY,
Building Commissioner,
ex rel. Anderson County, Tennessee
Anderson County Courthouse
Clinton, Tennessee 37716

Plaintiff,

vs.

CRYSTINE A. DAVIS
1604 HIDDEN HILLS DR
CLINTON, TN 37716

Defendant.

No. 18CH372

ORDER FOR EXECUTION AND FORECLOSURE OF JUDGMENT LIEN

This matter came before the Court on 25th day of August, 2023 pursuant to Plaintiff's *Motion for Execution and Foreclosure of Judgment Lien*. After argument of counsel, examination of witnesses, review of evidence and the entire record herein the Court finds:

1. The Defendant was properly served with the *Motion for Execution and Foreclosure of Judgment Lien* by service by publication in lieu of personal service as ordered by this Court on the 24th day of May, 2023. The Publisher's Affidavit evidencing the publishing of the Notice of Service by Publication is attached as Exhibit 1.
2. The Defendant did not appear at the hearing held the 25th of August, 2023.
3. The Defendant has failed to cure the lien fixed on the Defendant's property.
4. The Defendant has failed at every chance to plead or otherwise respond to this Court regarding this matter since the Complaint was filed in June, 2018.
5. Through the Defendant's failure to respond, the Defendant has shown a total disregard and lack of interest in the property located at 1604 Hidden Hills Drive,

Clinton, TN 37716 that is the subject of this matter.

6. The Final Lien recorded on the property has a total amount that is at least fifty percent or greater of the fair market value in accordance with T.C.A. § 26-5-115.
7. The Final Lien was created by the *Order of Contempt* entered by this Court on March 25th, 2022 and duly recorded as required by T.C.A. § 25-5-101(b) on May 25th, 2022, thus still in effect in accordance with T.C.A. § 25-5-105.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that:

1. The Court finds the Defendant has failed to cure the Final Lien or avail herself of any defense in this action.
2. Being that the Final Lien is still effective, that the lien can be executed for sale by foreclosure.
3. In accordance with T.R.C.P 69.07, a levy is not necessary for this order due to the lien still being effective.
4. That the Foreclosure be set for public auction on the **day of October 2023** at the Anderson County Court House located at 100 N. Main St., Clinton, TN 37716.
5. That the Clerk and Master's Office be directed to coordinate with an auctioneer to set up the public auction for the foreclosure of this property on the above date. Any and all fees incurred by the Clerk and Master's Office be added to the beginning bid for the property.
6. That a Notice of Foreclosure Sale be published 3 consecutive weeks in *The Clinton Courier* with the first publishing being made at least 20 days prior to the sale, which is the newspaper of general circulation in the county in accordance with T.C.A.

§ 26-5-101

7. That the total price for which the property is sold is to include the amount listed on the Final Lien, which is \$28,125.00, the current and delinquent and current Anderson County property tax, totaling \$ 1,530.70, as evidenced by the itemized statement from each official that includes all taxes, interest and penalties that as of the date of the Foreclosure Sale that might or could be a lien on the property, and all court fees associated with this matter as assessed by the Chancery Court Clerk and Master's Office, totaling \$695.50, all attached as Exhibit 2. As well as any fees associated with the publication and sale of this property, plus any additional court costs and other delinquent or current taxes due at the time of the sale, all in accordance with T.C.A. § 26-5-108.

8. The Plaintiff be entitled to any other general and specific relief the court finds proper.

ENTERED this _____ day of _____, 2023.

CHANCELLOR JAMES BROOKS

APPROVED FOR ENTRY:

Rachel S. Wallace, BPR 036554
Assistant Attorney
Anderson County Law Director
101 South Main Street, Suite 310
Clinton, TN 37716
(865) 457-6290

CERTIFICATE OF SERVICE

I hereby swear or affirm that a true and exact copy of the foregoing document has been sent to the Defendant by United States Mail, first class postage pre-paid on this the ____ of _____, 2023.

Crystine A. Davis
605 Cuzin Ray Ln.
Clinton, TN 37716

Rachel S. Wallace, Esq.

Anderson County, Tennessee
Board of Commissioners

RESOLUTION NO. 23-08-1124

RESOLUTION HONORING INTERNATIONAL OVERDOSE AWARENESS DAY

WHEREAS, August 31st of each year marks International Overdoes Awareness Day which is a day to remember those that have been lost to overdose, acknowledge the grief of the family and friends left behind, to honor those first responders for their service and to renew the commitment to end overdose ; and

WHEREAS, according to the Centers for Disease Control and Prevention (CDC), more than one million people have died from an overdose since 1999. In 2021, one hundred and six thousand, six hundred and ninety-nine (106,699) overdose deaths occurred in the United States; and

WHEREAS, over the last year, in Anderson County, a total of ninety-one (91) lives have been lost due to an overdose; and

WHEREAS, countless other lives have been saved in Anderson County thanks to all of the men and women who serve our great County as first responders who carry and administer Naloxone to save those experiencing an overdose; and

WHEREAS, International Overdose Awareness Day seeks to create better understanding of overdose, reduce the stigma of drug-related deaths, and create change that reduces the harms associated with drug use. We, the citizens of Anderson County, are joining ourselves to a global movement for understanding, compassion, and change.

NOW, THEREFORE, BE IT RESOLVED by the Anderson County Board of Commissioners meeting this 21st day of August 2023 that we honor International Overdose Awareness Day, August 31st, 2023, and all the lives that have been lost or affected by overdose. As well as all first responders; Emergency Medical Services, Fire and Police personnel, for their service to those suffering an overdose.

BE IT FURTHER RESOLVED, we invite all citizens to First Baptist Church Family Life Center in Clinton from 11:30am-1:00pm on Thursday, August 31st, 2023, to observe International Overdose Awareness Day, and further honor our dedicated first responders that save many lives each year.

RESOLVED, DULY PASSED, AND EFFECTIVE this 21st day of August 2023.

Joshua Anderson, Chairman

Terry Frank, County Mayor

ATTEST:

Jeff Cole, County Clerk

Anderson County Fire Commission

August 1, 2023 Meeting Minutes

Meeting called to order by Tracy Wandell at 6:30pm.

Members Present: Ambrea Kroth, Cameron Woods (Claxton), Stephanie Fox, Josh Lane, Zach Kennedy (Rocky Top), Matt Burrell (Norris), Justin Bailey, Tracy Wandell, Nathan Sweet, Scott Thomas, Brice Kidwell, and Justin Massengill (E-911).

Old Business

- No updates available from the planning and zoning department surrounding the motion passed in May to have an additional copy of building plans be furnished at the time businesses are applying for building permits so that it can be provided to the fire department was tabled until the August meeting. There was a motion by Stephanie Fox to have this request placed on the Planning Commission agenda, seconded by Ambrea Kroth. Motion passed.
- The LOSAP program was presented to full County Commission. Details regarding the program can be located in the June County Commission minutes, pages 98-116.
- Minutes from the E-911 board haven't been received by the Secreary. It was shared that minutes from the last minute haven't been approved or distributed yet.
- Las month's ARPA funds request was sent to the budget committee by full commission. The budget committee meets on August 10th at 4:00pm.
- There will be two I Am Responding trainings hosted on September 15th and 16th.
- The small group established to work with dispatch will be having a follow up meeting this month.

New Business

Anderson County Fire Commission

- Mark Bowery
 - On July 1, 2023 a new law was put in place requiring that straps be applied to ladders.
There is currently no exemption for fire departments. A copy of the law will be shared.
This is something to keep in mind.
 - VFIS offers a risk management for mid-level managers class. It is a 1.5 hour class. If you are interested in having the class hosted at your department reach out to Ginger or Wendy to schedule.
 - Workers Comp and Accident & Sickness insurance coverage information was covered and documents provided.
- The Secretary position needs to be filled. Motion by Stephanie Fox for Matt Burrell to fill the position, seconded by Justin Bailey. Motion by Matt Burrell for Anthony Braden to fill the position, with no second. Motion passed for Matt Burrell to fill the position.
- August county fire report presented.
- A motion was made by Justin Bailey to invite the county grant coordinator to the September Fire Commission meeting. Seconded by Matt Burrell, motion passed.
- There was discussion at length regarding the need to upgrade radios in the county. The new Secretary will write a letter explaining the needs and request. A motion was made by Matt Burrell in support of a county wide interoperable radio system. Seconded by Justin Bailey, motion passed.

Department Reports

Andersonville VFD – No report

Anderson County Fire Commission

Briceville VFD – Not present

Claxton VFD – Repeater is still in need of repair.

Marlow VFD – New Fire Chief will be selected on August 14th.

Medford VFD – Thanks to everyone that showed their support during Dwight's services on Saturday.

Anderson County Rescue Squad – Not present

Clinton FD – Not present

Rocky Top FD – No report

Norris VFD – Hosting a Basic Firefighting class starting on August 7th.

Oak Ridge FD – Not present

Oliver Springs FD – Thanks for those who helped on their recent house fire.

Take advantage of state grant funding. Departments can request 8 hours of free training.

October 13th-15th there are two training opportunities nearby. Upper Cumberland weekend and Gary Sinise training at TFACA.

Commissioner Tracy Wandell – No report

Commissioner Sabra Beauchamp – No report

Anderson County EMS – Depending on the preference of the fire departments, EMS could look to switch from EMR class to EMTB only. It would be 36 more hours of classroom and 38 hours more in clinicals. Something to think about.

Anderson County Fire Commission

AEDs will be presented to the budget committee on August 10th.

Anderson County EMA – A Fundamentals Course for Radiological Response (FCRR) is being hosed at the Oak Ridge Enhanced Technology and Training Center (ORETTC) August 29th-31st.

The five Kenwood radios have arrived, and are currently being programmed.

EMA has a new badging system that they will start using in the near future. This system has so many more capabilities compared to the previous system.

Anderson County Sheriff's Office – Not present

Y-12 Fire Department – Not present

ORNL Fire Department – Not present

E-911 – No report

Secretary – No report

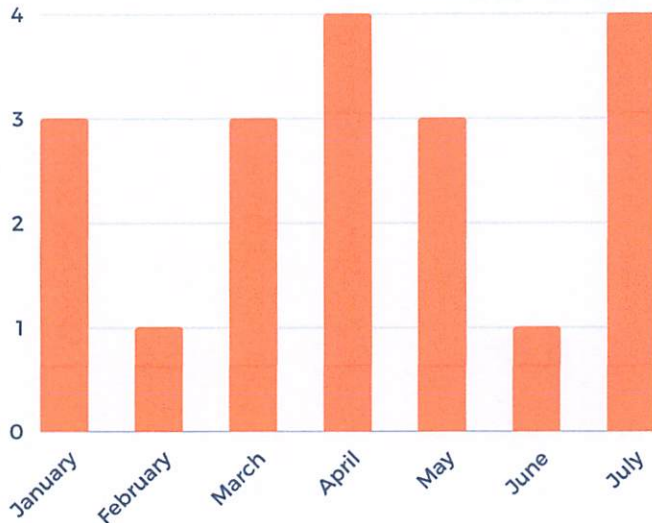
Meeting adjourned at 8:03pm

Next scheduled meeting is September 5th at 6:30pm

Submitted this the 1st day of August 2023

Anderson County Fire Report

FIRE COMMISSION - JULY 2023



PURPOSE OF FIRE REPORT

This is a report showing structure fires handled by the volunteer fire departments in Anderson County with damage. This report is being provided so that property taxes can be assessed and adjusted by Anderson County.

DETAILED INFORMATION OF FIRE LOCATIONS

DEPARTMENT	DATE	ADDRESS
Claxton	1/8/2023	225 Moody Hollow Road Powell
Andersonville	1/26/2023	733 Mount Olive Road Andersonville (total loss)
Claxton	1/27/2023	293 Toby Hollow Lane Clinton
Marlow	2/9/2023	132 Fox Lane Clinton
Andersonville	3/1/2023	583 Brooks Gap Road Heiskell (total loss)
Andersonville	3/12/2023	1756 E Wolf Valley Road Heiskell (total loss & arson)
Medford	3/15/2023	214 Red Bud Rocky Top
Medford	4/1/2023	1494 Offutt Road Clinton
Medford	4/5/2023	103 Ponderosa Road Rocky Top (total loss & fatality)
Marlow	4/8/2023	203 Taylor Lane Clinton
Claxton	4/9/2023	126 Turkey Road Powell
Marlow	5/22/2023	1410 Hidden Hills Dr Clinton (25% damaged)
Medford	5/27/2023	649 Old Lake City Hwy Rocky Top (total loss)
Medford	5/27/2023	601 W Broad St Clinton (total loss)
Medford	6/10/2023	135 Richards Ln Clinton (contained to laundry room)
Marlow	7/2/2023	162 Pleasant View Loop Clinton (total loss)
Marlow	7/4/2023	Farmers Hollow Rd Clinton (10%)
Claxton	7/26/2023	99 Solar Cir Powell (total loss)
Marlow	7/29/2023	1010 Oliver Springs Hwy Clinton (equipment only)
Marlow	7/31/2023	216 Half Moon Rd Oliver Springs (total loss & arson)

2023 SUMMARY

20

structure fires

1

fatality

1

confirmed arson

Anderson County Fire Commission

SUMMARY OF VOLUNTEER DEPARTMENTS CALLS FOR SERVICE

OVERALL CALL DETAILS FOR THE MONTH

July	Total Calls	Fires	Motor Vehicle Crashes	EMS Calls	Service Calls	Mutual Aid
Andersonville						
Briceville						
Claxton	80	5	7	42	20	6
Marlow	69	7	7	35	17	3
Medford						
Overall	149	12	14	77	37	9

OVERALL CALL DETAILS FOR THE YEAR

2023	Total Calls	Fires	Motor Vehicle Crashes	EMS Calls	Service Calls	Mutual Aid
Andersonville	480	74	24	346	28	8
Briceville						
Claxton	135	13	10	69	34	9
Marlow	415	21	35	242	90	27
Medford	187	29	16	66	9	13
Overall	1217	137	85	723	215	57

Anderson County Fire Commission

July 11, 2023 Meeting Minutes

Meeting called to order by Tracey Wandell at 6:30pm.

Members Present: Jamie Brewster, Jason Fox (Marlow), Josh Lane, Terry Allen, Anthony Braden, Matt Burrell (Norris), Tony Grande (Oak Ridge), Justin Bailey, Tracy Wandell, Nathan Sweet, Brice Kidwell, and Scott Thomas (ACEMS).

Old Business

- The Fire Commission by-laws were updated and the updated version was adopted by County Commission on June 19, 2023.
- No updates available from the planning and zoning department surrounding the motion passed in May to have an additional copy of building plans be furnished at the time businesses are applying for building permits so that it can be provided to the fire department was tabled until the July meeting.
- Terry Allen serves on the E-911 board, minutes from meetings will be provided to the Fire Commission.
- There will be two I Am Responding trainings hosted in the near future. They will be held on Saturdays for 4 hours.

New Business

- Lacey Barr, Stryker representative, shared information regarding the AEDs they offer. Nathan Sweet is going to pursue funding for new AEDs.
- Roy Watson, Fire Loss Consultant Supervisor with the Tennessee State Fire Marshal's Office. If a department has a fire that is not arson or a fatality, they shall be called to help determine cause

Anderson County Fire Commission

and origin. The state has several contractors that will respond within 48 hours. Call Roy and he will assign.

- Each department proposed a request for \$50,000 in ARPA funds in order to cover specific department needs. Motion made and passed to present to the budget committee.
- Funds from opioid lawsuits was mentioned. The mayor has established a task force on how to spend the funds.
- LOSAP program was discussed at length. Motion made and passed to present to County Commission to support the program for county departments.
- On Saturday October 7th there will be a county wide firefighter appreciation lunch.
- July county fire report presented. This month overall calls for service were included for all departments.

Department Reports

Andersonville VFD – Not present

Briceville VFD – No report

Claxton VFD – Not present

Marlow VFD – Due to moving out of state the Fire Chief will be stepping away from the department soon.

Medford VFD – A department firefighter recently lost his life unexpectedly, arrangements will be shared once they are finalized.

Anderson County Rescue Squad – No report

Anderson County Fire Commission

Clinton FD – Not present

Rocky Top FD – No report

Norris VFD – On July 15th and 16th Zach Kennedy will be teaching a 16 Introduction to Fire and Emergency Services class at Norris Fire Department.

Oak Ridge FD – HMT0 class coming soon.

Oliver Springs FD – No report

Commissioner Tracy Wandell – No report

Commissioner Sabra Beauchamp – Not present

Anderson County EMS – On September 13th and 14th there will be free EMS training. Flyers will be sent out soon.

Medic 7 is being added, current schedule of 8:00am-8:00pm in the Claxton community. Possibility of moving to 24/7 in the future.

State EMS audit – training files must be physical in EMS and audit to be done in February.

Looking to offer EMR/EMT classes after the first of the year.

Anderson County EMA – Proud to announce that Brice Kidwell is the new EMA director.

Anderson County Sheriff's Office – Not present

Y-12 Fire Department – Not present

ORNL Fire Department – Not present

Anderson County Fire Commission

E-911 – Not present

Secretary – No report

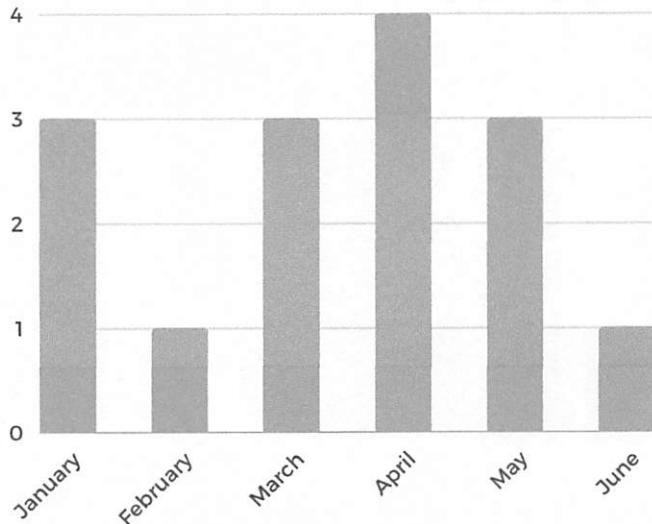
Meeting adjourned at 8:24pm

Next scheduled meeting is August 1st at 6:30pm

Submitted this the 11th day of July 2023

Anderson County Fire Report

FIRE COMMISSION - JULY 2023



PURPOSE OF FIRE REPORT

This is a report showing structure fires handled by the volunteer fire departments in Anderson County with damage. This report is being provided so that property taxes can be assessed and adjusted by Anderson County.

DETAILED INFORMATION OF FIRE LOCATIONS

DEPARTMENT	DATE	ADDRESS
Claxton	1/8/2023	225 Moody Hollow Road Powell
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Medford	6/10/2023	135 Richards Ln Clinton (contained to laundry room)

2023 SUMMARY

15

structure fires

1

fatality

1

confirmed arson

Anderson County Fire Commission

SUMMARY OF VOLUNTEER DEPARTMENTS CALLS FOR SERVICE

OVERALL CALL DETAILS FOR THE MONTH

June	Total Calls	Fires	Motor Vehicle Crashes	EMS Calls	Service Calls	Mutual Aid
Andersonville	67	14	11	38	1	3
Briceville						
Claxton	55	8	3	27	14	3
Marlow	48	2	4	28	10	4
Medford	28	4	3	10	10	1
Overall	198	28	21	103	35	11

OVERALL CALL DETAILS FOR THE YEAR

2023	Total Calls	Fires	Motor Vehicle Crashes	EMS Calls	Service Calls	Mutual Aid
Andersonville	480	74	24	346	28	8
Briceville						
Claxton						
Marlow	346	14	28	207	73	24
Medford	187	29	16	66	9	13
Overall	1068	125	71	646	178	48

Andersonville Volunteer Fire Department would use the funds to purchase:

- \$5,000 used radios
- \$25,000 gear
- \$20,000 towards equipping our new truck

Claxton VFD Equipment Estimate

Item	Quan.	Unit Cost	Ext. Cost
<u>Turnout Gear</u>			
Coat, Lion V-Force Bi-Swing coat	10	\$ 1,495.00	\$ 14,950.00
Pant, Lion V-Force Belted Pant	10	\$ 995.00	\$ 9,950.00
Suspender, Boston Leather suspender	10	\$ 63.00	\$ 630.00
Glove, Shelby FDP pigskin glove	10	\$ 115.00	\$ 1,150.00
Hood, Majestic PAC-II nomex	10	\$ 46.00	\$ 460.00
Boot, Thorogood 14" leather bunker boot	10	\$ 315.00	\$ 3,150.00
TOTAL TURNOUT GEAR			\$ 30,290.00

Hose

1" Forestry line	10	\$ 130.00	\$ 1,300.00
1-3/4" Attack line	20	\$ 215.00	\$ 4,300.00
3" MDH	20	\$ 345.00	\$ 6,900.00
4" LDH	12	\$ 545.00	\$ 6,540.00
TOTAL HOSE			\$ 19,040.00

Shipping (estimated) \$ 670.00

Vendor: NAFECO, Decatur , AL

Southeast Apparatus LLC

326 Old Lynn Camp School Rd
Corbin, KY 40701
United States

QUOTATION

Quote Number: 4060

Quote Date: Jun 13, 2023

Page: 1

Voice: 606-523-4497
Fax: 606-528-2824

Quoted To:

BRICEVILLE VOL FIRE DEPT
443 OLD FRATERSVILLE HOLLOW LN
ROCKY TOP, TN 37769
USA

Customer ID	Good Thru	Payment Terms	Sales Rep
BRICEV	7/13/23	Net 30 Days	25TCV

Quantity	Item	Description	Unit Price	Amount
5.00		DRAGER AIR PACKS WITH VOICE AMP / HEADS UP DISPLAY / BUDDY BREATHER / QUICK CONNECT / 2 - 4500 45 MIN CYLINDERS / PASS DEVICE	7,800.00	39,000.00
4.00		RICOCHET GEAR M2 RESPONSE GEAR PIONEER KHAKI W / RED ORANGE TRIPLE TRIM AND LETTERS . W/ B V F D ON BACK OF COAT	2,560.00	10,240.00
4.00	TO5-UL6BKR350	LIGHTWEIGHT BULLARD RETRAK, MATTE - , 6" BRASS EAGLE, INTEGRATED VISOR COLOR - ****BLACK****	315.00	1,260.00
4.00	TO5-MAJ-P84-PACII	P84, YELLOW, PAC II STYLE HOOD	40.00	160.00
4.00	TO4-DF-X2-G-XL	ALPHA X2, STRUCTURAL, GAUNTLET, XL	90.00	360.00
4.00	TO4-BD-X2-10	10 BLACK DIAMOND X2 LEATHER BOOT	315.00	1,260.00
4.00	PS3-L2-54650	FIREFIGHTER HELMET TURNOUT GEAR BAG, RED (HTGB-R)	60.00	240.00
			Subtotal	52,520.00
			Sales Tax	
			Freight	300.00
			TOTAL	52,820.00

Briceville Volunteer Fire Dept.
1444 Briceville Hwy. PO Box 238
Briceville, Tn.
37710

11 July 2023

Anderson County Budget Committee / Commission
100 N. Main St.
Clinton, Tn.
37716

Honorable Commissioners,

On behalf of the Briceville Volunteer Fire Department, we thank you for the years of support you have given us. Because of your continued financial donations, we have been able to provide crucial service and protection to the people of the Briceville fire district.

Our commissioners have made us aware that certain funds have become available to county governments through the ARP Act. We have many equipment needs in our department and are sure other volunteer departments do as well. Donations are currently at a low mark and our fundraising efforts have also declined over the last few years. Due to these current issues, we would like to request a portion of those ARP funds. After a discussion with our board, we have determined an approximate cost of \$52,820.00 is needed for our equipment. (a list of items is attached).

If the Budget Committee and Commission would consider \$50,000.00 in one-time funds, our department would greatly appreciate it. Regardless of your decision, we greatly appreciate the support you have given us in the past and look forward to continuing our partnership of serving the people of our county.

Sincerely on behalf of the BVFD Board,

Chief Jamie Brewster



Marlow Volunteer Fire Department

1019 Oliver Springs Hwy
Clinton, TN 37716

phone (865) 435-1050
marlowvfd@gmail.com

July 8, 2023

Mayor Frank and County Commissioners:

The Marlow Volunteer Fire Department would like to request Anderson County's consideration in appropriating \$50,000 in ARPA funds to the department for the purpose of building a third station within our jurisdiction.

The Marlow Volunteer Fire Department has worked extremely hard to keep our Insurance Services Office (ISO) rating as low as possible to help residents save money on their property insurance premiums. Marlow has earned an ISO rating of 5/10.

Residents who live on the east end of our community currently are not within the 5-road mile range of either of our 2 fire stations and thus receive a Class 10 rating for their homeowner's insurance. Residents should be aware that many insurance companies are currently auditing their policies and may not renew a policy for those in a Class 10 area; they may even cancel the policy before the renewal date.

In order to bring everyone in the Marlow Volunteer Fire Department response area within the 5-road mile range of a fire station, it has been our department's vision to construct a new fire station on the east end of our service area. We recently had a gracious community member step up and donate a piece of property to us located at 808 Sulphur Springs Road. However, at this time we don't have the capital funding or adequate income to construct a station and support the additional insurance and utility costs without the additional support of our community.

The cost associated with building this station comes to a total of \$67,422.33. Here is a breakdown of those costs:

- Site Plan \$5,000.00 (estimate)
- Concrete Pad (station foundation) \$20,958.33
- Gravel (road to station) \$8,385.00
- Building with Insulation \$19,864.00
- CUB Setup \$0.00
 - \$1,000.00 worst case scenario if the transformer has to be upgraded, but they don't anticipate that being needed.
- Powell Clinch Setup \$375.00
- Insulated Garage Doors \$10,340.00

www.marlowfire.org

- Building Electrical \$1,500.00 (estimate)
- Heater \$1,000.00

Total \$67,422.33

This station will allow us to better serve over 800 residents within Anderson County, by providing quicker response times in their time of need. While also saving them on their annual insurance premiums. Here is a table to show how much money they could save by having the lower/better ISO classification.

Typical Examples of Fire Department ISO Class Rate and Insurance Premium Costs*								
Rating	Annual Premium Estimates Based on Property Value							
	\$100,000	\$150,000	\$200,000	\$250,000	\$300,000	\$350,000	\$400,000	\$500,000
10	\$894	\$1,358	\$1,856	\$2,341	\$2,826	\$3,311	\$3,844	\$4,918
9	\$806	\$1,224	\$1,674	\$2,112	\$2,549	\$2,986	\$3,468	\$4,436
7	\$430	\$652	\$892	\$1,125	\$1,359	\$1,592	\$1,848	\$2,365
6	\$399	\$607	\$829	\$1,046	\$1,262	\$1,479	\$1,717	\$2,196
5	\$373	\$566	\$774	\$976	\$1,179	\$1,380	\$1,603	\$2,051
*Rate examples from Shelby County Emergency Management								

This is an investment back into Anderson County and greatly benefits our tax payers. Thank you for your time and consideration in reviewing this request.

Sincerely,

Stephanie Fox
Fire Chief

Stephanie Fox

Enclosed:
Job Quotes

CMW Contracting LLC

567 Half Moon Rd
Oliver Springs, TN 37840 US
+1 8653649206
chad.cmw@gmail.com



Estimate

AD-IPERS

Stephanie Fox
Marlow Volunteer Fire Department

ESTIMATE 1076
DATE 06/30/2023
EXPIRATION DATE 08/31/2023

JOB SITE NAME
808 Sulphur Springs

DATE	ACTIVITY	DESCRIPTION	QTY	RATE	AMOUNT
	Monolithic Building Pad Construction	Monolithic Concrete Pad Construction: Based on 8" pad. Pad size 40'8"x 30'8" Price includes Removal of topsoil (to leave onsite), 12"x12" footer around perimeter of building with 2 each #4 rebar in footer, 2" gravel base with vapor barrier, 10x10 10 gauge wire mesh and 4000 psi concrete with fiber slick finish with saw cut control joints. Price includes all Building materials and Labor.	1,247	16.807	20,958.33
	Professional Construction Services - Concrete Civil, Forming, Structural and Finish work	Gravel Parking Lot	1		0.00
TOTAL					\$20,958.33

Accepted By

Accepted Date

Allen Land Management & Const. LLC
304 Lee Rd
Clinton, TN 37716 US
+1 8652649383
office-accounting@allenland.com

Estimate

ADDRESS
Stephanie Fox
Marlow Volunteer Fire Department

SHIP TO
Stephanie Fox
Marlow Volunteer Fire Department

ESTIMATE # DATE
1176 07/07/2023

ACTIVITY	QTY	RATE	AMOUNT
Limestone Oakridge:#2 stone Marlow fire department	80	23.50	1,880.00
Limestone Oakridge:#7 Stone 1/2	40	24.50	980.00
Trucking:Tri Axle Rock delivery	7	175.00	1,225.00
Skid steer by the day	2	1,000.00	2,000.00
Smooth Drum Roller	1	1,500.00	1,500.00
Road fabric	1	800.00	800.00
		SUBTOTAL	8,385.00
		TAX	0.00
		TOTAL	\$8,385.00

Accepted By

Accepted Date

	R&R Buildings Oak Ridge 100 Melton Lake Dr, Oak Ridge, Anderson, Tennessee 37830 randrbuildingsor@gmail.com (865) 567-1722 www.randrbuildingsoakridge.com	Sales: David White 100, Melton Lake Drive Oak Ridge, Anderson, Tennessee 37830 randrbuildingsor@gmail.com (865) 567-1722	Building Quote QTE-001534 Date 06/29/2023 Total \$19,864.00

CUSTOMER DETAILS

Stephanie Fox Billing Address Shipping Address Marlowvfd@gmail.com (865) 435-1050	Triple Wide Garages - 30 x 40 x 14 Roof Color: Barn Red Trim Color: Barn Red Sides/Ends Color: Sandstone Wainscot Color: NA	
--	--	---

Ready for Installation?	Jobsite Level?	Permit Required?	Inside City Limit?	Electricity Available?	Installation Surface? Concrete
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Building Dimension 30'W x 40'L x 14'H	Roof Style Vertical	Gauge 14 Gauge	Wind/Snow Rating Built to Local Code	Distance on Center 5 Feet
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30X40' Vertical Roof	1	\$9,480.00
14' Height	1	\$1,500.00
Built to Local Code	1	\$0.00
3/12' Roof Pitch	1	\$0.00
Front Wall Closed Horizontal	1	\$2,450.00
Back Wall Closed Horizontal	1	\$2,450.00
Left Closed Horizontal	1	\$1,185.00
Right Closed Horizontal	1	\$1,185.00
12x12 ft Garage Door Frameout on Front Wall	1	\$280.00
13x12 ft Garage Door Frameout on Front Wall	1	\$485.00
36x80 inch Walk-in Door on Right Wall	1	\$685.00
Double Bubble (Full Building)	1	\$5,130.00
Manufacturer Discount	1	\$4,966.00

NOTES	Sub Total:	\$19,864.00
	Tax	\$0.00
	Additional Charges	\$0.00
	Grand Total	\$19,864.00
	Pay Now	
	Downpayment	\$3,376.88
	Balance Due	\$16,487.12

**WILLIAMS DOOR COMPANY, INC.****QUOTE**

220 Sherway Road
Knoxville, TN 37922
Office: 865-539-0222
Fax: 865-539-4996

1716 West Broadway
Maryville, TN 37801
Office: 865-982-1987
Fax: 865-980-1776

7161 Lee Highway
Chattanooga, TN 37421
Office: 423-553-8882
Fax: 423-553-8808

Quote
54251

~ Overhead Door Sales & Service Since 1971 ~

Bill To: MARLOW VOLUNTEER FIRE DEPT. 1019
1019 OLIVER SPRINGS HIGHWAY
CLINTON, TN 37716

Job Site: MARL10190
MARLOW VOLUNTEER FIRE DEPT. 1019
1019 OLIVER SPRINGS HIGHWAY
HIGHWAY 61
CLINTON, TN 37716

Phone: (865) 435-1050

Fax: (

Phone: (865) 435-1050

Fax: (

Cell: (

Work:

Cell: (

Work:

Contact: SAM STOUT

Terms: COD

PO #:

Salesman: JC1

Caller		Date Rcvd	6/28/2023		
Printed By		Date Schld			

WE HEREBY PROPOSE TO FURNISH ALL MATERIALS AND PERFORM ALL LABOR NECESSARY FOR COMPLETION OF:

Quantity	Item Description	Unit Price	Extd Price
2.00	CLOPAY 12'2"X12 525S SOLID SECTIONS SWISL	\$3,980.00	\$7,960.00
	2" THICK INSULATED SOLID PANELS		
1.00	REMOVE & HAUL EXISTING DOOR		
	2" R/A - STEEL MOUNT		
6.00	12' SW VINYL STOP MOULDING		
2.00	STRUT 12' x 2 1/4" x 24ga - PINK		
1.00	OPERATOR REINFORCEMENT BRACKET 24" GALV. -3520043		
2.00	LM 8587W 3/4 HP CHAIN OPERATOR -- AC MOTOR - INCLUDED IN BOX: (1)	\$1,190.00	\$2,380.00
	893MAX REMOTE & (1) 880LM SMART WALL CONTROL		
1.00	Knoxville Installation		

NOTE: PRICES VALID FOR 15 DAYS FROM ABOVE DATE.

**ALL ELECTRICAL CONNECTIONS, CONDUIT & WIRING BY ELECTRICAL CONTRACTOR
****NOT IN OUR SCOPE OF WORK****

Sub-Total	\$10,340.00
Sales Tax	\$0.00
TOTAL	\$10,340.00

ALL MATERIAL IS GUARANTEED TO BE AS SPECIFIED, AND LABOR SHALL BE PERFORMED IN ACCORDANCE WITH THE DRAWINGS AND SPECIFICATIONS AS NOTED ABOVE. PAYMENT WILL BE MADE AS AGREED WITH WILLIAMS DOOR COMPANY. ANY ALTERATION FROM ABOVE SPECS INVOLVING EXTRA COSTS, WILL BE EXECUTED ONLY UPON WRITTEN ORDERS, AND WILL BE CHARGED FOR OVER AND ABOVE THE PROPOSAL. OWNER SHALL CARRY FIRE, TORNADO, AND OTHER NECESSARY INSURANCE. WILLIAMS DOOR SHALL FURNISH WORKMAN'S COMPENSATION AND LIABILITY INSURANCE. ACCOUNTS OVER 30 DAYS ARE SUBJECT TO A 1 1/2% SERVICE CHARGE (ANNUAL RATE 18%) AND ALL COST OF COLLECTIONS INCLUDING ATTORNEYS FEES.

Respectfully Submitted

WILLIAMS OVERHEAD DOOR SALES, INC.

By _____ Date: _____



MEDFORD VOLUNTEER FIRE DEPARTMENT

3250 Lake City Hwy.
Lake City, TN 37769
(865) 426-2621

Chief: Joshua S Lane
Cell: 865-292-1194
Email: jlane036@gmail.com



July 10th, 2023

Commissioner Anthony Allen
Commissioner Joshua Anderson
Commissioner Sabra Beauchamp
Commissioner Michael Foster
Commissioner Tim Isbel
Commissioner Tyler Mayes
Commissioner Robert McKamey
Commissioner Denise Palmer
Commissioner Bob Smallridge
Commissioner Shelly Vandagriff
Commissioner Stephen Verran
Commissioner Shain Vowell
Commissioner Tracy Wandell
Commissioner Aaron Wells
Commissioner Jerry White
Commissioner Phil Yager

To the Commissioners of Anderson County:

The Medford Volunteer Fire Department is looking to purchase a Self-Contained Breathing Apparatus (SCBA) Refill Station. Due to the cost, we are unable to purchase this very crucial piece of our equipment on our own. We have applied for multiple grants to obtain funding for this piece of equipment with no success. We were also graciously donated two (2) SCBA Refill Stations. One from the City of Clinton and one from the City of Rocky Top. Both of these units were unable to refill our current bottles due to their age and advancements in technology. The time has come to take a different approach. Attached to this letter will be an explanation as to why this piece of equipment is critical for the firefighters of the Medford Volunteer Fire Department and citizens of the Medford community. Please feel free to contact me directly for further explanation or information. I sincerely thank you for taking time to read this proposal and for your consideration.

Very respectfully,

A handwritten signature in cursive script that reads "Joshua S Lane".

Joshua S Lane
Fire Chief



MEDFORD VOLUNTEER FIRE DEPARTMENT

3250 Lake City Hwy.
Lake City, TN 37769
(865) 426-2621

Chief: Joshua S Lane
Cell: 865-292-1194
Email: jlane036@gmail.com



Proposal:

Anderson County Government fund our project to acquire a Self-Contained Breathing Apparatus (SCBA) Refill Station using approximately \$50,000.00 of the ARPA Fund. A quote for the cost of this piece of equipment will be attached.

Justification:

Our department cannot refill the bottle portion of our SCBA's. For those of you that may not know, a SCBA consists of a face piece, harness, and bottle. The bottle portion of a SCBA contains the breathing air that keeps us alive while we're inside a burning building, hazardous material situation, etc. Currently, we rely on neighboring fire departments to refill our SCBA bottles. SCBA's are a CRUCIAL part of our personal protective equipment (PPE). They protect the most vulnerable part of our body, the respiratory system, from the carcinogens produced during a fire, chemicals during a hazardous materials incident, etc. Without them, we are unable to keep the commitment of protecting our great community. Situations that SCBA bottles need to be refilled are listed below.

Emergencies:

After an emergency, we have to contact a neighboring department and request them to refill our SCBA bottles. We can't leave our SCBA bottles empty because without them, we cannot make entry into a hazardous environment. Being out of our coverage area to refill them also delays our response in the event of another emergency. This situation severely impacts the chances to save property or perform a rescue attempt if needed. It scares me to think that we couldn't send a team into a burning building to rescue someone because the most critical part of our PPE was out of service waiting to be refilled. There have been instances where a neighboring department's refill station was inoperable. Also, a situation is the incident isn't completed until 3:00AM on a Tuesday night at which time no one is available or that department has an emergency of their own. When instances like these happen, our only option is to pray that we have enough SCBA bottles leftover after the incident in the event of another emergency until we can make arrangements with another department to get our SCBA bottles refilled.

Training:

Since we do not have a refill station, we are limited to the types of training we can do with our SCBA's. We currently do not use the air in them during training since we cannot refill our bottles. We train weekly, usually on Thursday evenings. As previously stated, our SCBA's are a crucial part of our PPE. With something so crucial, it is imperative that we train with it as much as possible. There are certain training scenarios, such as firefighter survival training, where breathing the air in the SCBA would be so beneficial in preparing our firefighters in the event they're trapped inside a burning building. If I wanted to train using the air in the SCBA, I would have to contact a neighboring department ahead of time to make arrangements to have the bottles refilled. By the completion of our training, it is usually around 9:30PM-10:00PM. After training, people are exhausted and need to be heading home to get ready for work the next day. It would be after 11:00PM by the time all of our bottles got refilled and placed back in service which isn't fair to the firefighters or members of the community.

Conclusion:

Our department having our own SCBA refill station eliminates the scenarios previously listed. I plead with all of you to please consider funding this project. I want the best for our firefighters and community. They deserve the best. Our community does such a tremendous job of supporting us every time we have a fundraiser. Our firefighters commit so much time to training and serving not only our community, but also the county. Most of the time, these sacrifices go unnoticed. Yet, they show up every training session to stay prepared in the event they're needed. On behalf of the firefighters of the Medford Volunteer Fire Department and the Medford Community, I thank you for your time and consideration.



8855 E BROAD ST
REYNOLDSBURG, OH 43068

SALES & SERVICE CENTERS
SALES@BREATHINGAIR.COM | SERVICE@BREATHINGAIR.COM

OHIO - CORP HQ
614.864.1235

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412.564.5756

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210 LABRADOR DR.
RANDELMAN, NC 27317

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THE NATION'S LARGEST DISTRIBUTOR OF



Quote

Page 1 of 3

Breathing Air Systems
409 Spears Ave.
Chattanooga TN 37405
United States

Requested By: Joshua Lane
Title:
Email: jlane036@icloud.com
Phone:

Date 06/15/2023
Quote # QUO-TN1396
Customer ID 10004701
Expires 08/14/2023
Terms Net 30
Shipping Method LTL Motor Freight
FOB
Est Delivery Time 10 to 12 Weeks

Bill To

Medford Vol Fire Dept
3250 Lake City Highway
Rocky Top TN 37769
United States

Ship To

Medford Vol Fire Dept
3250 Lake City Highway
Lake City TN 37769
United States

Sales Rep: Kathryn Caudle
Sales Rep Email: kcaudle@breathingair.com
Sales Rep Phone: (614) 986-1014

A 3% CREDIT CARD CONVENIENCE FEE WILL BE ADDED TO ALL ORDERS AT TIME OF FULFILLMENT FOR ALL CREDIT CARD TRANSACTIONS EXCEEDING \$1,200.00. A WIRE FEE OF \$45.00 WILL BE ADDED TO ALL ORDERS PAID BY WIRE.

NOTE: Our quotes do not include the offloading, uncrating, or placement of compressors or fill stations. Customers are responsible for the wiring to or into an electrical compressor and to the electrical supply. Warranty is as proposed.

Item	Quantity	Description	Rate	Amount	Tax Rate
LEGACY-13-E1	1	<p>Bauer Open Vertical Compressor/Purifier configured for 13.0 scfm, 6000 psig, 10 HP, 4-stage compressor, single phase motor and 67,000 scf capacity purifier, integrated purification system that meets NFPA 1989 requirements for firefighting and CGA Grade E air for SCUBA, purifier includes steel mechanical separator chamber, as well as purifier safety vent port to prevent operating system w/o cartridge. Standard with Bauer long-life, well-cooled, oil-pressure lubricated compressor block with stainless steel intercoolers, high-temperature & low oil pressure shutdowns. Mounted pressure gauges for oil, final stage and purifier. Includes PLC, lighted on/off switch, hour meter, emergency stop button, safety over-time timer, motor controls/protection and UL-rated electrics.</p> <p>AUTO CONDENSATE DRAIN SYSTEM -Timed automatic drain, includes silencer and collection reservoir and user display indicator if "full".</p> <p>MTD INTERSTAGE PRESSURE GAUGES</p>	24,258.86	24,258.86	



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Quote

Page 2 of 3

Date

06/15/2023

Quote #

QUO-TN1396

Customer ID

10004701

Breathing Air Systems
409 Spears Ave.
Chattanooga TN 37405
United States

Item	Quantity	Description	Rate	Amount	Tax Rate
		SECURUS PURIFIER MONITOR SYSTEM - Built-in, continuous monitor for purification cartridges. - Includes user display indicators for "safe", "high moisture", "cartridges expired" and "contact fault". - Automatic system shutdown for faults; fail-safe (can not be over-riden); no warm up required. - Can extend the purifier cartridge's useable life.			
BAS-4021CO-24v	1	CO MONITOR 24V FOR LEGACY	3,168.82	3,168.82	
CFS5.5-2S	1	Two position CFS equipped with inlet pressure gauge adjustable regulator, regulated pressure gauge, fill control valve and fill pressure gauges	10,404.90	10,404.90	
M2750A	4	Cylinder - 6000 PSI - cascade tank - 10 year retest - BASD neck rings and stamping.	1,790.41	7,161.64	
UNISTRUT-CR	4	Unistrut and clamp for cascade bottles	40.10	160.40	
91-702-23	4	NUT/NIPPLE CGA 702 3"	33.25	133.00	
FTS	4	Tee, pipe steel	15.00	60.00	
FTXS	3	Connector - 1/4 Flarex 1/4 MNPT Steel.	8.48	25.44	
H2	3	Hose - 2 foot 7000 PSI 1/4 MNPT x 1/4 FJIC	56.36	169.08	
HPH7000	20	Hose, 7000 psi, per foot. Requires two fittings not included in price. Choose from 10155-4-4, 10255-4-4 or 10655-4-4.	8.80	176.00	
10655-4-4	4	Fitting - 1/4 JIC female Installs on 7000 psi hose	14.96	59.84	
SLP-HP-WITH START-UP	1	Single High Pressure Air Test Kit to be taken at time of start-up by Breathing Air Service Technician.	105.00	105.00	
Equipment Start-Up	8	Bauer Equipment Start-Up. Travel to and from jobsite. Compressor startup and training	135.00	1,080.00	



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Quote

Page 3 of 3

Date 06/15/2023
Quote # QUO-TN1396
Customer ID 10004701

Breathing Air Systems
409 Spears Ave.
Chattanooga TN 37405
United States

Item	Quantity	Description	Rate	Amount	Tax Rate

Subtotal 46,962.98
Shipping Cost (LTL Motor Freight) 1,400.00
Total \$48,362.98

PAYMENT TERMS: INVOICES ARE SUBJECT TO LATE CHARGES AT THE RATE OF 1.5% PER MONTH (ANNUAL 18%).

ALL PARTS RETURNS OR EXCHANGES MUST BE COMPLETED WITHIN 45 DAYS FROM INVOICE DATE. ALL RETURNS REQUIRE A RETURN MERCHANDISE AUTHORIZATION. ALL RETURNS ARE SUBJECT TO A 15% RESTOCKING FEE.

SHIPPING CHARGES WILL BE ADDED WHEN ORDERS ARE FULFILLED.

NOTE: PAYMENTS BY CREDIT CARD WILL INCUR A CONVENIENCE FEE TOTALING 3.0% OF THE INVOICE TOTAL ON ALL TRANSACTIONS EXCEEDING \$1,200.00.

Quote Approved By: _____ (Print Name)

Approved By Signature: _____

Approved Date: _____



QUO-TN1396



OLIVER SPRINGS FIRE DEPARTMENT

**P.O. Box 303 Oliver Springs, TN 37840
(865) 435-7777 www.oliversprings-tn.gov**



Memo

To: County Mayor and County Commission

From: Fire Chief Justin Bailey

Date: 7/10/2023

Subject: Requesting ARPA Funds for Radio System Upgrade

Currently, the Oliver Springs Fire Department is running a self-funded VHF radio system. The department operates 26 portable radios and 5 mobile (vehicle) radios. The radio system's tower and repeater are located above Ann St./Richards Dr. with the main console in Oliver Springs Police Department dispatch center.

Over the past several years the department has started to have issues with the radio system. These issues place both the firefighters and the citizens of Oliver Springs/Anderson County in harm's way due to the inability to communicate to both other firefighters on scene and our dispatchers that is our lifeline on an emergency incident.

With the issues experienced, the Oliver Springs Fire Department is in need to replace its current radio system that protects the lives of its firefighters and its citizens.

Current Issue

The first critical issue is that the department's repeater has malfunctioned. This repeater was sent off for repairs a year and a half ago. The department has been functioning on a borrowed repeater. Our radio maintenance company has been trying to repair the repeater. Unfortunately, the repeater is unable to be repaired due to its age and no availability of repair parts.

The second critical issue noticed is that, with narrow banding and placement of our radio antenna, the radio system no longer has the ability to reach several areas of our town and outside the town limits. These areas include the Sleepy Hollow Norwood community and Oliver Springs Highway. This "dead zone" has increased over the years as the tree line is now above the tower's antenna. The tower contractor will not allow the department to move its antenna. Other areas of town have similar issues with poor to no radio reception.

The third problem that the department is facing is an aging fleet of radios. The department purchased 20 HT1250 portable radios and 4 MT1250 Mobile Radios in 2011. It has also received a donation from Blair VFD, a total of 8 HT750 portable radios that were purchased sometime before 2010. The life expectancy on a portable radio is 7 years and 10 years on a mobile radio. Motorola discontinued the HT750/1250 and MT1250 line of radios in October of 2015. Parts have become scarce to replace radios that are malfunctioning and the HT750's are no longer able to accept programming. This has left the department with 20 portable radios currently able to function.

The last problem is that our current system is not interoperable with our most valuable resource, our mutual aid partners. An emergency incident requires the utilization of multiple agencies. Currently we are unable to communicate with any of our mutual aid partners while on an emergency incident. In addition, if an incident requires a regional or state mutual aid agency, we do not have the ability to communicate on any of their channels as well. This is due to us currently operating on a VHF system while most agencies have moved up to the state funded and maintained 700/800 system.

Proposals

The department understands that purchase of critical infrastructure items is costly. Manufacturers have stated the average yearly cost increase in equipment and apparatus to be 3-5%. It is assumed that there is a 5% price increase per year due to unforeseen regulations that may cause a sharp increase in price. An example of such price increases is due to the recent supply and demand from the pandemic.

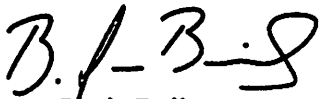
With this knowledge, the department has attempted to seek grant funding on 3 different occasions, each of these attempts have been denied. With each year that the grant process takes, the department is further behind on needed safety equipment and current equipment is unable to be repaired.

The department wishes to move to the state funded 700/800 radio system that several agencies have been functioning on for the past several years. The department will need to purchase 20 portable radios to make this switch. The primary benefit of switching to this system is interoperability with the mutual aid fire departments and the State of Tennessee. The second benefit of this switch is that the department no longer must maintain a repeater and tower site. The department would be functioning on repeaters and towers that are statewide and maintained by the State of Tennessee. This would increase the radio coverage for the fire department. The department has submitted to vendors for bids. The cost of this move would be \$54,337.60 This is the best overall option for the department, the Town of Oliver Springs, and the citizens of Anderson County. It has an upfront initial radio replacement cost, but the overall longevity and interoperability of the system far outweighs the initial cost.

ARPA funding is being requested from Anderson County Commission in the amount of \$50,000 to assist with the purchase of twenty (20) portable radios. The remaining amount for the project would be funded through the general operating budget of the Oliver Springs Fire Department. By providing this funding, the Anderson County Commission would have an immediate impact on the safety and welfare of the Oliver Springs Fire Department, the citizens of Anderson County, and other neighboring emergency agencies.

If you have any questions concerning this project, please do not hesitate to call me at (865) 257-2560.

Respectfully,

A handwritten signature in black ink, appearing to read 'B. Bailey' with a stylized flourish at the end.

Justin Bailey

Fire Chief



Stephanie Fox <fox.stephanie.s@gmail.com>

Anderson County FC Assoc. ARPA funding request

1 message

Grande, Anthony <agrande@oakridgetn.gov>


Wed, Jul 12, 2023 at 9:11 AM

To: Stephanie Fox <fox.stephanie.s@gmail.com>

Cc: "Solomon, Travis J." <tsolomon@oakridgetn.gov>, "Durham, Jody" <JDurham@oakridgetn.gov>

The City of Oak Ridge intends to use the requested \$50K in ARPA funding to offset the cost of acquiring 2 Zoll X-series monitors. We believe this request will provide the citizens of Oak Ridge and Anderson County with advanced medical interventions. We appreciate Anderson County support to improve Emergency Medical Service delivery and overall safety to the citizens and visitors to Oak Ridge and Anderson County.

DC Anthony Grande

Anthony Grande*Deputy Chief Administration/Fire Marshal | City of Oak Ridge*P (865) 686-2286 | agrande@oakridgetn.gov@CityofOakRidge | oakridgetn.gov **City Of Oak Ridge Fire Dept - Q-49669 - Version 1.pdf**
47K

**ZOLL Medical Corporation**

269 Mill Road
Chelmsford, MA 01824-4105
Federal ID# 04-2711626

Phone: (800) 348-9011
Fax: (978) 421-0015
Email: esales@zoll.com

Quote No: Q-49669 Version: 1

City Of Oak Ridge Fire Dept
200 S Tulane Ave
Oak Ridge, TN 37830

ZOLL Customer No: 6562

Eric Rackard
865-466-7684
erackard@oakridgetn.gov

Quote No: Q-49669
Version: 1

Issued Date: January 27, 2023
Expiration Date: March 31, 2023

Terms: NET 30 DAYS

FOB: Destination
Freight: Free Freight

Prepared by: Tim Nettles
Senior EMS Territory Manager
t Nettles@zoll.com
+1 8655993391

Item	Contract Reference	Part Number	Description	Qty	List Price	Adj. Price	Total Price
1	949804	601-2231411-01	X Series Monitor/Defibrillator - 12-Lead ECG, Pacing, NIBP, SpO2, SpCO, EtCO2, Temp, CPR Expansion Pack Includes: 4 trace tri-mode display monitor/ defibrillator/ printer, advisory algorithm, advanced communications package (Wi-Fi, Bluetooth, USB cellular modem capable) USB data transfer capable and large 6.5in (16.5cm) diagonal screen. Accessories Included: MFC cable and CPR connector, A/C power cord, One (1) roll printer paper, 6.6 Ah Li-ion battery, Carry case, Operator Manual, Quick Reference Guide, and One (1)-year EMS warranty. Parameter Details: Real CPR Help - Dashboard display of CPR Depth and Rate for Adult and Pediatric patients, Visual and audio prompts to coach CPR depth (Adult patient only), Release bar to ensure adequate release off the chest, Metronome to coach rate for Adult and Pediatric patients. See-Thru ® CPR artifact filtering • Interpretative 12-Lead ECG (Full 12 ECG lead view with both dynamic and static 12-lead mode display. 12-Lead OneStep ECG cable - includes 4-Lead limb lead cable and removable precordial 6-Lead set) • ZOLL Noninvasive Pacing Technology • Welch Allyn NIBP with Smartcuff. 10 foot Dual Lumen hose and SureBP Reusable Adult Medium Cuff • Masimo SpO2 & SpCO with Signal Extraction Technology (SET), Rainbow SET® • EtCO2 Oridion Microstream Technology. Microstream tubing set sold separately • Two Temperature monitoring channels with digital displays. Temperature probes sold separately •	2	\$46,470.00	\$33,632.30	\$67,264.60
2	949804	8000-0670	YSI Reusable Adult Skin Temperature Probe	2	\$138.00	\$112.50	\$225.00

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Chelmsford, MA 01824-4105
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Email: esales@zoll.com

City Of Oak Ridge Fire Dept
Quote No: Q-49669 Version: 1

Item	Contract Reference	Part Number	Description	Qty	List Price	Adj. Price	Total Price
3	949804	8000-0674	Disposable Temperature Sensor Adapter Cable	2	\$73.00	\$41.18	\$82.36
4	949804	8000-0895	Cuff Kit with Welch Allyn Small Adult, Large Adult and Thigh Cuffs	2	\$173.00	\$133.87	\$267.74
5	949804	8000-001392	Masimo rainbow® RC-4 - 4FT, Reusable EMS Patient Cable	2	\$278.00	\$200.90	\$401.80
6	949804	8000-000459	M-LNCS DCI Reusable Sensor	2	\$334.00	\$241.90	\$483.80
7	949804	8000-000371	rainbow® DCI® SpO2/SpCO/SpMet Adult Reusable Sensor with connector (3 ft)	2	\$957.00	\$676.00	\$1,352.00
8	949804	8000-000372	rainbow® DCI-P® SpO2/SpCO/SpMet Pediatric Reusable Sensor	2	\$957.00	\$676.00	\$1,352.00
9	949804	8000-0580-01	Six Hour Rechargeable, SurePower II Smart Battery	2	\$890.00	\$421.00	\$842.00

Subtotal: \$72,271.30

Total: \$72,271.30

Contract Reference	Description
949804	Reflects GPO NPP 2020 - Contract No. PS20200 contract pricing. Notwithstanding anything to the contrary herein, the terms and conditions set forth in NPP 2020 - Contract No. PS20200 shall apply to the customer's purchase of the products set forth on this quote.

To the extent that ZOLL and Customer, or Customer's Representative have negotiated and executed overriding terms and conditions ("Overriding T's & C's"), those terms and conditions would apply to this quotation. In all other cases, this quote is made subject to ZOLL's Standard Commercial Terms and Conditions ("ZOLL T's & C's") which for capital equipment, accessories and consumables can be found at <https://www.zoll.com/about-zoll/invoice-terms-and-conditions> and for software products can be found at <http://www.zoll.com/SSPTC> and for hosted software products can be found at <http://www.zoll.com/SSHTC>. Except in the case of overriding T's and C's, any Purchase Order ("PO") issued in response to this quotation will be deemed to incorporate ZOLL T's & C's, and any other terms and conditions presented shall have no force or effect except to the extent agreed in writing by ZOLL.

1. Delivery will be made upon availability.
2. This Quote expires on March 31, 2023. Pricing is subject to change after this date.
3. Applicable tax, shipping & handling will be added at the time of invoicing.
4. All purchase orders are subject to credit approval before being accepted by ZOLL.
5. To place an order, please forward the purchase order with a copy of this quotation to esales@zoll.com or via fax to 978-421-0015.
6. All discounts from list price are contingent upon payment within the agreed upon terms.
7. Place your future accessory orders online by visiting www.zollwebstore.com.

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Federal ID# 04-2711626

Phone: (800) 348-9011

Fax: (978) 421-0015

Email: esales@zoll.com

City Of Oak Ridge Fire Dept
Quote No: Q-49669 Version: 1

Order Information (to be completed by the customer)

☐ Tax Exempt Entity (Tax Exempt Certificate must be provided to ZOLL)

☐ Taxable Entity (Applicable tax will be applied at time of invoice)

BILL TO ADDRESS	SHIP TO ADDRESS
Name/Department:	Name/Department:
Address:	Address:
City / State / Zip Code:	City / State / Zip Code:

Is a Purchase Order (PO) required for the purchase and/or payment of the products listed on this quotation?

☐ Yes PO Number: _____ PO Amount: _____
(A copy of the Purchase Order must be included with this Quote when returned to ZOLL)

☐ No (Please complete the below section when submitting this order)

For organizations that do not require a PO, ZOLL requires written execution of this order. The person signing below represents and warrants that she or he has the authority to bind the party for which he or she is signing to the terms and prices in this quotation.

City Of Oak Ridge Fire Dept

Authorized Signature:

Name: _____
Title: _____
Date: _____



Stephanie Fox <fox.stephanie.s@gmail.com>

ARPA funds

Daniel Adams <dadams@clintontn.net>

Mon, Jul 10, 2023 at 1:29 PM

To: Stephanie Fox <fox.stephanie.s@gmail.com>

Chief Little requested I send you this information. If the county approves the fire commission \$50,000.00 per department, the Clinton Fire Department will use the money to purchase firefighting turnout gear. The amount requested will get us approximately 10 sets of gear. This will help us better equip our new firefighters and help keep our gear within the recommended life span. Thank you for all your help.

Daniel

Daniel Adams**Fire Marshal**

City of Clinton

125 W. Broad St.

Clinton, TN 37716

865-259-1243 office

865-216-8895 cell

dadams@clintontn.net

The content of this email is confidential and intended for the recipient specified in message only. It is strictly forbidden to share any part of this message with any third party, without a written consent of the sender. If you received this message by mistake, please reply to this message and follow with its deletion, so that we can ensure such a mistake does not occur in the future.

* Electronic communications with officials and employees of the City are subject to Tennessee's Public Records Act.

City of Norris Fire Department ARP Assistance Request

The City of Norris Fire Department is an all hazards department that responds to Haz-Mat, EMS, Rescue, Public Service, and Fire related emergencies and non-emergency requests. We respond mutual aid with all county departments and are a proud participant in the Anderson County Fire Commission and Anderson County Fire Chiefs Association. We maintain strong working relationships with our neighboring departments as well as several State and Federal resources such as TVA and TEMA.

The City of Norris Fire Department would like to request assistance in moving to the Tennessee Advanced Communications Network (TACN) radio system. TACN is a statewide radio system that provides communication connectivity infrastructure for local, state, and federal first responders. With TACN, first responders, including law enforcement, fire, EMS, and healthcare providers, have reliable communications capabilities for daily operations and the ability to talk to each other to coordinate at the local, regional, and statewide level to respond in the event of an emergency or disaster.

TACN is made up of mobile and fixed radio transmission sites across the state so that from Tennessee's urban to most rural areas, first responders will have consistent communication coverage. No matter where you are in Tennessee, even when other means of communication fail, TACN offers seamless communication for our partners. TACN has built-in redundancy to ensure the network will still offer statewide coverage in the event any location becomes inoperable after a natural or man-made disaster.

Because disasters know no boundaries, with TACN, local, state, and federal public safety agencies can respond as many but communicate as one. This interoperable communication is key to providing a swift and organized response that will save time, money, and citizens' lives.

In order to begin this transition, we would need to replace our old outdated communications equipment with newer more capable portable radios that are multiband and compatible with both our current system as well as the TACN system. This would broaden our access to more reliable communication and allow for increased interoperability. Currently the City of Norris Fire Department operates an old outdated fleet of Vertex, Kenwood, and Motorola radios that date back to the early 2000's. This technology has become outdated and unreliable. Corrective maintenance when a radio goes down or breaks has become increasingly harder, sometimes impossible with limited replacement part availability. In our current configuration with multiple brands and types of portable radios, programming and uniformity is a challenge. It takes three different software's and vendors to program our remaining radios. This poses a safety risk on emergency scenes when personnel emergencies arise leading to confusion and creating additional hazards. By upgrading our end user hardware, we would decrease safety risks as all portable communication equipment would be uniformed and have accurate identification linked back to the member the radio is assigned.

Attached is a copy of run data for the Norris Fire Department as well as a spec sheet and quote for the equipment in question.



Communicating today through tomorrow's technology

Metro Communications, LLC.

Metro Communications
1210 Elm Street
Knoxville, TN 37921
jimmy.hayes@metrocommunications.com

PURCHASE ORDER Make PO payable to Metro Communications, LLC

DATE June 14, 2023

CUSTOMER ID

EXPIRATION DATE 60 days

Ship To: Norris Police Department
Attn: Chief Poole
9 W Circle Road
Norris, TN 37828
mpoole.norrispd@gmail.com

Bill To: Norris Police Department
Attn: Chief Poole
9 W Circle Road
Norris, TN 37828
mpoole.norrispd@gmail.com

SALESPERSON	QUOTE #	SHIPPING METHOD	SHIPPING TERMS	DELIVERY DATE	PAYMENT TERMS	DUE DATE
Jimmy Hayes	20221206	TBD	Best Way	TBD	Net 15	TBD

Quantity	Part Number	Description	Price Per Unit	NASPO Contract	Your Price	Your Total
		VP8000, 7/8/UHF, M2, BK				
		US Customers only: User understands and acknowledges that the equipment is configured with voice encryption that does not meet DHS OIG Encryption requirements for P25 CAP compliance. Grant Florida				
10	VP8000BK12	VP8000, M2, BK	\$2,455.00	\$1,964.00	\$1,964.00	\$19,640.00
10	832VP8000-UHF	UHF (380 - 520	\$572.00	\$572.00	\$572.00	\$5,720.00
10	832VP8000-7800	7/800 MHz	\$572.00	\$572.00	\$572.00	\$5,720.00
10		Standard Keypad (M2)	\$0.00	\$0.00	\$0.00	\$0.00
10		Black	\$0.00	\$0.00	\$0.00	\$0.00
10		Immersion	\$0.00	\$0.00	\$0.00	\$0.00
10	KRA-47MB	Wideband Antenna	\$84.00	\$84.00	\$84.00	\$840.00
10	KNB-L3M	Li-ion 3400mAh (L3 Mid Capacity)	\$174.96	\$174.96	\$174.96	\$1,749.60
10	KMC-70M	KMC-70M Speaker Mic (Black)	\$126.64	\$126.64	\$126.64	\$1,266.40
10		Analog FM	\$0.00	\$0.00	\$0.00	\$0.00
10		P25 CAI AMBE+2	\$0.00	\$0.00	\$0.00	\$0.00
10		Analog Conventional	\$0.00	\$0.00	\$0.00	\$0.00
10	8322000002	P25 Conventional	\$332.00	\$332.00	\$332.00	\$3,320.00
10	8322000005	P25 Phase 1 Trunking	\$116.00	\$116.00	\$116.00	\$1,160.00
10	8322000006	P25 Phase 2 TDMA	\$380.00	\$380.00	\$380.00	\$3,800.00
10	8326000006	1024 Ch	\$0.00	\$0.00	\$0.00	\$0.00
10	8323000005	ARC4 (ADP	\$0.00	\$0.00	\$0.00	\$0.00
10		Conventional Voting	\$0.00	\$0.00	\$0.00	\$0.00
10		TrueVoice Noise Cancellation	\$0.00	\$0.00	\$0.00	\$0.00
10	8326000039	WiFi	\$0.00	\$0.00	\$0.00	\$0.00
10	8326000025	Bluetooth	\$0.00	\$0.00	\$0.00	\$0.00
10	8326000033	Bluetooth Low Energy	\$0.00	\$0.00	\$0.00	\$0.00
10	8326000015	25KHz Disabled	\$0.00	\$0.00	\$0.00	\$0.00
10	8326000027	P25 Two Tone Paging Encode	\$96.00	\$96.00	\$96.00	\$960.00

Norris Fire Department

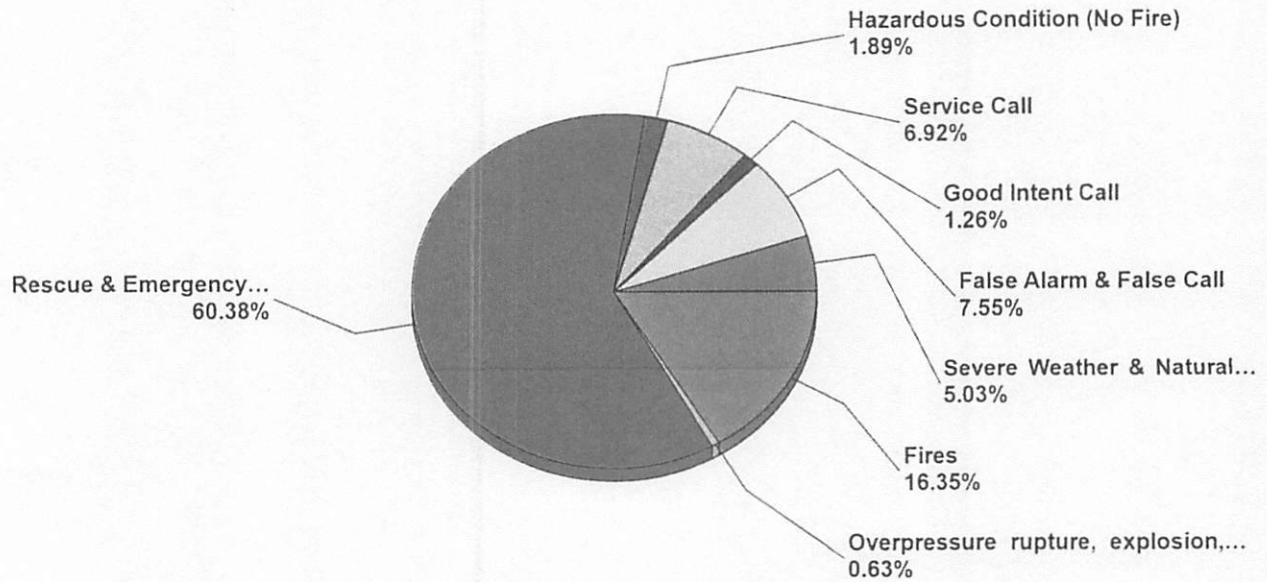
Norris, TN

This report was generated on 7/6/2023 3:41:17 PM



Breakdown by Major Incident Types for Date Range

Zone(s): All Zones | Start Date: 01/01/2023 | End Date: 12/31/2023



MAJOR INCIDENT TYPE	# INCIDENTS	% of TOTAL
Fires	26	16.35%
Overpressure rupture, explosion, overhear - no fire	1	0.63%
Rescue & Emergency Medical Service	96	60.38%
Hazardous Condition (No Fire)	3	1.89%
Service Call	11	6.92%
Good Intent Call	2	1.26%
False Alarm & False Call	12	7.55%
Severe Weather & Natural Disaster	8	5.03%
TOTAL	159	100%

Only REVIEWED and/or LOCKED IMPORTED incidents are included. Summary results for a major incident type are not displayed if the count is zero.



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Detailed Breakdown by Incident Type

INCIDENT TYPE	# INCIDENTS	% of TOTAL
100 - Fire, other	1	0.63%
111 - Building fire	13	8.18%
131 - Passenger vehicle fire	2	1.26%
140 - Natural vegetation fire, other	1	0.63%
141 - Forest, woods or wildland fire	4	2.52%
142 - Brush or brush-and-grass mixture fire	4	2.52%
143 - Grass fire	1	0.63%
251 - Excessive heat, scorch burns with no ignition	1	0.63%
311 - Medical assist, assist EMS crew	21	13.21%
320 - Emergency medical service, other	53	33.33%
321 - EMS call, excluding vehicle accident with injury	17	10.69%
322 - Motor vehicle accident with injuries	3	1.89%
324 - Motor vehicle accident with no injuries.	1	0.63%
350 - Extrication, rescue, other	1	0.63%
424 - Carbon monoxide incident	1	0.63%
445 - Arcing, shorted electrical equipment	2	1.26%
550 - Public service assistance, other	3	1.89%
553 - Public service	6	3.77%
554 - Assist invalid	1	0.63%
561 - Unauthorized burning	1	0.63%
611 - Dispatched & cancelled en route	1	0.63%
631 - Authorized controlled burning	1	0.63%
740 - Unintentional transmission of alarm, other	1	0.63%
743 - Smoke detector activation, no fire - unintentional	1	0.63%
744 - Detector activation, no fire - unintentional	1	0.63%
745 - Alarm system activation, no fire - unintentional	9	5.66%
813 - Wind storm, tornado/hurricane assessment	8	5.03%
TOTAL INCIDENTS:	159	100%

Only REVIEWED and/or LOCKED IMPORTED incidents are included. Summary results for a major incident type are not displayed if the count is zero.



Filter statement

Filters Alarm Date Range 5/23/23 to 7/6/23 Is Locked true Is Active true

Fire Incident Types

Count of Total Incidents

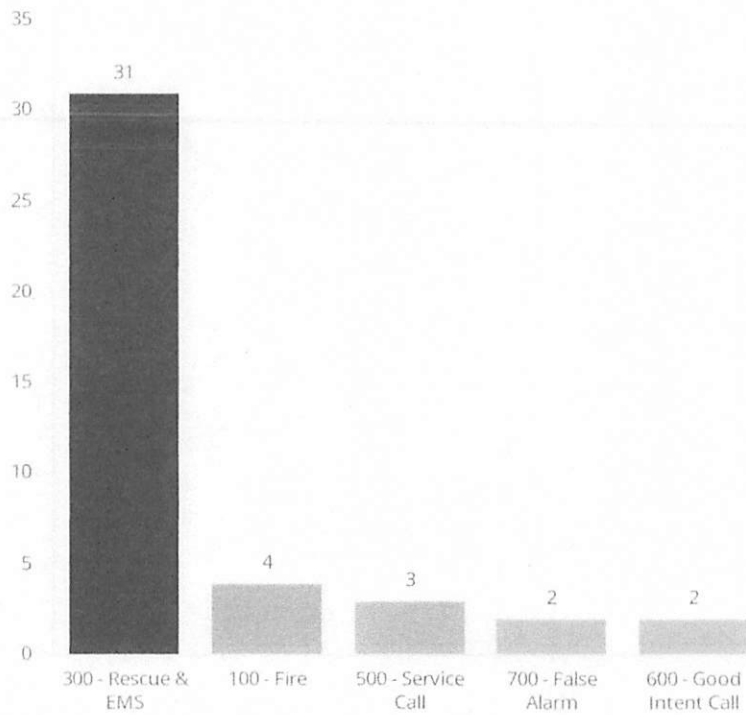
Incident Number: 42

Fire Incident Types 616, 7948, 1172, 95 Fire Incidents

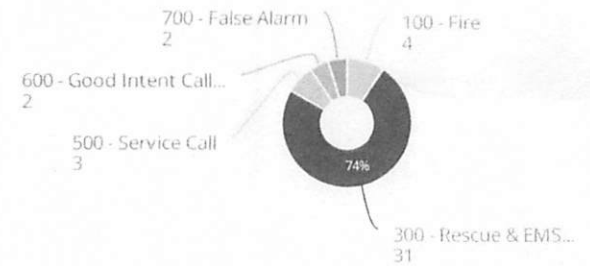
Filter statement

Filters **Alarm Date Range** 5/23/23 to 7/6/23 | **Is Locked** true | **Is Active** true

Count of Incidents by Incident Type Group and Year



Percentage of Incident Type Group



Fire Incident Types Jul 6, 2023 3:17:23 PM Fire Incidents

Filter statement

Filters Alarm Date Range 5/23/23 to 7/6/23 | Is Locked true | Is Active true

Count of Incidents by Type

Incident Type Group	Incident Type	Incident Type Code	Count of Incidents			
			05/2023	06/2023	07/2023	Grand Total
100 - Fire	Brush or brush-and-grass mixture fire	142		2		2
	No Response Fire Call	1000			1	1
	Outside rubbish, trash or waste fire	151			1	1
100 - Fire Total				2	2	4
300 - Rescue & EMS	Emergency medical service incident, other	320		7		7
	EMS call, excluding vehicle accident with injury	321		5		5
	Extrication of victim(s) from vehicle	352		1		1
	Medical assist, assist EMS crew	311		1	1	2
	Motor vehicle accident with injuries	322	1	2		3
	Motor vehicle accident with no injuries.	324		1	1	2
	No Response EMS Assignment	3210		8	2	10
	Rescue or EMS standby	381			1	1
300 - Rescue & EMS Total			1	25	5	31
500 - Service Call	TREES DOWN	5531		3		3
600 - Good Intent Call	Dispatched & canceled en route	611		1		1
	No Response EMS Call	6110	1			1
600 - Good Intent Call Total			1	1		2

Norris Fire Department

Norris, TN

This report was generated on 7/6/2023 12:42:46 PM



Mutual or Automatic Aid Given by FDID for Incident Type for Date Range

Incident Type(s): All Incident Types | Start Date: 01/01/2023 | End Date: 12/31/2023

INCIDENT NUMBER	INCIDENT DATE	LOCATION	AID TYPE	INCIDENT TYPE
FDID: 01123 - Rocky Top FD 01123				

2023-70	03/13/2023	145 LONGFIELD RD	Mutual aid given	111 - Building fire
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Count of Calls for FDID 01123 - Rocky Top FD 01123 : 1

FDID: 01153 - Marlow VFD 01153

2023-39	02/09/2023	132 FOX LN	Automatic aid given	111 - Building fire
2023-101	04/05/2023	BUSH RD	Mutual aid given	142 - Brush or brush-and-grass mixture fire
2023-152	05/22/2023	1410 Hidden Hills DR	Mutual aid given	111 - Building fire

Count of Calls for FDID 01153 - Marlow VFD 01153 : 3

FDID: 01163 - Claxton VFD 01163

2023-7	01/06/2023	602 EDGEMOOR RD	Automatic aid given	100 - Fire, other
2023-8	01/08/2023	233 MOODY HOLLOW RD	Mutual aid given	111 - Building fire
2023-76	03/18/2023	EDGEMOOR RD	Mutual aid given	322 - Motor vehicle accident with injuries
2023-98	04/03/2023	115 LOY LN	Mutual aid given	111 - Building fire

Count of Calls for FDID 01163 - Claxton VFD 01163 : 4

FDID: 01173 - Briceville VFD 01173

2023-102	04/05/2023	NEW RIVER HWY	Mutual aid given	142 - Brush or brush-and-grass mixture fire
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Count of Calls for FDID 01173 - Briceville VFD 01173 : 1

FDID: 01183 - Medford VFD 01183

2023-73	03/15/2023	241 CUMBERLAND VIEW EST	Mutual aid given	111 - Building fire
2023-106	04/06/2023	114 MOUNTAINSIDE LN	Mutual aid given	111 - Building fire
2023-157	05/26/2023	649 Old Lake City HWY	Mutual aid given	111 - Building fire
2023-158	05/26/2023	601 W Broad ST	Mutual aid given	111 - Building fire
2023-159	05/27/2023	601 W Broad ST	Mutual aid given	111 - Building fire

Count of Calls for FDID 01183 - Medford VFD 01183 : 5

FDID: 01811 - Andersonville VFD 01811

2023-12	01/14/2023	271 SEQUOYAH RD	Mutual aid given	311 - Medical assist, assist EMS crew
2023-27	01/26/2023	733 MT OLIVE RD	Automatic aid given	111 - Building fire
2023-33	02/06/2023	557 BROOKS GAP RD	Mutual aid given	142 - Brush or brush-and-grass mixture fire
2023-34	02/06/2023	BRUSHY VALLEY RD	Mutual aid given	142 - Brush or brush-and-grass mixture fire
2023-35	02/06/2023	228 UPPER CLEAR CREEK RD	Mutual aid given	321 - EMS call, excluding vehicle accident with injury
2023-37	02/09/2023	HILLVALE RD	Mutual aid given	322 - Motor vehicle accident with injuries
2023-38	02/09/2023	INDIAN GAP RD	Mutual aid given	322 - Motor vehicle accident with injuries
2023-40	02/10/2023	I75	Mutual aid given	140 - Natural vegetation fire, other
2023-49	02/23/2023	NORRIS FWY	Mutual aid given	350 - Extrication, rescue, other
2023-69	03/12/2023	1756 E WOLF VALLEY RD	Mutual aid given	111 - Building fire
2023-86	03/28/2023	I75 HWY	Mutual aid given	143 - Grass fire
2023-87	03/29/2023	BRUSHY VALLEY RD	Mutual aid given	141 - Forest, woods or wildland fire
2023-91	04/01/2023	676 MILLER RD	Mutual aid given	813 - Wind storm, tornado/hurricane assessment
2023-109	04/11/2023	420 Judson RD	Mutual aid given	141 - Forest, woods or wildland fire
2023-110	04/12/2023	Judson RD	Mutual aid given	141 - Forest, woods or wildland fire
2023-112	04/15/2023	164 Moores Gap RD	Mutual aid given	131 - Passenger vehicle fire
2023-117	04/20/2023	120 Everette LN	Mutual aid given	141 - Forest, woods or wildland fire
2023-148	05/19/2023	Lakeview LN	Mutual aid given	251 - Excessive heat, scorch burns with no ignition

Count of Calls for FDID 01811 - Andersonville VFD 01811 : 18

Fire Aid Given or Received July 2023 7:40:07 PM FireIncidents

Filter statement

FiltersAlarm Date RangeLast 90 DaysIs LockedtrueIs Activetrue

Fire Aid Given or Received

Total Incidents	Aid Given or Received	Resources Include Aid Received
Incident Number 42	Aid Given Or Received 25	Resources Include Mutual Aid 2

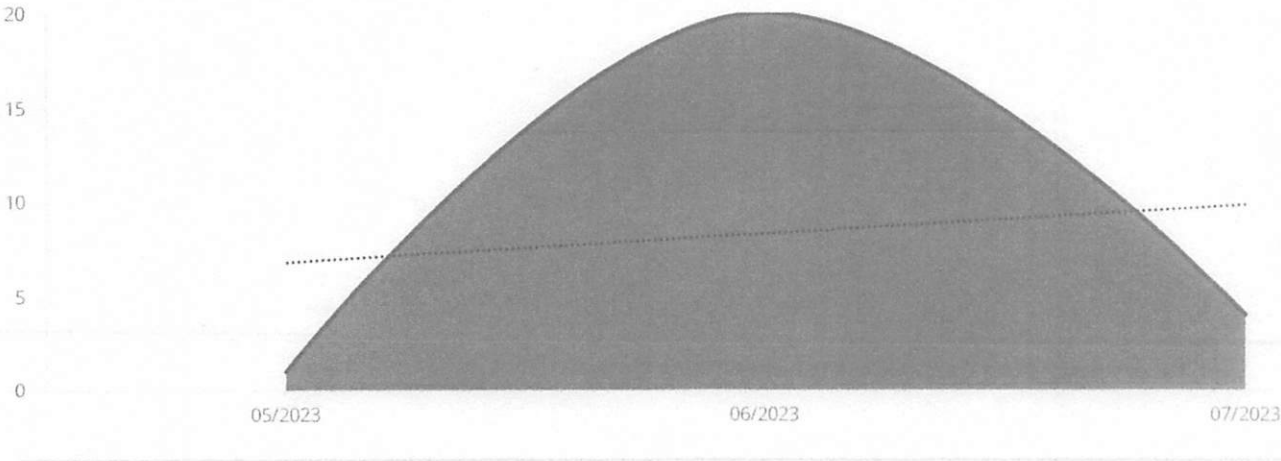
Fire Aid Given or Received Jul 6, 2023 3:40:07 PM FireIncidents

Filter statement

Filters

Alarm Date RangeLast 90 Days | Is Lockedtrue | Is Activetrue

Aid Given or Received over Time

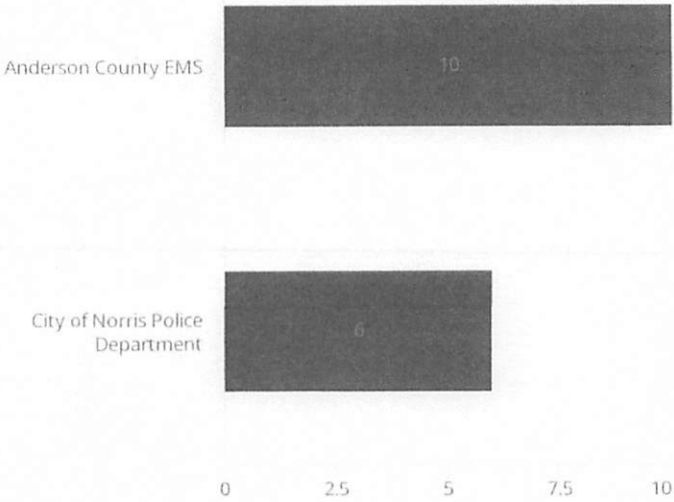


Fire Aid Given or Received July 2015 1:40:25 PM Fire Incidents

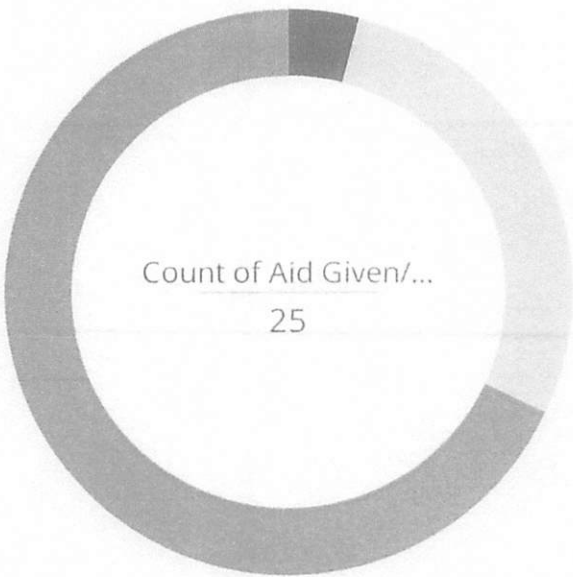
Filter statement

Filters **Alarm Date Range** Last 90 Days **Is Locked** true **Is Active** true

Aid Received Breakdown by Agency



Breakdown of Aid Given or Received



Fire Aid Given or Received

Alarm Date Range: Last 90 Days | Is Locked: true | Is Active: true

Filter statement

Filters Alarm Date Range: Last 90 Days | Is Locked: true | Is Active: true

Aid Given by Agency

Incident Number	Alarm DateTime	Aided Agency	Aided Agency Incident Number	Aid Given Or Received
20230088	5/31/23	N/A	N/A	Automatic aid received
20230091	6/3/23	N/A	N/A	Automatic aid received
20230093	6/3/23	N/A	N/A	Automatic aid received
20230095	6/5/23	N/A	N/A	Other aid given
20230159	6/1/23	Andersonville VFD 01811	0601023	Mutual aid given
20230162	6/3/23	Andersonville VFD 01811	0608023	Mutual aid given
20230168	6/5/23	Andersonville VFD 01811	6052023	Mutual aid given
2023028353	6/1/23	N/A	N/A	Automatic aid received
2023029633	6/8/23	Andersonville VFD 01811	0608023	Mutual aid given
2023029840	6/9/23	N/A	N/A	Automatic aid received
2023029988	6/10/23	Andersonville VFD 01811	0610023	Mutual aid given
2023030076	6/11/23	N/A	N/A	Automatic aid received
2023030092	6/11/23	N/A	N/A	Automatic aid received
2023030204	6/12/23	N/A	N/A	Automatic aid received
2023030536	6/13/23	N/A	N/A	Automatic aid received
2023030853	6/15/23	N/A	N/A	Automatic aid received
2023031761	6/20/23	N/A	N/A	Automatic aid received
2023031992	6/21/23	Andersonville VFD 01811	6217023	Mutual aid given

Norris Fire Department

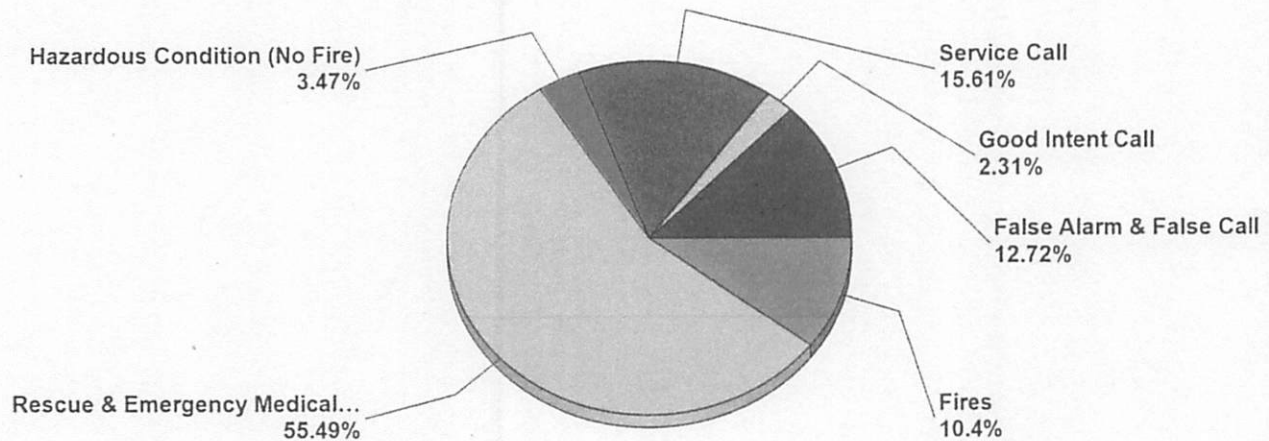
Norris, TN

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Breakdown by Major Incident Types for Date Range

Zone(s): All Zones | Start Date: 01/01/2022 | End Date: 12/31/2022



MAJOR INCIDENT TYPE	# INCIDENTS	% of TOTAL
Fires	18	10.4%
Rescue & Emergency Medical Service	96	55.49%
Hazardous Condition (No Fire)	6	3.47%
Service Call	27	15.61%
Good Intent Call	4	2.31%
False Alarm & False Call	22	12.72%
TOTAL	173	100%

Only REVIEWED and/or LOCKED IMPORTED incidents are included. Summary results for a major incident type are not displayed if the count is zero.



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Detailed Breakdown by Incident Type

INCIDENT TYPE	# INCIDENTS	% of TOTAL
100 - Fire, other	1	0.58%
111 - Building fire	5	2.89%
113 - Cooking fire, confined to container	2	1.16%
114 - Chimney or flue fire, confined to chimney or flue	2	1.16%
132 - Road freight or transport vehicle fire	1	0.58%
141 - Forest, woods or wildland fire	1	0.58%
142 - Brush or brush-and-grass mixture fire	5	2.89%
151 - Outside rubbish, trash or waste fire	1	0.58%
300 - Rescue, EMS incident, other	31	17.92%
311 - Medical assist, assist EMS crew	25	14.45%
321 - EMS call, excluding vehicle accident with injury	26	15.03%
322 - Motor vehicle accident with injuries	8	4.62%
324 - Motor vehicle accident with no injuries.	3	1.73%
341 - Search for person on land	1	0.58%
351 - Extrication of victim(s) from building/structure	1	0.58%
363 - Swift water rescue	1	0.58%
410 - Combustible/flammable gas/liquid condition, other	1	0.58%
412 - Gas leak (natural gas or LPG)	1	0.58%
422 - Chemical spill or leak	1	0.58%
424 - Carbon monoxide incident	1	0.58%
440 - Electrical wiring/equipment problem, other	1	0.58%
451 - Biological hazard, confirmed or suspected	1	0.58%
500 - Service Call, other	6	3.47%
520 - Water problem, other	1	0.58%
542 - Animal rescue	1	0.58%
551 - Assist police or other governmental agency	1	0.58%
552 - Police matter	1	0.58%
553 - Public service	7	4.05%
554 - Assist invalid	7	4.05%
561 - Unauthorized burning	3	1.73%
611 - Dispatched & cancelled en route	4	2.31%
700 - False alarm or false call, other	1	0.58%
731 - Sprinkler activation due to malfunction	1	0.58%
733 - Smoke detector activation due to malfunction	1	0.58%
735 - Alarm system sounded due to malfunction	1	0.58%
744 - Detector activation, no fire - unintentional	2	1.16%
745 - Alarm system activation, no fire - unintentional	16	9.25%
TOTAL INCIDENTS:	173	100%

Only REVIEWED and/or LOCKED IMPORTED incidents are included. Summary results for a major incident type are not displayed if the count is zero.



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Norris Fire Department

Norris, TN

This report was generated on 7/6/2023 12:43:10 PM

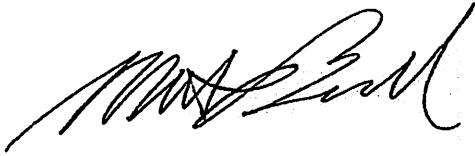


Mutual or Automatic Aid Given by FDID for Incident Type for Date Range

Incident Type(s): All Incident Types | Start Date: 01/01/2022 | End Date: 12/31/2022

INCIDENT NUMBER	INCIDENT DATE	LOCATION	AID TYPE	INCIDENT TYPE
FDID: 01123 - Rocky Top FD 01123				
2022-279	12/15/2022	109 WYOMING LN	Mutual aid given	111 - Building fire
Count of Calls for FDID 01123 - Rocky Top FD 01123 : 1				
FDID: 01163 - Claxton VFD 01163				
2022-66	03/24/2022	BLOCKHOUSE VALLEY RD	Mutual aid given	142 - Brush or brush-and-grass mixture fire
Count of Calls for FDID 01163 - Claxton VFD 01163 : 1				
FDID: 01173 - Briceville VFD 01173				
2022-246	11/17/2022	ANDYS RIDGE RD	Mutual aid given	111 - Building fire
Count of Calls for FDID 01173 - Briceville VFD 01173 : 1				
FDID: 01183 - Medford VFD 01183				
2022-31	02/10/2022	497 CARROLL HOLLOW RD	Mutual aid given	142 - Brush or brush-and-grass mixture fire
2022-253	11/24/2022	221 DABNEY LN	Mutual aid given	142 - Brush or brush-and-grass mixture fire
Count of Calls for FDID 01183 - Medford VFD 01183 : 2				
FDID: 01811 - Andersonville VFD 01811				
2022-45	02/19/2022	180 FOUST HOLLOW RD	Mutual aid given	111 - Building fire
2022-72	03/30/2022	698 MT OLIVE RD	Mutual aid given	142 - Brush or brush-and-grass mixture fire
2022-108	05/20/2022	LONE RIDGE LN	Mutual aid given	111 - Building fire
2022-143	06/27/2022	3923 ANDERSONVILLE HWY	Mutual aid given	451 - Biological hazard, confirmed or suspected
2022-160	07/10/2022	103 BOSS IRWIN LN	Mutual aid given	424 - Carbon monoxide incident
2022-165	07/15/2022	273 OLD ANDERSONVILLE PIKE	Mutual aid given	111 - Building fire
2022-224	10/23/2022	224 OLD ANERSONVILLE PIKE	Mutual aid given	142 - Brush or brush-and-grass mixture fire
2022-283	12/22/2022	115 NELSON LN	Mutual aid given	351 - Extrication of victim(s) from building/structure
2022-284	12/23/2022	3714 ANDERSONVILLE HWY	Mutual aid given	132 - Road freight or transport vehicle fire
Count of Calls for FDID 01811 - Andersonville VFD 01811 : 9				

Best Regards,

A handwritten signature in black ink, appearing to read 'Matthew R. Burrell', written in a cursive style.

Matthew R. Burrell

Assistant Fire Chief

City of Rocky Top Fire Department ARP Assistance Request

The City of Rocky Top Fire Department would like to request assistance in moving to the Tennessee Advanced Communications Network (TACN) radio system. TACN is a statewide radio system that provides communication connectivity infrastructure for local, state, and federal first responders. With TACN, first responders, including law enforcement, fire, EMS, and healthcare providers, have reliable communications capabilities for daily operations and the ability to talk to each other to coordinate at the local, regional, and statewide level to respond in the event of an emergency or disaster.

TACN is made up of mobile and fixed radio transmission sites across the state so that from Tennessee's urban to most rural areas, first responders will have consistent communication coverage. No matter where you are in Tennessee, even when other means of communication fail, TACN offers seamless communication for our partners. TACN has built-in redundancy to ensure the network will still offer statewide coverage in the event any location becomes inoperable after a natural or man-made disaster.

Because disasters know no boundaries, with TACN, local, state, and federal public safety agencies can respond as many but communicate as one. This interoperable communication is key to providing a swift and organized response that will save time, money, and citizens' lives.

In order to begin this transition, we would need to replace our old outdated communications equipment with newer more capable portable radios that are multiband and compatible with both our current system as well as the TACN system. This would broaden our access to more reliable communication and allow for increased interoperability. Currently the City of Rocky Top Fire Department operates an old outdated fleet of Vertex, Kenwood, and Motorola radios that date back to the early 2000's. This technology has become outdated and unreliable. Corrective maintenance when a radio goes down or breaks has become increasingly harder, sometimes impossible with limited replacement part availability. In our current configuration with multiple brands and types of portable radios, programming and uniformity is a challenge. It takes three different software's and vendors to program our remaining radios. This poses a safety risk on emergency scenes when personnel emergencies arise leading to confusion and creating additional hazards. By upgrading our end user hardware, we would decrease safety risks as all portable communication equipment would be uniformed and have accurate identification linked back to the member the radio is assigned.

Attached is a copy of run data for the Rocky Top Fire Department as well as a spec sheet and quote for the equipment in question.

Best Regards,

Anthony Braden

Fire Chief

METRO

COMMUNICATIONS, LLC

Communicating today through tomorrow's technology

Metro Communications, LLC.

Metro Communications

1210 Elm Street

Knoxville, TN 37921

jimmy.hayes@metrocomm2way.com

PURCHASE ORDER Make PO payable to Metro Communications, LLC

DATE July 6, 2023

CUSTOMER ID

EXPIRATION DATE 60 days

Ship To: Rocky Top Fire Department

Attn: Chief Braden

104 Lawson Street

Rocky Top, TN 37769

abraden@rockytopn.org

Bill To: Rocky Top Fire Department

Attn: Chief Braden

104 Lawson Street

Rocky Top, TN 37769

abraden@rockytopn.org

SALESPERSON	QUOTE #	SHIPPING METHOD	SHIPPING TERMS	DELIVERY DATE	PAYMENT TERMS	DUE DATE
Jimmy Hayes	rockytopfd23	TBD	Best Way	TBD	Net 15	TBD

Quantity	Part Number	Description	Price Per Unit	NASPO Contract	Your Price	Your Total
		VP8000, 7/8/UHF, M2, BK				
		US Customers only: User understands and acknowledges that the equipment is configured with voice encryption that does not meet DHS OIC Encryption requirements for P25 CAP compliance (Grant Eligible).				
10	VP8000BKF2	VP8000, M2, BK	\$2,455.00	\$1,964.00	\$1,964.00	\$19,640.00
10	832VP8000-UHF	UHF (380 - 520	\$715.00	\$572.00	\$572.00	\$5,720.00
10	832VP8000-7800	7/800 MHz	\$715.00	\$572.00	\$572.00	\$5,720.00
10		Standard Keypad (M2)	\$0.00	\$0.00	\$0.00	\$0.00
10		Black	\$0.00	\$0.00	\$0.00	\$0.00
10		Immersion	\$0.00	\$0.00	\$0.00	\$0.00
10	KRA-47MB	Wideband Antenna	\$105.00	\$84.00	\$84.00	\$840.00
10	KNB-L3M	Li-ion 3400mAh (L3 Mid Capacity)	\$218.70	\$174.96	\$174.96	\$1,749.60
10	KMC-70M	KMC-70M Speaker Mic (Black)	\$158.30	\$126.64	\$126.64	\$1,266.40
10		Analog FM	\$0.00	\$0.00	\$0.00	\$0.00
10		P25 CA1 AMBE+2	\$0.00	\$0.00	\$0.00	\$0.00
10		Analog Conventional	\$0.00	\$0.00	\$0.00	\$0.00
10	8322000002	P25 Conventional	\$415.00	\$332.00	\$332.00	\$3,320.00
10	8322000005	P25 Phase 1 Trunking	\$145.00	\$116.00	\$116.00	\$1,160.00
10	8322000006	P25 Phase 2 TDMA	\$475.00	\$380.00	\$380.00	\$3,800.00
10	8326000006	1024 Ch	\$0.00	\$0.00	\$0.00	\$0.00
10	8323000005	ARC4 (ADP	\$0.00	\$0.00	\$0.00	\$0.00
10		Conventional Voting	\$0.00	\$0.00	\$0.00	\$0.00
10		TrueVoice Noise Cancellation	\$0.00	\$0.00	\$0.00	\$0.00
10	8326000039	WiFi	\$0.00	\$0.00	\$0.00	\$0.00
10	8326000025	Bluetooth	\$0.00	\$0.00	\$0.00	\$0.00
10	8326000033	Bluetooth Low Energy	\$0.00	\$0.00	\$0.00	\$0.00
10	8326000015	25KHz Disabled	\$0.00	\$0.00	\$0.00	\$0.00
10	8326000027	P25 Two-Tone Paging Encode	\$120.00	\$96.00	\$96.00	\$960.00

10	VL-8001	Factory Activation of Radio Option	\$0.00	\$0.00	\$0.00	\$0.00
10		3 Year Warranty	\$0.00	\$0.00	\$0.00	\$0.00
10	KSC-Y32K	CHARGER,	\$155.20	\$124.16	\$124.16	\$1,241.60
10	KNB-L3M	LI-ION BATTERY, 3400MAH, NON IS, VP-T	\$218.70	\$174.96	\$174.96	\$1,749.60
10	KVC-23V	VEHICULAR CHARGER WITH HI-CAP BATTERY C-CLIP, VP-T	\$338.80	\$271.04	\$271.04	\$2,710.40

Quotation prepared by: JIMMY HAYES

SUBTOTAL \$ **49,877.60**

SALES TAX -

To accept this quotation, sign here and return: _____

TOTAL \$ **49,877.60**

As an authorized representative of the aforementioned organization, the undersigned agrees to pay service charges at the rate of 1.5% per month (18% per year) on all accounts past due. The undersigned also agrees that in the event that any delinquent account is turned over to a collection agency and/or attorney for collection, then he/she is liable for and will pay, all reasonable costs incurred by Metro Communications, LLC and/or its collection agency, in the collection of any such delinquent account, including but not limited to payment of reasonable attorney fees and court costs. The undersigned certifies that to the best of his/her knowledge, the above information is true and correct. It is understood and agreed that any checks received by us for non-payment shall be charged a non-sufficient funds (NSF) check fee, and the maximum allowable interest by law charged from the date of the check. Cashier's checks received as NSF will result in the associated account being placed on COD Cash Only basis. There is a 25% restocking fee on all returned items.

Make Purchase order payable to Metro Communications, LLC.

THANK YOU FOR YOUR BUSINESS!

KENWOOD

VIKING®
P25 Mission Critical

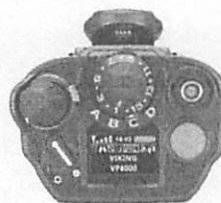
VP8000

Multi-Band · Multi-Protocol
Mission Critical Portable Radio

The KENWOOD Viking 8000 series Multi-Band, Multi-Protocol portable is specifically designed for today's public safety agencies with advanced features and ergonomics to meet the first responder's mission critical operational needs.

Features

- Multi-Band operation (VHF, UHF, 700/800 MHz)
- Multi-Protocol
 - P25 Phase 1 & 2 Trunking
 - P25 Conventional
 - DMR¹
 - Viking16 (SmartNet/SmartZone™ Compatible)
 - FM Analog
- Mixed protocol zones (each channel in a zone can be from a different system)
- 1024 channels (2048 & 4096 options)
- Public safety ergonomics: Flare grip for control, large glove friendly knobs, large emergency button
- 3-Watt audio maximum output for high noise environments
- Voice annunciation & custom announcement creation
- Fully ruggedized - IP67/68 & MIL-STD-810 C/D/E/F/G/H
- Full key models (with numeric keypad)
- Built-in GPS receiver/antenna for enhanced awareness
- MDC-1200 & GE-Star signaling
- P25 Authentication
- Bluetooth® / Bluetooth Low Energy
- Wi-Fi® 2.4 & 5 GHz (802.11a/b/g/n/ac)
- Man Down
- Instant Recording Replay (IRR) and Voice Recording
- Text Messaging
- Radio Cloning
- FIRESafe® Fire Ground Commander and First Responder
- Encryption
 - ARC4™ software encryption; compatible with Motorola ADP™
 - P25/TIA defined: AES-256
 - DES-OFB
 - Over-the-Air-Rekeying (OTAR)



User Selectable Color Themes

- Large full-color top LCD
- Multi-line text on both front and top displays
- Top flip display changes text orientation for viewing while in holster
- Multiple visual indicators including battery health & signal strength
- Day & night user selectable display options (8 themes available)



Accessories

Complete line of accessories including microphones, speakers & antennas.
Download the accessory catalog here:
<https://info.ejohanson.com/viking-accessory-catalog/>



We combine P25 design expertise with recognized quality & reliability along with advanced technology to make KENWOOD Viking radios simple to use & maintain.



Perpetual Software Licensing

Adds greater value to your radios by extending the life of the software into your next hardware platform — you own the software option forever, and your licenses are simple to manage with our cloud-based tool — Vault™.



Armada® Fleet Management

Update radios in a group rather than one at a time. One template programs both portables & mobiles. Supports either direct computer connection or Over-the-Air Programming (OTAP). Elite Battery Management enables wireless tracking of battery fleet.



TrueVoice™ Noise Cancellation

Software-based noise cancellation automatically filters out noise source frequencies and eliminates the need for extra configuration. Works in analog or digital mode and with any accessory.

VP8000 Portable Specifications

General		VHF	UHF	700/800 MHz
Frequency Ranges (FCC ID K44515000)		136-174 MHz	380-520 MHz	RX: 763-776, 851-870 MHz TX: 763-776, 793-806, 806-825, 851-870 MHz
Channel Spacing	Analog	12.5/15/20/25 ² /30 ² kHz	12.5/25 ² kHz	12.5/25 kHz
	Digital	12.5 kHz	12.5 kHz	12.5 kHz
Frequency Stability		±1.0 ppm -22 °F to +140 °F (-30 °C to +60 °C) [+77 °F Reference (+25 °C)]		
Maximum Channels or Talkgroups		1024 (2048 and 4096 options)		
Number of Zones		255		
Maximum Channels Per Zone		255		
Power Supply		7.5 V DC ±20%		
Operating Temperature		-22 °F to +140 °F (-30 °C to +60 °C)		
Case		Reinforced polycarbonate plastic - black or high visibility (additional fee)		
Dimensions (radio with battery)	KNB-L2 (2600 mAh)	3.04/2.28 x 5.91 x 1.73 in. (77.3/58.0 x 150.0 x 44.0 mm) [W(Top/Bottom) x H x D, projections not included]		
	KNB-L3 (3400 mAh)	3.04/2.28 x 5.91 x 1.94 in. (77.3/58.0 x 150.0 x 49.4 mm) [W(Top/Bottom) x H x D, projections not included]		
	KNB-L11 (3900 mAh)	3.04/2.28 x 5.91 x 2.02 in. (77.3/58.0 x 150.0 x 51.4 mm) [W(Top/Bottom) x H x D, projections not included]		
Weight (radio with battery)	KNB-L2 (2600 mAh)	18.7 oz (530.0 g)		
	KNB-L3 (3400 mAh)	20.2 oz (574.0 g)		
	KNB-L11 (3900 mAh)	20.7 oz (586.0 g)		
Receiver		VHF	UHF	700/800 MHz
Sensitivity	P25 Digital (5% BER)	-122 dBm (0.178 µV)	-121 dBm (0.199 µV)	-120 dBm (0.224 µV)
	Analog (12 dB SINAD) @ 12.5 kHz	-122 dBm (0.178 µV)	-121 dBm (0.199 µV)	-120 dBm (0.224 µV)
Selectivity	P25 Digital	62 dB		
	Analog @ 12.5 kHz	75 dB	71 dB	65 dB
	Analog @ 25 kHz	78 dB	75 dB	70 dB
Intermodulation		77 dB		
Spurious Rejection		85 dB		
Audio Distortion		1.25% (Analog)		
Audio Output Power		Nominal 1.5 W (P25 Digital < 1% Distortion), Maximum 3 W		
Transmitter		VHF	UHF	700/800 MHz
RF Output Power		1W/6W	1W/5W	1W/3W
Spurious Emission		77 dB	76 dB	75 dB
FM Hum & Noise	Analog @ 12.5 kHz	51 dB	47 dB	43 dB
	Analog @ 25 kHz	57 dB	53 dB	49 dB
Audio Distortion		1%		
Emission Designator		11K0F3E, 8K10F1E, 8K10F1D, 8K10F1W, 7K60FXD, 7K60FXE, 7K60F1E, 7K60F1D, 7K60F1W, 7K60FXW		
		16K0F3E, 14K0F3E, 11K0F3E, 8K10F1E, 8K10F1D, 8K10F1W, 7K60FXD, 7K60FXE, 7K60F1E, 7K60F1D, 7K60F1W, 7K60FXW		

MIL Standard	810H
Low Pressure	500.6/ I, II
High Temperature	501.7/ I, II
Low Temperature	502.7/ I, II
Temp. Shock	503.7/ I
Solar Radiation	505.7/ I
Rain	506.6/ I, III
Humidity	507.6/ II
Salt Fog	509.7
Dust	510.7/ I
Vibration	514.8/ I
Immersion	512.6/ I
Shock	516.8/ I, IV, VI

Encryption Options	
Supported Encryption	AES, DES-OFB, ARC4 (ADP compatible)
Encryption Keys per Radio	Capable of storing 1024 keys. Programmable for 252. Common Key Reference (CKR), 252 Physical Identifier (PID), Compatible w/ Motorola Key Variable Loader
Encryption Frame Re-sync Interval	P25 CAI 360 MSEC
Encryption Keying	External Key Loader, OTAR
Mode	OFB-Output Feedback
Encryption Type	Digital
Key Erasure	Keyboard Command, OTAR Zeroize, Tamper Detection
Standards	FIPS 140-3 Level 1, FIPS 140-3 Level 3, FIPS 197 (Pending)

Hazardous Location Standard (Pending)	
Certification Lab	CSA Group
Standard Applied	ANSI/TIA 4950-A-2014, UL913 5th Edition & ANSI/ISA-12.12.01-2011
Classification Rating	Intrinsically Safe: Classes I, II, III, Division 1, Groups C ¹ , D, E, F, G Non-incendive: Class I, Division 2, Groups A, B, C, D
Approved Battery	KNB-LS7
Approved Speaker Microphones	KMC-70M, KMC-70GR, KMC-72W
International Protection Standard	
Dust & Water	IP54, IP55
Immersion	IP67, IP68 ⁴

¹ DMR - future release

² 25 and 30 kHz are not included in the models sold in the USA or US territories.

³ Division I US Group C is applicable for radio with approved battery only, or radio with approved battery and KMC-70-type speaker microphone only. If radio is in combination with any other approved accessories, Group D is applicable.

⁴ IP68 = 2 m/2 hours

Specifications shown are typical and subject to change without notice. Please check the website for the latest version. V0112.23

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All other trademarks are the property of their respective holders.

EF Johnson Technologies, Inc.

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1440 Corporate Drive, Irving, TX 75038-2401

Phone: 972.662.8200 • Fax: 972.662.8201

Anderson County Board of Commissioners
Rules Committee
Minutes

August 14, 2023 3:00 PM
Room 312

Members Present: Tyler Mayes, Aaron Wells, Anthony Allen and Bob Smallridge

Members Absent: Michael Foster

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

Others Present:

Commissioner Allen made a motion to approve the July 10, 2023 minutes. Seconded by Commissioner Wells. Motion passed.

No citizens addressed the Committee.

Commissioner Mayes made a motion to send Rule No. XXV back to commission for approval as presented. Seconded by Commissioner Allen. Motion passed.

New Business

None.

Old Business

None

Commissioner Mayes moved to adjourn the meeting.

Anderson County Board of County Commissioners

Rules of Procedure

Rule I

The Anderson County Board of Commissioners (Commission) shall normally meet monthly at 6:30 p.m. on the third Monday of all months unless a majority of commissioners approve an alternate date. Should the third Monday fall on a legal holiday, Commission shall meet on the following day or on a date agreed to by the majority.

The Chairman and the Vice Chairman of County Commission shall be elected at the first meeting held after August 31st each year. The Chairman and Vice Chairman shall serve until such election unless replaced during the year by a vote of 3/4 majority (12) of Commission.

Rule II

The following shall be the order of business:

1. Call to Order -- In the absence of the Chairman and Vice Chairman, the County Clerk shall call the meeting to order for the purpose of roll call and the election of a Chairman Pro Tem.
2. Roll Call
3. Prayer
4. Pledge of Allegiance
5. Approval of the Minutes
6. Appearance of Citizens -- The purpose of this portion of the Agenda is to provide citizens an opportunity to address their government for items or concerns on or not on the Agenda. Citizens are to state their name and address and limit remarks to less than three minutes. Commission will not address the issues brought before Commission nor take any action at this time other than refer the item to a committee or, by a vote of 2/3 majority (11) of Commission, to place it on the agenda under New Business.

If many individuals show an interest in commenting on a particular issue, County Commission may call a public hearing before taking action on that issue.

7. Approval and Correction of the Agenda -- Consent Agenda - The Commission Chairman may propose a consent agenda for routine or non-controversial items. The consent items are voted by one motion with no debate. A commissioner may request an item to be moved from the consent agenda to the regular agenda.

The Commission Chairman shall prepare and distribute an agenda listing the items of business in their proper order by the Wednesday afternoon prior to the meeting. These shall include a listing of the committees, boards, and commissions scheduled to report with the names of those who will present the report; elections to be held; and resolutions/motions under unfinished business and new business filed with the Clerk of Commission by 12:00 noon on the Wednesday before the meeting. The agenda may be amended by a vote of 2/3 majority (11) of Commission.

➤ **Public Chapter 213 – Open Meetings**

Amends TCA 8-44-102, to add a new section to require local government legislative bodies to make its meeting agendas accessible to the public at least 48 hours prior to the meeting. Provides that posting the agendas on the local government's website satisfies this requirement. Authorizes local government bodies to consider matters not on the posted agenda as long as the bodies follow their bylaws or properly adopted rules and procedures and comply with all

Rules of Procedure

other applicable state laws.

Only for unpredictable emergencies should information or requests presented to Commission less than five days before the regular monthly Commission meeting, be considered. Any Commissioner wanting to bring a matter before Commission, that was not filed with the Clerk of Commission by 12:00 noon on the previous Wednesday, can rise to a Point of Personal Privilege and request that the matter be placed on the agenda. Commission shall, by a vote of 2/3 majority (11) of Commission, allow the item to be discussed and acted upon under new business.

Agenda items must be submitted to the appropriate committee before being presented to County Commission for a vote. Items that have not been submitted to a committee can be included on the agenda as part of department or elected official reports or by Commissioners under new business for brief discussion to determine which committee it should be assigned to or to determine if it needs immediate attention. County Commission can either refer such items to the appropriate committee by a majority vote or with a 2/3's (11) vote can take it up for immediate discussion and vote if it is an emergency or action needing immediate attention.

8. Proclamations/Courtesy Resolutions/Presentations -- The Chairman, or the Vice Chairman in his absence, shall be empowered to issue honorary proclamations.

Requests for proclamations, courtesy resolutions and presentations to be on the agenda shall be made before the noon Wednesday deadline for agenda items. Presentations shall be allowed during the Public Hearing/Presentation session held immediately before the regular county commission meeting, unless the Chairman approves placing it on the agenda for the regular county commission meeting.

9. Approval of Notaries and Bonds

10. Public Hearing Report by Vice Chairman

11. Elections to Committees, Boards & Commissions / Nominating Committee Report

Every four years after the County Commissioners have been elected and take office, but prior to the regularly scheduled September meeting, the Chairman, if re-elected, or the Vice-Chairman, in his absence and if re-elected, or in his absence the County Clerk shall convene Commission to select a Nominating Committee and to conduct any other business deemed necessary. The Nominating Committee shall be composed of one member from each Commission district. Members will serve two years in each four-year term and will only serve longer with the consent of the other member from the same district. It shall be the duty of the Nominating Committee to recommend members for all Commission appointments to committees, boards, and commissions.

Voting -- After all nominations for a vacancy have ceased, each Commissioner shall vote for one candidate in each round of voting. The candidate with the lowest number of votes shall be dropped after each round of voting until a candidate is elected by a majority (9) of Commission.

12. Presentation of Reports

Presentation of items needing action by County Commission -- County Commission will not address these items nor take action on items that have not been to a Committee other than refer the item to a committee, or if it is shown that

Anderson County Board of County Commissioners

Rules of Procedure

an item needs immediate attention County Commission can, by a vote of 2/3 majority (11) of Commission, place it on the agenda under New Business.

A. Elected Officials

B. Department Heads

C. Reports of Committees, Board & Commissions - The reports shall be presented orally or in writing by the Committee Chairman (or his designated representative). Minority reports may be presented by any member of that Committee before the Committee Chairman presents resolutions implementing the recommendations of his/her Committee. During this time, only motions relative to the items in the committee report may be offered.

13. Unfinished Business

14. New Business -- Resolutions not covered in committee reports but filed in writing with the Clerk of Commission no later than Wednesday noon before the Commission meeting shall be listed under New Business and shall be in order.

Resolutions that were not filed with the Clerk of Commission by 12:00 on the previous Wednesday may be presented at this time and acted upon by a vote of 2/3 majority (11) of Commission.

15. Announcements

16. Adjourn

Rule III

No member of Commission shall speak more than once nor more than three minutes on the same motion - except the Chairman of the Committee or the maker of a motion, who shall have the right to answer questions. However, the Chair of Commission may extend the length of time and the number of times a member may speak on a given motion unless an objection is raised by a member. If an object is raised, the Chair of Commission must have majority vote to extend such time to the member. Asking a question regarding the motion does not count as a Commissioner's time to speak on the motion. If a member of Commission wants to end debate and bring the motion on the floor to an immediate vote, they may "call for the question" directly to the Chair of Commission. The "call for question" requires a second by a member and two-thirds majority for passage. If the "call for question" passes, debate on the pending motion ceases immediately and the Chair of Commission shall bring it to a vote. If the "call for question" fails, debate may continue.

Rule IV

Citizens and public officials will be allowed to address County Commission, subject to the conditions in Rule V, on items on the agenda as the item is brought forth during the meeting. Citizens and public officials may speak once on each item and will have up to three minutes to speak. Groups will be encouraged to select a spokesperson to present a comment for the group. Citizens and public officials are encouraged to provide more detailed comments on issues during County Commission committee meetings and in written comments and calls to County Commissioners.

Rule V

Comments by County Commissioners, public officials, and citizens must be professional and respectful and must refrain from outbursts, profanity, questioning motives, and personal attacks. The chair can limit comments to those relevant to the item to be voted on and can stop inappropriate, disruptive, or overly repetitive speakers.

Anderson County Board of County Commissioners

Rules of Procedure

- Rule VI** All motions required to be recorded as a roll call vote will utilize electronic voting. For any other motion, the Chair or any Commissioner may call for an electronic vote. Electronic votes will be taken and displayed by the County Clerk. Commissioners will vote yes, no or abstain. Commissioners not voting in a reasonable amount of time will be counted as abstaining. Votes shall not be changed once the results have been publicly displayed.
- Rule VII** If the electronic voting equipment is not available or is not functioning, as determined by the County Clerk, the County Clerk will take a roll call vote if requested by the Chair or any Commissioner.
- Rule VIII** A roll call vote shall be required on all appropriations.
- Rule IX** Requests for appropriations shall not be voted on by Commission unless: (1) it is in writing; (2) the Budget Committee has had an opportunity to consider the request by virtue of the request having been timely submitted prior to the Budget Committee meeting; and (3) notice of the request has been provided to the Clerk of Commission by noon of the Wednesday before the Commission meeting. The Budget Director shall be responsible for distributing the request and scheduling it for consideration by the Budget Committee. However, appropriation requests not submitted to the Budget Committee or which have not been provided to the Clerk of Commission by noon of the Wednesday before the Commission meeting may be voted on if submitted to the commission in writing but shall require a vote of 3/4 majority (12) of Commission for approval. An appropriation shall be considered to have been before the Budget Committee if it was available for consideration at the most recent Budget Committee meeting or if action is still pending on the appropriation from a previous Budget Committee meeting.
- Requests for approval of multi-year contracts shall not be voted on by Commission unless: (1) it is in writing; (2) the Purchasing Committee has had an opportunity to consider the request by virtue of the request having been timely submitted prior to the Purchasing Committee meeting; and (3) notice of the request has been provided to the Clerk of Commission by noon of the Wednesday before the Commission meeting. The Purchasing Agent shall be responsible for distributing the request and scheduling it for consideration by the Purchasing Committee. However, multi-year contract requests not submitted to the Purchasing Committee or which have not been provided to the Clerk of Commission by noon of the Wednesday before the Commission meeting may be voted on if submitted to the commission in writing but shall require a vote of 3/4 majority (12) of Commission for approval. Multi-year contracts shall be considered to have been before the Purchasing Committee if it was available for consideration at the most recent Purchasing Committee meeting or if action is still pending on the multi-year contracts from a previous Purchasing Committee meeting.
- Rule X** The reports of all boards and commissions for the preceding quarter shall be provided to the Clerk of Commission by noon of the Wednesday before the Commission quarterly meetings.
- Rule XI** Committees shall meet to choose a Chairman and Vice-Chairman among their members, unless a Chairman and Vice-Chairman is named by Commission. The Committee Chairman shall select the time for the Committee to meet. A committee meeting may be called by a majority of the committee members if the Chairman is absent or declines to meet. The term of committee appointments shall be for one (1) year unless otherwise specified by law or resolution. Any citizen serving on a committee, board or commission appointed by the

Anderson County Board of County Commissioners

Rules of Procedure

County Commission must be a resident of Anderson County.

- Rule XII** No Commission Committee shall be composed of a majority (9 or more) of commissioners.
- Rule XIII** The Operations Committee shall be composed of one member from each Commission district. Members will serve two years in each four-year term and will only serve longer with the consent of the other member from the same district. Simultaneous service on the Operations Committee and Budget Committee is not allowed. If a Commissioner serves on Operations Committee and his or her counterpart serves on Budget Committee, full Commission may suspend Rule XI by a majority vote allowing simultaneous service if one of the two commissioners from a district fails to meet the attendance requirement.
- Rule XIV** A quorum for all committees appointed by Commission shall be five or a majority, whichever is less.
- Rule XV** Any committee member who is absent for three successive committee meetings ceases to be a member of that committee. The first exception to this rule may be granted by the committee chair. A second exception shall be considered by Commission based on a written appeal.
- Rule XVI** The Clerk of Commission (Chief Deputy) shall be responsible for:
A. Notifying all Commission committee members and the press of committee meetings.
B. Preparation and distribution of minutes of Commission committee meetings.
C. Duties as defined by the current job description as approved by County Commission.
- Rule XVII** Signs, posters, and placards may be carried outside the Commission or Committee meeting room, but shall not be allowed within.
- Rule XVIII** If any person becomes disorderly or refuses to be in order, the Chairman shall call upon the Sheriff, Deputy Sheriff, or officer for assistance. If such person refuses to come to order or to be seated, the Chairman shall declare such person disorderly and order his or her detention until such time as the Chairman deems that said person is willing to be orderly. Any Committee Chairman may invoke the same authority.
- Rule XIX** All matters not covered in these rules or state law, shall be governed by the latest edition of Roberts Rules of Order. The Chairman, with Commission approval, shall appoint a parliamentarian. The parliamentarian shall either be a member of the Commission or the County Attorney. If the parliamentarian is a Commissioner, the parliamentarian shall be allowed the same rights to debate and vote on motions as any Commissioner.
- Rule XX** The foregoing Rules of Procedure may be amended or repealed by a vote of 2/3 majority (11) of Commission. Rules shall become effective at the next meeting after approval. A rule may be temporarily suspended by a vote of 3/4 majority (12) of Commission.
- Rule XXI** Any Commissioner who abstains for cause, as defined in T.C.A. §12-4-101, or otherwise determined by state law, on any motion coming to a vote before Commission shall not be counted in determining the number of votes needed for a majority, 2/3 majority or 3/4 majority.
- Rule XXII** All proposed Private Acts forwarded to the Tennessee General Assembly for passage must be previously approved by the County Commission by a two-thirds (2/3) majority (11) vote prior to being sent to the General Assembly, the County Commission must subsequently

Anderson County Board of County Commissioners

Rules of Procedure

approve the Private Act again at a regular or special called meeting, after approved by the General Assembly, by a two-thirds (2/3) majority vote prior to the Private Act becoming law.

Rule XXIII Motions to rescind something adopted at a previous meeting require a 2/3 majority (11) vote by Commission for approval, unless prior notice has been provided by having it in a committee report or placing it on the agenda by noon of the Wednesday before the meeting that it will be voted on, in which case a majority of commission can approve.

Rule XXIV In the event any of the foregoing rules are determined to be in conflict with statutory provisions, then only that part in conflict shall be null and void. The remainder shall remain in full force and effect.

Rule XXV Committee Reports shall include items discussed and action items that were passed by majority vote. Any action items that failed or died in Committee may be added to the agenda by a vote of 2/3 majority of commission.

Adopted 11-18-02

Amended 4-21-03; 11-19-07; 3-16-15 8-14-23

11-17-03; 1-20-09; 12-17-15

8-16-04; 3-16-09; 3-21-16

9-20-04; 2-16-10; 3-17-20

1-17-06; 9-16-13 4-17-23

Anderson County Board of Commissioners
Legislative Committee
MINUTES

August 15, 2023
Room 312

Members Present: Denise Palmer, Sabra Beauchamp, Tyler Mayes, Tim Isbel, Aaron Wells,
Bob Smallridge and Shelly Vandagriff

Members Absent: Jerry White

Others Present: Commissioner Allen, Commissioner Yager, Gary Long

Call to Order: Commissioner Mayes called the meeting to order.

Commissioner Beauchamp made a motion to nominate Commissioner Wells as Chairman.
Seconded by Commissioner Palmer.
Commissioner Wells nominated Commissioner Palmer as Vice-Chairman. Commissioner
Smallridge made a motion to cease nominations. Motions Passed.

Presentation by Dr. Scott Peters
No Action Taken.

Commissioner Palmer requested to add discussion of increasing the weight limits for big trucks.
Motion to add by Commissioner Isbel. Seconded by Commissioner Mayes. Motion passed.
Commissioner Mayes made a motion to have the Law Director prepare a resolution opposing
this pilot program and have it on Monday night's agenda so that we can get it out and get ahead
of it. Seconded by Commissioner Palmer. Motion passed to forward to full commission for
approval.

Review Public Chapters 213 and 300 Amendments
No Action Taken.

New Business

Discussed inviting Senator McNally, Representatives Ragan and Butler to the next meeting to
discuss several issues and have Dr. Peters back for his presentation.

Old Business

None

Adjournment

With no further action, the meeting adjourned.

The Impacts of Heavier Trucks on Local Bridges

March, 2023

Contributors

Rick Bailey
County Commissioner
Johnson County, Texas

Brian Keierleber, P.E.
County Engineer
Buchanan County, Iowa

Roger D. Mingo, P.E.
Principal
R.D. Mingo and Associates

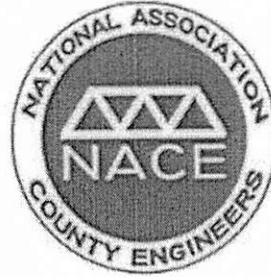
Josh Harvill, P.E.
County Engineer
Chambers County, Alabama

Thomas Klasner, P.E.
County Engineer
Jersey County, Illinois

Matthew Muir
Director of Policy and Technology
Coalition Against Bigger Trucks

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Foreword

The impact of heavier and longer trucks on locally owned bridges is an important issue that needs to be explored nationally, including Congress. While we have long known that heavier trucks increase bridge damage, this study represents the first attempt to work directly with local officials to quantify the real world impacts. County officials, specifically county engineers, know their bridges better than anyone else.

Since Counties have few options for increasing revenue to cover the increased bridge damage that heavier trucks might be causing to county-owned infrastructure, knowing the full scale of the fiscal challenges that might arise is imperative.

The National Association of Counties (NACo) and the National Association of County Engineers (NACE) are interested in the outcomes of the *Impacts of Heavier Trucks on Local Bridges* study. Further, we view this research as an important source for policymakers to utilize when considering legislation in Congress and state legislatures to increase truck weight.

Using National Bridge Inventory data and the methodology developed with county officials, including engineers who have personally designed, maintained and inspected these bridges, this research fills a longstanding gap in knowledge on the subject and reveals massive financial costs that would burden counties across the country.

Sincerely,

Matthew D. Chase
CEO/Executive Director
National Association of Counties

Kevan P. Stone
CEO/Executive Director
National Association of County Engineers

Executive Summary

Research on the impact of weight increases for semi-trailer trucks on bridges has historically focused on structures located on interstates and other major highways, failing to examine the effects of the extra weight on local bridges (defined as bridges that are not

For the purposes of this study, “local bridges” is used to describe bridges that are not on the National Highway System.

a part of the National Highway System). This is despite the fact that three-quarters of all bridges are on local roads. What’s more, the limited research that has been done on local bridges has not included input from those who know these bridges best: the county, city or township engineers who designed, built and regularly inspect them.

Because legislation to increase truck weights is proposed every year in state legislatures and in Congress, it is imperative to understand the full impact on local infrastructure and determine the associated costs. This research fills that knowledge gap by looking exclusively at local bridges and using data that is collected and analyzed by the local professional engineers who have intimate knowledge of each bridge.

There are 474,266 local bridges in the U.S. Our research found that **87,455 of those structures would be “at risk” of needing to be replaced or strengthened to accommodate heavier configurations, nearly 1 in 5**. Bridges defined as at risk would require posting, increased monitoring and inspection and ultimately would need to be replaced or strengthened to accommodate the configuration. A conservative estimate of the cost of replacing or strengthening those at-risk bridges would be as much as **\$78.4 billion** depending on the weight of the truck.

This study was conducted by the Coalition Against Bigger Trucks (CABT) in conjunction with county road officials from four counties across the nation. The county officials who participated in this study personally oversaw the design and construction of many of their bridges. They are aware of any unique circumstances such as flooding, design specifications, the history of the bridge and the condition of each component. It is the combination of their familiarity with their local bridges and their professional engineering education and training that justifies reliance on this approach for evaluating the impact of heavier trucks on local infrastructure. The local officials are:

Josh Harvill
County Engineer
Chambers County, Alabama

Brian Keierleber
County Engineer
Buchanan County, Iowa

Thomas Klasner
County Engineer
Jersey County, Illinois

Rick Bailey
County Commissioner
Johnson County, Texas

They oversee a diverse set of bridges. From a total of 35 structures in Buchanan County, Iowa that predated the production of the Model T to bridges that face flooding 15 feet above the deck, there are variety of unique challenges these officials face in managing their local infrastructure. Their bridges are of varying quality, but like many county bridges across the country, age and condition are significant concerns.

The methodology we used for this study relies on data from the National Bridge Inventory (NBI), a compilation of detailed engineering information on each bridge in the nation based on inspections performed by infrastructure engineers. The data is maintained by the Federal Highway Administration (FHWA). Every bridge has an “operating rating” which is defined as the “maximum permissible load level to which the structure may be subjected to” based on a design vehicle. For each heavier truck configuration, it was determined if the operating rating would be exceeded at any point during passage based on the length of the structure. If the truck weight on the bridge exceeded the operating rating, the bridge was deemed as being at risk for needing replacement or strengthening.

The method was applied to the four counties and reviewed closely with the officials responsible for bridge maintenance, construction and inspection for those counties. The lists accurately reflected the bridges that could not handle heavier trucks. After confirming the accuracy of our approach, this analysis method was applied to non-NHS bridges nationwide.

According to each official, the associated cost, which was set by bridge replacement estimates reported to the FHWA by state departments of transportation, would be severely prohibitive and would ultimately result in significant bridge closures absent substantial increases in revenue.

The strength of our research lies not only in the data within the NBI, but more importantly, in the consultation with local officials. The specific insight provided can aid in identifying the scope of the damage caused by heavier trucks and the often impossible nature of coming up with additional funding.

The results of this study show a devastating financial cost associated with heavier trucks. This cost is not limited to the federal government, but would be inflicted upon nearly every township, city, county and state in the nation. Absent additional funding, failure to replace these bridges would result in a patchwork of closures, disrupting commerce and everyday lives. Ultimately, bridges can and will fail, resulting the loss of human life.

Monetary Impact of Heavier Configurations by State

State	88,000 lb. at-risk bridges	88,000 lb. replacement cost	91,000 lb. at-risk bridges	91,000 lb. replacement cost	97,000 lb. at-risk bridges	97,000 lb. replacement cost
Alabama	2,161	\$1,098,011,395	2,331	\$1,295,160,672	2,790	\$1,773,045,235
Alaska	236	\$179,973,972	242	\$193,489,513	289	\$220,565,942
Arizona	304	\$391,780,538	321	\$464,844,816	392	\$561,117,796
Arkansas	2,028	\$1,120,532,017	2,245	\$1,325,044,027	2,746	\$1,721,958,287
California	2,829	\$6,019,277,295	3,089	\$6,974,048,612	3,456	\$7,983,267,237
Colorado	837	\$879,295,153	861	\$954,550,989	1,092	\$1,192,072,938
Connecticut	179	\$689,867,604	199	\$796,692,240	274	\$1,055,768,742
Delaware	51	\$364,659,750	54	\$378,662,785	65	\$425,411,942
District of Columbia	8	\$140,699,873	9	\$144,791,482	12	\$177,178,939
Florida	909	\$1,359,214,102	992	\$1,620,356,800	1,297	\$2,445,287,859
Georgia	2,280	\$2,028,937,750	2,443	\$2,237,144,913	2,703	\$2,465,316,745
Hawaii	224	\$1,137,718,388	226	\$1,218,791,358	260	\$1,394,046,542
Idaho	616	\$415,158,769	623	\$450,758,731	728	\$565,971,810
Illinois	1,067	\$832,059,855	1,252	\$1,067,271,845	1,614	\$1,395,732,907
Indiana	1,658	\$1,340,559,246	1,922	\$1,631,216,083	2,415	\$2,133,059,262
Iowa	5,011	\$1,377,791,782	5,061	\$1,451,707,675	5,565	\$1,656,254,553
Kansas	5,787	\$2,221,720,551	5,658	\$2,354,015,585	6,613	\$2,785,517,207
Kentucky	1,706	\$1,141,308,750	1,695	\$1,296,872,679	1,943	\$1,608,810,055
Louisiana	3,182	\$2,579,970,855	3,245	\$2,702,833,667	3,665	\$3,052,159,985
Maine	363	\$656,112,937	376	\$694,005,285	480	\$905,896,011
Maryland	181	\$363,228,317	200	\$466,765,773	254	\$732,087,678
Massachusetts	254	\$1,833,913,937	281	\$1,953,339,478	359	\$2,213,377,591
Michigan	582	\$488,314,885	589	\$582,546,421	727	\$716,514,552
Minnesota	707	\$521,068,232	764	\$622,589,202	987	\$860,460,545
Mississippi	2,538	\$989,552,152	2,660	\$1,078,283,747	3,376	\$1,539,589,767
Missouri	4,134	\$1,582,715,821	4,128	\$1,666,735,074	4,544	\$1,846,508,918
Montana	876	\$613,891,368	932	\$716,792,435	1,097	\$847,825,519
Nebraska	3,405	\$1,296,185,035	3,499	\$1,417,253,654	3,871	\$1,651,032,072
Nevada	56	\$121,865,009	61	\$132,107,656	82	\$225,992,899
New Hampshire	251	\$451,771,953	254	\$487,828,622	323	\$633,940,538
New Jersey	323	\$1,243,744,512	355	\$1,404,157,127	424	\$1,646,463,043
New Mexico	271	\$205,270,742	287	\$228,195,344	343	\$293,239,443
New York	891	\$1,243,883,442	945	\$1,387,888,250	1,117	\$1,706,771,065
North Carolina	1,479	\$604,244,866	1,482	\$657,488,246	1,813	\$871,212,902
North Dakota	604	\$180,359,035	592	\$189,594,319	698	\$295,218,804
Ohio	2,203	\$2,092,492,730	2,214	\$2,169,111,109	5,394	\$6,909,092,332

State	88,000 lb. at-risk bridges	88,000 lb. replacement cost	91,000 lb. at-risk bridges	91,000 lb. replacement cost	97,000 lb. at-risk bridges	97,000 lb. replacement cost
Oklahoma	2,854	\$1,017,901,368	2,961	\$1,130,386,195	3,482	\$1,443,786,279
Oregon	1,938	\$3,254,064,076	2,012	\$3,418,767,891	2,273	\$3,758,306,874
Pennsylvania	1,065	\$837,827,796	1,058	\$926,294,010	1,244	\$1,205,999,130
Puerto Rico	387	\$490,338,233	383	\$490,338,233	427	\$528,800,392
Rhode Island	79	\$443,906,918	88	\$494,251,178	102	\$574,628,586
South Carolina	3,861	\$1,946,337,233	3,774	\$2,079,690,581	4,187	\$2,346,941,205
South Dakota	1,088	\$535,647,920	1,081	\$564,476,040	1,249	\$694,049,180
Tennessee	1,862	\$1,170,937,719	1,914	\$1,262,351,639	2,391	\$1,530,324,319
Texas	1,460	\$626,790,730	2,184	\$1,034,594,960	2,692	\$1,461,447,430
Utah	378	\$381,755,158	400	\$419,101,175	466	\$503,921,037
Vermont	375	\$252,277,174	388	\$283,009,596	453	\$340,954,186
Virginia	893	\$1,118,464,622	932	\$1,277,405,758	1,141	\$1,822,542,816
Washington	1,393	\$1,918,234,429	1,459	\$2,103,683,572	1,695	\$2,456,327,987
West Virginia	397	\$336,677,170	422	\$385,143,200	531	\$498,825,149
Wisconsin	747	\$352,120,375	809	\$433,979,634	979	\$568,926,376
Wyoming	263	\$109,063,472	288	\$128,346,448	335	\$154,938,698

Introduction

Research conducted on the impacts of increases in the weight or length of semi-trailer trucks has historically failed to evaluate the implications for local bridges. Published studies have primarily focused on the impacts of bigger trucks on interstates and other major highways. This is despite the fact that three-quarters of all bridges are on local roads¹. This represents a serious gap in knowledge that must be addressed prior to any meaningful discussion on changing truck size and weight limits.

In addition, the limited research that has been done on local roads has not included input from those who know local roads and bridges best: the county, city or township engineers that designed, built, and regularly inspect them.

This study addresses these two fundamental shortcomings. The methodology used to examine the impact of heavier configurations on local bridges is supported by data reported to the National Bridge Inventory (NBI) that is collected and analyzed by the local professional engineers who have detailed knowledge of each bridge.

This study is being conducted by the Coalition Against Bigger Trucks (CABT) in conjunction with county road officials from four counties. They are:

Josh Harvill
County Engineer
Chambers County, Alabama

Brian Keierleber
County Engineer
Buchanan County, Iowa

Thomas Klasner
County Engineer
Jersey County, Illinois

Rick Bailey
County Commissioner
Johnson County, Texas

Each of the county engineers have inspected the bridges in their counties and, in some cases, have personally overseen their design and construction. They are aware of any unique circumstances involving weather, flooding, periods of high truck traffic, the history of the bridge and the condition of each specific bridge component. The high level of familiarity with their infrastructure gives these local experts insight into how each bridge would respond to repeated loads over time, which components are closest to critical failure, and which are most susceptible to damage under load.

It is the combination of this familiarity with their local bridges, their professional engineering educational background of the official and their use of guidelines from publications like the

¹ Federal Highway Administration. (2022). *LTBP InfoBridge Data: 2022 National Bridge Inventory*. Retrieved February 2, 2022

AASHTO *Manual for Bridge Evaluation* that allow for NBI data to be thorough, precise and very appropriate for our research purposes.

Research Objectives

The objectives of this research include:

- 1) Conduct a study to assess the impact of increased loads on local bridges in four county case studies, identifying the cost of retrofitting or replacing structures that are unable to accommodate each configuration.
- 2) If the methodology is confirmed accurate in each county case study, apply it to the entire network of local bridges nationwide, identifying a total cost estimate associated for each proposed configuration.
- 3) Achieve a level of accuracy appropriate for use by policymakers at the state and federal level.

Background

There have been several studies conducted on the implications of heavier trucks on infrastructure. While these studies utilized a variety of approaches, they did not work closely with local officials to review their findings, and in some cases neglected to examine local bridges. The following is a summary of some of the applicable modern research on the subject.

USDOT Comprehensive Truck Size and Weight Limits Study, 2016

The most recent and highest profile research on the infrastructure impacts of longer and heavier trucks is the 2016 USDOT Comprehensive Truck Size and Weight Limits Study which sought to “assess the impacts that vehicles would have on bridges” as per Subsection 32801 (a)(4) of the Moving Ahead for Progress in the 21st Century Act (P.L. 112-141).

The methodology utilized involved an examination of 490 bridges using *AASHTOWare Bridge Rating* software, utilizing the load resistance factor rating method of analysis to identify maximum moment, shear and the relevant rating factors when compared to control vehicles. The results were then extrapolated to draw national conclusions on 88,945 bridges on the National Highway System, including interstates.

This research identified \$400 million to \$5.4 billion in costs associated with the various truck configurations. There were significant shortcomings in this research that we seek to overcome:

- **Failure to examine local bridges**

This research only examined interstate and US highway bridges, accounting for less than 20% of bridges.

The study provided the reasoning for not examining local bridges, stating that:

Local bridges were not considered as the design, construction, and management of local bridges vary greatly given that there are thousands of independent local owners across the Nation with differing practices. Consequently, it is difficult to draw detailed conclusions about the impacts of truck size and weight increases on these facilities.²

While the study goes on to predict that inclusion of local bridges would “not differ” from their examination³, no conclusive finding is discussed, including the number of local bridges

² U.S. Department of Transportation, Federal Highway Administration. (2016). *Comprehensive Truck Size and Weight Limits Study: Final Report to Congress*, p.19

³ Ibid, p.24

that could not accommodate each configuration or the associated financial burden of replacement/strengthening placed on units of local government.

They concluded the subject by stating that “Development of methodology and an analysis of the impacts that changes in Federal truck size and weight limits would have on local bridges are needed.”⁴

- **Use of extrapolation to draw conclusions**

The conclusions about the 88,945 bridges examined were drawn from an examination of a subset of only 490 bridges. Efforts were made to select bridges for this subset that accurately reflected the larger group based on bridge type⁵, span length⁶ and age⁷.

While proper precautions were utilized, there are inherent shortcomings when drawing conclusions from a small sample.

By using data from each individual bridge in the system, our research eliminated the need for extrapolation, working directly with the data collected by the local officials responsible for the maintenance and construction of the bridges under their purview.

- **Lack of specific, localized knowledge**

There are inherent limitations with an analysis of bridges that does not include input and consultation from local engineering officials. Data on a spreadsheet only provides a partial picture of each bridge and the ability to handle longer and heavier configurations.

While the USDOT study was limited to NHS infrastructure, they recognize the limitations of a national approach that ignored differences between even state practices that can come from consultation with local officials:

the methodology does not take into account any cost- or budget-driven decisions that may be made by the State DOTs and does not address State DOT policy alternatives that may initiate more refined analysis or load testing options to improve load ratings.⁸

This is further demonstrated in the use of a single, nationwide cost estimate for rehabilitation/repair on a national level of \$235 per square foot. Utilization of state specific numbers gathered from actual reported costs would provide a more accurate number, which is the approach utilized in our study.

⁴ U.S. Department of Transportation, Federal Highway Administration. (2016). *Comprehensive Truck Size and Weight Limits Study: Final Report to Congress*, p.24

⁵ U.S. Department of Transportation, Federal Highway Administration. (2016). *Comprehensive Truck Size and Weight Limits Study: Bridge Structure Comparative Analysis Technical Report*, p.19

⁶ Ibid, p.19

⁷ Ibid, p.21

⁸ Ibid, p.58

This research should be viewed as a supplement and extension of the USDOT study, working to overcome the shortfalls by examining the effect of each configuration on case studies that include the local bridges in specific counties, and expanding that research to all local bridges.

Transportation Research Board Recommendations for Further Research, 2019

At the request of USDOT, the Transportation Research Board (TRB) convened a working group that spent a year developing a detailed research plan of 27 projects that would address gaps in research on truck size and weight. The TRB research projects have been before USDOT for more than three years now and have not been undertaken.

The TRB recognized the important need to examine local infrastructure, including multiple recommendations that encouraged further research into the impacts on local bridges. Project B1 asks USDOT to “Compile information from state and local highway agencies on costs and treatment selection criteria for bridge deck repair, rehabilitation, and replacement and for bridge span strengthening and replacement.”⁹

In particular, the TRB research recommendations recognize the difficulty in national examinations of local bridges, citing the varied decision-making and different levels of capability in local highway departments. They ultimately urge an examination of states or counties that are representative of the national inventory of bridges.¹⁰

Wassef Local Infrastructure Study, 2017

In 2017, a national examination of the impacts of longer and heavier configurations on local bridges was conducted by Wagdy Wassef for the AASHTO Subcommittee on Bridges and Structures. The purpose of the study was to examine all local bridges to determine their ability to adequately handle longer and heavier configurations, and to identify a cost associated with their replacement or strengthening.

This study used a thorough examination of National Bridge Inventory data, developing a formulaic approach to all local bridges based on load effects and load ratios. This research resulted in two sets of findings. The first was a set of results that excluded currently posted bridges, finding a range of 740 to 6,909 bridges that would have to be replaced, depending on the heavier configuration, with a cost as high as \$41 billion. The latter paradigm which ignored existing posting status, an assumption we adopt in our research, found a range of 37,244 to

⁹ National Academy of Sciences, Engineering, and Medicine. (2019). *Research to Support Evaluation of Truck Size and Weight Regulations*, p.63

¹⁰ Ibid, p.65

75,683 bridges needing replacement depending on configuration with a cost as high as \$87.2 billion.

The Wassef study was unique in that it developed a methodology to examine the nationwide impact on local bridges and did not rely on extrapolation to reach the results. He utilized a state-specific average for per square foot costs of replacement/strengthening, a more accurate approach than a singular nationwide estimate.

Our research utilizes a similar approach through the use of NBI data and weight capacity information determined by local officials. We seek to expand on Wassef's work by confirming and reviewing our methodology and findings directly with impacted local officials, as well as updating it with more recent bridge information.

The Importance of Studying Local Bridges

While the importance of studying truck traffic on local bridges is readily apparent to those who live and work near these roads, some have claimed proposed configurations will not operate on local roads.¹¹ Other research has found that examining local infrastructure presents too large a challenge or is outside the scope of study. Local bridges represent 76% of the nation's bridge stock.¹² When policymakers are tasked with evaluating truck weight increase proposals, it is critical that they know the full fiscal impact of their decisions, and garnering data on local infrastructure is of the utmost importance.

Truck Travel

No truck trip begins and ends on the Interstate system, and local roads are utilized extensively for truck travel.

Average daily truck trip data within the National Bridge Inventory is calculated using a variety of means depending on the state and local government computing the total. This makes it hard to draw national conclusions with a high degree of precision, but the data do allow broad conclusions to be drawn about where trucks travel. This data in the NBI states that 13.5% of daily truck trips over bridges take place off the NHS.¹³

"With the housing boom, we have seen increased volume of trucks carrying cement, lumber, sand and gravel on our county roads and have to adjust our work accordingly."

Rick Bailey
Commissioner
Johnson County, TX

Condition

Local bridges are more often in poor condition.¹⁴

Bridge Type	Percentage of all bridges	Percentage of Poor bridges
<u>Non-NHS</u>	76.4%	89.6%
County Owned	36.5%	51%
City/Municipal Owned	7.8%	7.4%
Town/Township Owned	5.0%	7.1%
<u>NHS</u>	23.6%	10.4%

¹¹ Americans for Modern Transportation. (2022). *Safer, Green Transportation Infrastructure Improvements to Support Domestic Jobs*, p.1

¹² Federal Highway Administration. (2022). *Bridge Condition by Highway System 2022*

¹³ Federal Highway Administration. (2022). *LTBP InfoBridge Data: 2022 National Bridge Inventory*. Retrieved February 2, 2022

¹⁴ Ibid

County bridges that are not on the NHS represent 36.5% of the national bridge stock, but 51% of all poor bridges. Overall, local bridges represent 76.4% of all bridges, but 89.6% of poor bridges.

This has significant implications for evaluating whether these bridges can handle heavier truck configurations. Local bridges, being in worse condition overall, are more vulnerable to the potential damage caused by heavier trucks.

The Transportation Research Board supported this claim in 2019 by stating:

Bridges and pavements on local roads typically are of lighter construction than those on major roads, and local governments often have fewer resources for maintenance and enforcement than state governments. Therefore, many local roads are more susceptible than major roads to effects of changes in truck sizes and weight.¹⁵

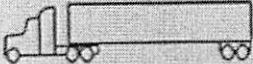
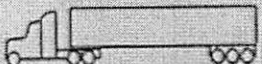
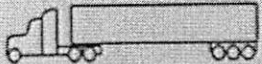
¹⁵ National Academy of Sciences, Engineering, and Medicine. (2019). *Research to Support Evaluation of Truck Size and Weight Regulations*, p.33

Assumptions

An examination of hundreds of thousands of bridges owned by a variety of governmental entities requires assumptions to be made that streamline the ability to examine the issue while simultaneously representing the real world changes these policies would have. This includes identification of the configurations being examined, the characteristics of truck operation, bridge selection and proposed alternatives to replacement.

Truck configurations

The truck configurations examined mirror the single trailer configurations used in the 2016 USDOT study that exceed the national weight limit of 80,000 pounds. The specifications utilized include gross vehicle weight, axle weight, and axle spacing. The following table is from the USDOT analysis in 2016, modified to show the configurations evaluated.

Truck 1 CS5 (3S2) ATC 1	5-axle vehicle (GVW = 88) 	Axle Data					
		Axle Locations	0	197	247	739	789
		Allowed Max. Loads (kips)	12.0	19.0	19.0	19.0	19.0
Truck 2 CS6 (3S3) ATC 2	6-axle vehicle (GVW = 91) 	Axle Data					
		Axle Locations	0	197	247	688	739 789
		Allowed Max. Loads (kips)	12.0	15.8	15.8	15.8	15.8
Truck 3 CS6 (3S3) ATC 3	6-axle vehicle (GVW = 97) 	Axle Data					
		Axle Locations	0	197	247	688	739 789
		Allowed Max. Loads (kips)	12.0	17.0	17.0	17.0	17.0

Truck Operation

This research operates under the assumption that a substantial number of trucks will transition to the higher weight if allowed under each scenario, and that each truck configuration will operate at the maximum legal weight. This has historical precedent: when trailer length was extended from 48' to 53', it became predominately utilized nationwide. This approach was adopted by the USDOT in their study on the issue as well.¹⁶

¹⁶ U.S. Department of Transportation, Federal Highway Administration. (2016). *Comprehensive Truck Size and Weight Limits Study: Bridge Structure Comparative Analysis Technical Report*, p. ES-7

Bridge Selection

This paper examined only bridges that are defined as not being on the NHS (item 104 in the National Bridge Inventory). This dataset includes state, county, municipal and town/township owned bridges.

Assigned Ratings and Excluded Bridges

Depending on a variety of factors, a bridge may have an operating rating assigned to it based on the design, rather than basing it off of inspection data. There are five requirements involving the design specifications, existing condition and a force effect analysis.

Because the methodology relies upon an analysis of the operating rating, it requires an accurate number that reflects the bridge's current condition and bridges with an assigned operating rating often understated the weight they were able to carry. Additionally, a handful of bridges were identified as having "no rating analysis performed" and were excluded. Due to these factors, 37,897 local bridges have been excluded from the study.

An additional 14,762 bridges had a code indicating the operating rating was determined through "field evaluation and documented engineering analysis" but were all given an assigned rating of 36 tons. These bridges were also removed due to an inability to accurately use the operating rating to determine load carrying capacity. Since some of these bridges may be incapable of handling heavier loads, this research ultimately undercounts the total number of at-risk bridges.

In the county-specific analysis, 10 bridges with assigned ratings were found to be at risk for requiring replacement or strengthening through the review by the respective county officials. These structures were added to the total number of at-risk bridges.

Existing Overweight Exemptions

States have a variety of existing overweight trucks operating today, ranging from permitted

"Our bridges that see overweight log truck traffic are facing dramatic decreases in their lifespans upon inspection."

Josh Harvill
County Engineer
Chambers County, AL

overweight loads to higher weight limits on state and local roads. This research worked under the assumption that existing overweight traffic is limited in nature due to a variety of factors that often apply: inability to utilize the Interstate system, inability to carry the load across state lines, requirements for additional axles, additional permit costs and restrictions on commodities, routes and hours of operation. This examination looks at a change to the

national weight limit, which would allow heavier trucks to operate with no additional restrictions.

Existing overweight traffic is rare and the majority of trucks operate under the national weight limit of 80,000 pounds. This is reflected in available data in states like Michigan. While weights up to 164,000 pounds are allowed to operate on local, state and interstate routes, only 8% of trucks exceed 80,000 pounds.¹⁷ The state of Pennsylvania offers dozens of permits to exceed a gross vehicle weight of 80,000 pounds, most of which require an additional axle. Despite these broad permits, six and seven axle trucks made up less than 4% of total semi-truck daily vehicle miles traveled.¹⁸

With these facts in mind, this study assumed that a change in weight limits would lead to significant adoption and a dramatic increase of truck weight in general operations, regardless of existing permits and exemptions.

In the case study counties, local officials have seen firsthand the impact of even the limited operation of these permitted vehicles. Structures that see significant overweight traffic are often the first to need replacement and have to be built using far more expensive techniques and materials. Whether it's log trucks in Chambers County or agricultural trucks in Buchanan County, the operation of these vehicles dramatically changes the approach each office has to take when evaluating, maintaining and replacing bridges. A national increase would change this burden from a few select routes to our entire transportation system, dramatically increasing the impact.

Bridge Posting

A bridge that is weight restricted is a bridge that needs repair or replacement. The role of government when it comes to infrastructure is to create and maintain roads and bridges that can safely and economically accommodate traffic necessary for personal and commercial purposes. A bridge that is load restricted has failed to meet that goal, with limits put into place to preserve structural integrity until the bridge is repaired or replaced.

Enforcement of bridge weight limitations poses unique difficulties for law enforcement, who are often unable to sufficiently monitor each bridge and may not have the necessary equipment to determine if a violation has taken place. In addition to monitoring traffic on the bridge, officers must be trained and equipped for roadside weighing of commercial vehicles.

¹⁷ Michigan Department of Transportation. (2017). *Truck Weights in Michigan*, p. 2

¹⁸ Pennsylvania Department of Transportation. (2021). *Pennsylvania Highway Statistics 2021 Highway Data*, p.7

It's difficult to quantify the violation percentage without constant monitoring, but spot checks and enforcement, when possible, show significant non-compliance. Violations are particularly common in cases where there are no ideal alternative routes, which is often the case considering bridges are generally built in convenient locations.

"The only time posting a bridge works is if I am standing on it."

Brian Keierleber
County Engineer
Buchanan County, IA

In Buchanan County, load postings cost more than \$1,000 per bridge. This is an expensive venture that adds up quickly, particularly for counties with tighter budgets and a high number of affected bridges.

Even the slightest violation rate dramatically reduces the effectiveness of load posting, as described in research published in the Journal of Bridge Engineering:

Under imperfect compliance, however, a violation rate as low as 2.5% (i.e., one illegal truck in 40 ignores the posting) causes the mean value and variability of the annual maximum live load effect distribution to increase significantly, resulting in a significant loss in reliability. Thus, unless posted loads are strictly enforced, the effectiveness of enhancing existing bridge reliability with a posted load restriction is questionable.¹⁹

When numerous bridges must be posted, it creates significant route disruptions for commercial vehicles, where the most straightforward route is not always legal and GPS technology may not be updated with the latest postings. This can create exorbitant costs associated with high detour distances depending on the location of the posted bridge and alternative paths. When bridges are restricted, truck traffic becomes more consolidated as the number of viable routes decreases, often placing this heightened traffic into high density populated areas as route lengths increase. Ultimately, the higher the cost of compliance, the higher the likelihood of a violation.

It is an inevitability that a posted bridge will face a load above the legal limit, either through intentional or inadvertent violation. Weight restricting a bridge is an emergency action that does not eliminate the need to retrofit or replace the bridge.

¹⁹ Journal of Bridge Engineering, Solomon Asantey and F. M. Bartlett. (2005) *Impact of Posted Load Limits on Highway Bridge Reliability*.

Methodology

The method of examining bridges and their ability to handle heavier configurations was formulated in close consultation with all four local engineering experts. The methodology used to conduct the analysis utilized data from the National Bridge Inventory (NBI), a compilation of information on each bridge in the nation based on reports from individual State transportation departments, federal agencies and Tribal governments. The information reported is outlined in a document titled *Specifications for the National Bridge Inventory* created by the USDOT and is supplemented by the AASHTO *Manual for Bridge Evaluation* and the *Manual for Bridge Element Inspection*, along with the FHWA's *Bridge Inspector's Reference Manual*. The individual points in the dataset are collected by the relevant agencies responsible for bridge inspection, ranging from local governments to federal entities. The information for each bridge is updated during biannual inspections.

Through an analysis of each configuration, axle spacing and weights, the maximum weight a configuration will place onto a structure while it is crossing was determined. If that weight exceeds the operating rating, the bridge was deemed at risk for needing replacement or strengthening.

Bridge Load Ratings

Within the NBI, there is a datapoint titled "operating rating" (item 64), defined as "the absolute maximum permissible load level to which the structure may be subjected for the vehicle type used in the rating". This is the maximum weight a bridge should be subjected to for even a single pass of a design truck that varies depending on the design specifications of the bridge.

Item 63 of each bridge's report designates the method used to come to that rating. The various methods (load factor, allowable stress, load and resistance factor, etc.) are well established engineering calculations designed to analyze the weight capacity of a bridge.

These analysis methods reflect numerous aspects of a bridge that can affect load capacity, including:

Bridge age	Structural layout	Bridge material
Structural condition	Redundancy	Bridge design
Traffic volume	Field trials	Bridge strength
Past performance	Site specific factors	Span length

A filter was applied to take the length of bridges into account. A shorter bridge may not bear the entire weight of a truck at a given time, meaning it may be capable of handling a heavier

configuration. Therefore, it was necessary to apply a formula that accounts for the length of the bridge. Using the position and weight of the axles to determine the maximum weight that would be on the bridge during a pass, this calculation determined whether that weight exceeded the operating rating. If exceeded, the bridge was deemed insufficient to accommodate the configuration and would be at risk of failing and needing repair or replacement.

In addition to this technical analysis, the relevant local official in each case study county closely examined their bridges to evaluate and expand the findings based on characteristics that may not be evident in the National Bridge Inventory Data. This could include changes in the status of the bridge since the last inspection, unique local circumstances, periods of accentuated truck travel and outdated design loads that overstate the operating rating and do not account for modern day vehicles. This more thorough examination both added and removed bridges from the list of those incapable of handling heavier loads. These changes were minimal, reflecting recently reconstructed bridges, temporary structures and recently inspected bridges with updated operating ratings.

Bridges Identified as At Risk

When a bridge fails the test for a configuration, it is defined as being at risk. These are bridges that, based on the identified operating rating, would have to be replaced to safely accommodate the configuration for any significant period of time.

There is a process that would apply in different ways to all bridges identified as at risk. Some bridges could be load restricted but would face increased wear and tear and risk significant damage in the likely scenario that enforcement is not perfect. In the most extreme scenario, the oldest and poorest condition structures would be immediately at risk of collapse and would require closure.

Most bridges identified would have to be load restricted, due to both safety concerns and legal requirements. As pointed out in the previous section, posting a bridge is an ineffective strategy that creates significant issues with enforcement and detours. Ultimately, it is a bridge that has failed to meet the needs of legal vehicle traffic.

If a bridge is not posted or there are violations, there would be a need for increased monitoring, inspections and repairs as the weight limit of the bridge is being exceeded, creating a risk of severe structural damage. The lifespan of the bridge would be significantly shortened and each passage of the heavier configuration risks damage to critical structural components. This increased inspection and repair cycle would come at a substantial cost to the responsible governmental entity, many of which have already limited budgets. Additionally, it could complicate efforts to preserve funding necessary for replacement.

When a bridge significantly deteriorates or has severe damage to a critical component, it would be closed. There are currently 3,301 bridges nationwide that are either fully closed due to construction or have reached a level of damage that requires closure due to safety concerns. Unfortunately, not all significant structural issues are identified in time, resulting in catastrophic consequences, like what happened on I-35 in Minnesota and the Fern Hollow bridge in Pennsylvania.

Replacement or strengthening can prevent the progress of a bridge through this continuum towards closure or collapse. When structural evaluation of a bridge by engineering experts has determined the operating rating to be insufficient to accommodate a configuration, it must be replaced or strengthened with a design that has been evaluated to adequately bear the weight.

Cost of Replacement and Strengthening

The costs associated with replacing or strengthening a bridge that is deemed incapable of handling a configuration were determined by using statewide averages from the FHWA annual report titled “Bridge Replacement Unit Costs 2020”. In particular, the 3-year average for replacement of local bridges that is used for estimates in 2020 were utilized on a per-state basis, applied to the total square footage of each bridge.

Replacement and strengthening were treated as having the same cost per square foot, which was the practice adopted by the USDOT in their 2016 report.²⁰ This reflects the significant shared costs between both. Given the materials of most bridges examined, replacement would generally be the more economical and realistic option.

These cost estimates did not account for both monetary inflation and increases in specific commodities like concrete and steel that tend to fluctuate, particularly in recent years.

In addition to the costs associated with materials and construction, these averages are not inclusive of numerous costs that a bridge replacement or strengthening project may incur. These cost estimates do not include²¹:

- Mobilization
- Demolition of Existing Bridges
- Approach Slabs
- Stream Channel Work
- Riprap
- Slope Paving

²⁰ U.S. Department of Transportation, Federal Highway Administration. (2016). *Comprehensive Truck Size and Weight Limits Study: Bridge Structure Comparative Analysis Technical Report*, p.58-59

²¹ Federal Highway Administration. (2017). *Bridge Replacement Cost Submittal Criteria*

- Earthwork (exclusive of structural excavation, structural backfill, and earthwork associated with Geosynthetic Reinforced Soil Integrated Bridge Systems)
- Clearing and Grubbing
- Retaining Walls not attached to the Abutment
- Guardrail Transitions to Bridges
- Maintenance and Protection of Traffic
- Detour Costs
- Signing and Marking
- Lighting
- Electrical Conduit
- Inlet Frames and Grates
- Field Office
- Construction Engineering Items
- Training
- Right-of-Way
- Utility Relocation
- Contingencies

County Case Studies

An in-depth review of the findings was conducted in the following four counties, as well as discussion of the ability to make the necessary bridge replacements and strengthening. This process involved sharing the data and conducting a bridge-by-bridge review to both confirm, and where necessary, modify the results while identifying the reasoning for any changes.

Chambers County, Alabama

The examination of bridges in Chambers County, Alabama included 144 total county structures. The analysis method found 26-31 bridges that could not accommodate heavier truck configurations, with a cost of \$4.1 million to \$8.6 million.

The following is a report by Josh Harvill, Chambers County Engineer, on the results for his county.

I have served as the county engineer in Chambers County since March 2012. I received my BS in Civil Engineering from Auburn University and have worked in county government for over 20 years, serving as the assistant county engineer in Russell and Chambers counties. I am responsible for managing the operation of the highway department, which includes the construction and maintenance of the county's 784 miles of roadway and 144 bridge structures. In addition to my work in the county, I serve as the Vice President representing the Southeast region for the National Association of County Engineers.

Having spent decades working on the bridges in Chambers County, I have overseen the inspection and maintenance of our entire bridge inventory, as well as the design and construction of many of our bridges.

We face many challenges in Chambers County, even with existing truck traffic. We have 50 bridges that are over 50 years in age, which is the industry standard cycle. In 2018, we worked with our state association to analyze our budget and determine the appropriate pace of maintenance spending to prevent degradation to our roads and bridges. The analysis found that Chambers County should be spending \$5.8 million per year to resurface 29 miles of our paved network, and \$2.1 million per year annually to replace 2-3 bridges.

In reality, we average 11.2 miles of repaving per year, and are not even able to average one bridge replacement per year. Our current operating budget is \$3.05 million short of what is needed to maintain and improve our infrastructure.

Chambers County sees significant heavy truck traffic now and have had to post 28 bridges. Load posting a bridge is ineffective as enforcement is difficult due to the size of our county and the specialized training needed to weigh trucks on the roadside. Our posted bridges create more detours for businesses and our residents, and when we ultimately have to close a bridge it affects all motorists.

Our last analysis of our current bridge backlog found 27 structures needing replacement, representing 1,577 feet in deck length with a total cost of \$10.9 million. Since 2005, we have only replaced 13 bridges, meaning with current funding levels it will be decades before we clear our existing backlog, and that does not account for future degradation of other structures that will necessitate replacement.

We have seen the effects of trucks weighing over 80,000 pounds on our structures already. In particular, we have utilized pre-cast concrete bridges to replace many of the structures. Compared to bridges that don't see high levels of overweight traffic, these structures have higher rates of wear and tear on keyway and precast unit components. **Ultimately, the lifespans of these bridges are shortening, and the exposure to heavier trucks is one of the most likely causes.**

After reviewing our bridges with my staff, there are 31 total structures that would not be able to safely accommodate 97,000 pound trucks, as well as 26 that would need to be replaced to accommodate 88,000 and 91,000 pound trucks. This would be devastating to our county and would dig our budgetary hole even deeper. I have reviewed the cost estimates of \$3.1-\$5.7 million, depending on configuration, and view them as a low-end cost estimate. Since our staff is small, we often have to contract out aspects of bridge replacement, which increases costs. And since the FHWA state cost numbers are older, they do not account for the inflation of various materials which has been as high as 20% or more in recent years.

Overall, the method used to analyze the bridges in this study was very accurate and was even conservative in that it did not identify all the bridges that are concerning. Specifically, upon further review, I identified seven additional structures that passed the operating rating test but would need to be replaced if the standard truck weight was changed. These are older structures that utilized either the H 15 design load or lacked a standardized design load. Examples include the County Road 98 bridge over Chatahospee Creek, rated with the H15 design load with timber components. In the cases of these bridges, the operating rating was artificially higher. Two structures identified as at risk are currently in the process of being rebuilt and were removed from the list.

In some cases, more recent information is available. An example is a bridge on County Road 224, where recent inspection found scour/abutment damage that necessitated

load posting. While this bridge passed the initial review, this more recent information shows it would not be able to handle heavier trucks.

These structures that would be subjected to heavier trucks would have to be posted and the inevitably high violation rates would lead to closures. Absent an increase in revenue, our closed structures would slowly increase, creating major inconveniences for residents and businesses throughout the county. With a population of just over 35,000, we have a limited tax base and generating the additional revenue would be difficult. Our existing backlog is big enough, but our issues would become insurmountable with even heavier trucks.

Chambers County Bridges At Risk with Heavier Truck Configurations

Route Carried	Feature Intersected	Operating Rating (US tons)	Structure Length (ft.)	Bridge Condition	Bridge Age (yr)
CO. 244	DAVIS CREEK	30.3	58.1	Good	73
CO. 1053	PIGEON ROOST CREEK	32.6	78.1	Fair	102
CO. 150	SANDY CREEK	6	38.1	Fair	102
CO. 150	SANDY CREEK	9	23	Fair	102
CO. 174	SNAPPER CREEK	0	58.7	Fair	92
CO. 156	CHIKASANOXEE CREEK	16.4	142.1	Fair	93
CO. 244	LEE CREEK	19.3	24	Fair	56
CO RD 1021	NF SOUTHERN RAILROAD	12	106	Good	1
CO. 2	SOUTH SANDY CREEK	9	99.4	Poor	102
CO. 150	SANDY CREEK	6	22.3	Poor	102
CO. 174	SNAPPER CREEK	0	61	Poor	92
CO. 92	ALLEN CREEK	6	29.9	Poor	72
CO. 179	WELLS CREEK	6	63	Poor	87
CO. 55	CHATAHOSPEE CREEK	0	178.1	Poor	102
CO. 65	BRANCH	19.4	29.9	Poor	51
CO. 2	LITTLE SANDY CREEK	0	60	Poor	50
CO. 98	CHATAHOSPEE CREEK	38.9	38.1	Fair	57
CO. 160	CARLISLE CREEK	36.3	39.4	Fair	54
CO. 62	CREEK	33.4	38.1	Fair	66
CO. 133	BRANCH	26.2	40	Fair	30
CO. 53	CATY CREEK	30.8	39.7	Fair	82
CO. 131	BRANCH	34.8	27.9	Fair	65
CO. 224	UNNAMED BRANCH	55.8	24.9	Poor	53
CO. 297	STROUD CREEK	36.9	51.8	Fair	71

CO. 260	GAY CREEK	35.1	57.4	Fair	72
CO 28	LITTLE CHATAHOSPEE CREEK	41.3	53.8	Good	28
CO. 1266	WEST POINT RESERVOIR	48	207	Fair	49
CO. 66	LITTLE CHATAHOSPEE CREEK	42.2	60	Fair	72
CO. 1266	WEST POINT RESERVOIR	48	186	Good	49
CO. 1268	WEST POINT RESERVOIR	48	169.9	Good	49
CO. 1268	COUNTY LINE CREEK	0	20	Poor	67

Jersey County, Illinois

The examination of bridges in Jersey County, Illinois included 41 total local structures. The analysis method found seven bridges that could not accommodate heavier trucks, with a cost of \$1.6 million.

The following is a report by Thomas Klasner, Jersey County Engineer, on the results for his county.

I graduated from SIU-Edwardsville with a BS in Civil Engineering and worked in private sector engineering for 14 years where I assisted township, municipal and county governments on construction planning. I was appointed County Engineer of Jersey County in 2003 and hit the ground running on improving our bridge stock. I was awarded "Rural County Engineer of the Year" in 2018 by the National Association of County Engineers largely for my work with our county bridges.

Overall, our bridges are in generally great shape. We have worked hard to balance limited funding and have been able to achieve a high level of quality in terms of ratings of our infrastructure. Decades of dedicated work has been made easier by the fact that the State of Illinois does not allow many exemptions to the 80,000-pound weight limit.

This is a delicate balance. Our funding is limited and largely fixed due to the size of our county which has a population of 23,000. We currently have only a single problem bridge that was recently closed due to scour issues.

I manage 120 miles of county roadway and 29 bridges on the county system, but also work closely with our townships and assist with 379 miles of roadway and 56 bridges under their purview. Many of the townships I work with are in more difficult circumstances with maintenance budgets.

The increased cost of raw materials over the past several years has been an incredible challenge, with prices outpacing inflation and revenue growth. I recently bid out a bridge for \$330,000 that would have cost \$150,000 just ten years ago. The price of steel, concrete, rock and asphalt have dramatically increased. Based on recent construction projects, \$1.5 million represents a low end estimate of the total cost.

With these challenges, we have been able to replace one bridge a year at best, and many years none get replaced. We also chip and seal around 25 miles of roadway a year.

While our bridges are in good shape, our staff of myself, an office manager and only 4 maintenance workers have been able to keep up and maintain our bridges. Any significant changes could disrupt that balance.

At first glance, the amount to replace the seven bridges that would not be able to accommodate heavier trucks may seem small at only a little over \$1.5 million. But the scope of the problem becomes clearer when we can only afford to replace a single bridge a year at best. The cost of replacing these bridges would be a massive budgetary burden not only to our county, but especially to the township governments we work closely with on bridge replacement.

Funding is so tight that in a recent meeting of district-wide county engineers, we discussed issues with matching funds. **Often there will be substantial federal funds available for bridge construction, but the small portion that must be matched by a local government is too much to afford, and that money is often left on the table.**

Not every bridge qualifies for these matching funds, and the inability to take advantage of them when they do is indicative of the dire financial situation in many local governments across our state.

In addition to the immediate concerns about bridges, heavier trucks would dramatically change the lifespan of the structures I am responsible for. Our replacement efforts have been able to keep up with existing lifespan of bridges, but heavier trucks would add to our backlog as we would be unable to replace them quickly enough.

The only alternative when a bridge becomes dangerously damaged and the funding isn't there is to close the bridge. I recently had to close a bridge that saw only 250 vehicles per day, and it has created significant inconveniences for our residents, creating a nearly 10-mile detour in the commutes of many.

My top priority is protecting the traveling public, and when a structure has to be closed to prevent collapse, our transportation network is significantly damaged. Both businesses and residents face delays and detours as entire communities can be cut off.

Jersey County Bridges At Risk with Heavier Truck Configurations

Route Carried	Feature Intersected	Operating Rating (US tons)	Structure Length (ft.)	Bridge Condition	Bridge Age (yr)
FAS 749	OTTER CREEK	38.6	115.2	Fair	59
ILL 100 (FAP-304)	Trib to Otter Creek	45.3	26.2	Fair	97
ILL 100	DRAINS TO EAGLE LAKE	33.2	33.8	Fair	84
TR 187	LITTLE PIASA CK	50.7	81.7	Poor	50
TR 77	STREAM	35.7	25.9	Fair	98
TR 150C	BRANCH LITTLE PIASA	38.3	25.9	Fair	47
FAS 748	STREAM	35.7	34.1	Good	90

Buchanan County, Iowa

The examination of bridges in Buchanan County, Iowa included 281 total local structures. The analysis method found 66-74 bridges that could not accommodate heavier trucks, with a cost of \$20.8 million to \$22.7 million.

The following is a report by Brian Keierleber, Buchanan County Engineer, on the results for his county.

Brian Keierleber, P.E. County Engineer, Buchanan County, Iowa

I grew up on a ranch near Winner, South Dakota and learned from an early age about the importance of infrastructure. Our pastures were separated by miles of road and our high school was 28 miles away. I attended school for civil engineering at South Dakota State and then was commissioned as a Combat Engineer Officer and was sent to the US Army Engineer School at Ft. Belvoir in Virginia. Through the Army I have constructed bridges with Reserve Units that had never constructed a bridge. We would form and precast concrete beams, construct the abutments, pour the deck and complete the bridges with three separate units over 6 weeks of training.

My professional experience began with the Oklahoma Department of Transportation doing construction inspections. I worked there for 1.5 years and was recruited to work for the City of Bartlesville Oklahoma where I spent the next 4.5 years doing design and construction on secondary roads and bridges. The knowledge gained there was a major asset and taught me about the challenges faced by local government.

I moved to Iowa and became the Palo Alto County Engineer. After 6 years in Palo Alto County, I moved to Buchanan County where I have spent the last 29 years. During my time in Palo Alto County, we constructed 4 bridges across the West Fork of the Des Moines River. I had approximately 110 bridges and 990 miles of roads in Palo Alto and moving to Buchanan County I have 260 bridges and 963 miles of roads.

There were many opportunities for success due to the extreme age of the bridges I had accepted. I had **3 bridges that pre-dated General Custer's expedition at the Battle of Little Big Horn and two of them were major river crossings over the Wapsipinicon River. I had approximately 35 others that pre-dated the production of the model "T" automobile.**

Bridges are a major emphasis and we have implemented numerous non-traditional methods of replacement and repairs due to our severely limited budget. This has included constructing 32 bridges using railroad flat cars.

We have had to post bridges for weight, particularly the structures that are severely outdated and have not kept up with the vehicles of modern agriculture. There is only

one way that posting bridges is effective – if I am standing on the bridge and watching over it! While we post bridges according to state guidelines, it is far from a solution. At best, we hope it buys a tiny bit of time as we work to repair or replace the structure.

At our current funding level we can overlay about 2 miles of roadway every year. Without additional funding we can get to each mile in about 100 years. I do have pavements that are over 50 years old and do not appear in my 5-year plan. We have many maintenance activities that are on hold due to funding. We have been able to keep up solely through the use of innovative bridge construction and repair methods, which are far from ideal but allow us to maintain a baseline level of bridge effectiveness.

Funding is always a major concern as the needs always exceed the resources. The world we are dealing with has changed significantly in the past few years. Our personnel capabilities are different and the public has gotten more frustrated and demanding. Better infrastructure requires higher taxes, which is a challenge given a population in the county of just over 20,000.

In light of the extreme budgetary pressures and outdated infrastructure we are already dealing with, adding even heavier trucks to our system would make our exceedingly difficult situation impossible absent additional revenue. In the short term, we would have to rerate our bridges for the new standard loads and post those that could not accommodate the loads. As I have seen for decades, posting won't work. Absent significant additional funding, this is a recipe for disaster.

Our county would be devastated by changes in truck weight laws. One immediate effect would be the requirement that we post bridges, which can cost upwards of \$1,000 per bridge. That would be an up front cost of tens of thousands of dollars that were not budgeted for. While posting is not an effective solution, it would be a required first step.

Based on the number of bridges, the cost of replacement and the size of our budget, closures would be an inevitability. There would be no way around it as these bridges are simply incapable of handling these heavier weights. Our county has significant rivers and streams, including the Wapsipinicon River which intersects the entire county. A closed bridge can mean significant delays to both motorists and truck traffic. There are sections of river nearly 10 miles long with a single crossing, meaning what used to be a short trip to work could be tripled in travel time. And if two consecutive bridges have to be closed? Or three? We are talking long term, dramatic impacts to the ability to travel efficiently through our county that would increase costs for businesses and motorists.

Buchanan County Bridges At Risk with Heavier Truck Configurations

Route Carried	Feature Intersected	Operating Rating (US tons)	Structure Length (ft.)	Bridge Condition	Bridge Age (yr)
LOCAL IOWA AVE	BEAR CR	30.6	102	Fair	69
LOCAL 310TH ST	LIME CR	30.6	102	Fair	65
FM	LIME CREEK	18.5	151.9	Fair	68
LOCAL 260TH ST	BUFFALO CREEK	30.4	210	Fair	73
PARRISH AVE	PINE CR	31	102	Poor	62
FM 140TH ST	SMALL STREAM	19	58.1	Poor	64
LOCAL 230TH ST	PINE CR	29.3	65	Fair	15
FM 145TH ST	LITTLE WAPSIPINICON	23.3	202.1	Fair	57
LOCAL	SMALL STREAM	30.8	78.1	Poor	71
LOCAL	MALONE CR	13	35.1	Poor	97
LOCAL 305TH ST.	LIME CR	0	81	Poor	112
LOCAL 325TH ST	MUD CR	0	101	Poor	69
DANIAL AVE	SPRING CR	33.7	63	Fair	66
LOC 100TH ST	BUFFALO CR	5	57.1	Fair	82
3RD ST NE	MELONE CREEK	36.8	100.1	Fair	53
WASHINGTON ST	DRAINAGE	25.7	77.1	Fair	63
1ST ST W	WAPSIPINICON RIVER	25.6	255.9	Fair	105
RACINE AVE	SMALL NATURAL STREAM	36	91.9	Poor	68
330TH ST	LIME CREEK	36.3	91.9	Fair	71
330TH ST	BEAR CREEK	34.8	154.9	Poor	71
280TH ST	BUFFALO CREEK	37.1	81	Fair	18
FM STEWART AV	SMALL CREEK	37.6	77.1	Fair	59
VINCENT AVE	DRY CREEK	35.3	102	Fair	62
330TH ST	DRY CREEK	34.1	67.9	Fair	15
LOCAL 330TH ST	WALTON CREEK	33.4	68.9	Fair	16
SCOTT BLVD	SMALL STREAM	33.5	67.9	Good	8
QUINSET AVE	SAND CREEK	33.1	125	Fair	64
NOLAN AVE	SAND CREEK	33.5	67.9	Fair	10
320TH ST	DRAINAGE	34.2	67.9	Fair	17
FM LAPORTE RD	MUD CREEK	30.6	102	Fair	55
LOCAL DUGAN AVE	LIME CR	33.1	127	Fair	70
LOCAL	SMALL STREAM	33.4	67.9	Fair	17
LOCAL 240TH ST	PINE CR	35.1	77.1	Fair	61
LOCAL 250TH ST	SMALL CREEK	34.6	77.1	Fair	65
PINE CREEK AVE	SMALL STREAM	34.6	77.1	Fair	65
LOCAL 250TH ST	SMALL STREAM	36	71.9	Good	12

LOCAL 265TH ST	BEAR CR	35.1	77.1	Fair	60
LOCAL 265TH ST	SPRING CREEK	34.6	77.1	Fair	63
LOCAL	SPRING CR	34.1	67.9	Good	17
LOCAL	PRAIRIE CR	20	44	Fair	69
170TH ST	PRAIRIE CREEK	33.5	68.9	Good	8
LOCAL	PRAIRIE CR	20	44	Fair	69
LOCAL RD	BUFFALO CREEK	31.7	80.1	Fair	42
FM	BUFFALO CREEK	33.2	169	Fair	60
PINE CREEK AVE	SMALL STREAM	25.7	49.9	Poor	10
LOCAL	SMALL STREAM	34.5	67.9	Good	12
FM	PINE CREEK	35.1	127	Fair	62
FM	HARTER CR	37.6	75.1	Fair	59
FM	WAPSIPINICON RIVER	32.5	351	Poor	60
FM	OVFLOW WAPSIPINICON RIVE	32.2	102	Fair	54
LOC 100TH ST	STREAM	30.3	56.1	Fair	82
LOC HARRISON AV	SMALL STREAM	34.6	78.1	Fair	63
LOC 110TH ST	HUNTER CR	35.1	76.1	Fair	59
FM LAWRENCE AVE	SMALL STREAM	19	58.1	Fair	69
INDIANA AVE	OTTER CR	36.6	66.9	Fair	12
LOC 150TH ST	OTTER CR	35.1	203.1	Poor	69
LOC CENTRAL AVE	SMALL STREAM	35.1	77.1	Fair	55
VINCENT AVE	DRY CREEK	22.2	46.9	Fair	82
LOCAL 335TH ST.	SMALL STREAM	23.3	28.9	Fair	24
CONCORD ST	DRAINAGE	35.7	53.1	Poor	122
LOC FINLEY AVE	LIME CR	43.9	94.2	Poor	97
POSTEL AVE	SMALL STREAM	42.3	67.9	Fair	11
FM	WAPSIPINICON RIVER	43.4	253.9	Fair	54
130TH ST	SMALL STREAM	43.5	67.9	Good	6
150TH ST	SMALL STREAM	43.5	67.9	Good	4
OVERLAND AVE	SMALL STREAM	43.5	69.6	Good	2
2ND ST NE	MELONE CREEK	44.3	103	Fair	37
LOCAL	SMALL STREAM	40	55.1	Poor	71
QUASQUETON BLVD	SMALL STREAM	46.4	71.9	Good	8
136TH ST	BUFFALO CR	46.4	111.9	Good	14
FM	BUCK CREEK	46.4	143	Fair	57
FM STEWART AV	SMITH CREEK	33.1	32.2	Fair	64
FM 140TH ST	SMALL STREAM	33.1	32.2	Poor	64
LOC TAYLOR AVE	BUFFALO CR	51.9	39	Poor	71

Johnson County, Texas

The examination of bridges in Johnson County, Texas included 183 total local structures. The analysis method found 8-14 bridges that could not accommodate heavier trucks, with a cost of \$2.4 to \$4.1 million.

The following is a report by Rick Bailey, Johnson County Commissioner, on the results for his county.

I have lived in Johnson County for 35 years and am very involved in the infrastructure construction in my precinct. I know my constituents, the roads they use and what we need to do in order to maintain safe and effective infrastructure.

Our county budget is based solely on property taxes, and we are constrained in many ways, as many counties across the country are. The state provides significant assistance, primarily in the form of management of the inspection and rating process for our bridges. But ultimately, our limited county budget is the foundation of our infrastructure funding.

Our infrastructure faces numerous issues. Age is a problem. 98 of the local bridges in our county are over the age of 50 years, and four exceed 100 years old. Not only have these structures been degraded over decades, but many were designed for far lighter and smaller trucks.

We also have serious issues with flooding. This affects maintenance when floodwaters damage roads and bridges, but also raises the costs of construction as we need to conduct flood studies and downstream impact reviews. With those costs, a single bridge can take over a year of planning and time to set aside the money and will need as much as 50% of our budget.

Over the years, projects that were once done in-house are now contracted out due to the amount of time required for construction and the size of the backlog. This has dramatically increased the costs that we face when we replace a structure.

With the older ages and unique conditions, we are already on pins and needles when it comes to many of our bridges, doing our best with a limited staff of only 13 to prevent tragic accidents. We struggle to accommodate existing truck traffic, which has increased dramatically due to the housing boom, with more cement trucks, lumber trucks and sand/gravel trucks on our county roads.

These challenges are only a part of what our county faces. I represent a single precinct of four, amplifying the budgetary issues. An average of \$600,000 annually goes to culverts and watersheds alone.

The review of the analysis of our bridge stock did require unique attention due to some understatement of the problem that heavier trucks would have. Since inspection and weight rating are conducted by the state, we are not involved in that process. The state heavily utilizes the assigned rating method, where certain bridges that qualify are allowed to have a state-legal weight assigned as the operating rating. These bridges were not in the analysis because assigned rating bridges were excluded, but after review there were two that would need to be replaced to accommodate heavier trucks, and these were added to the list. The rest were rated using traditional methods, either load factor or allowable stress, and had operating ratings that reflected the true carrying capacity.

An example of this is the County Road 1206 crossing Mustang Creek, a 62-year-old bridge that uses an outdated design load vehicle. While it has an assigned rating based on the bridge design that says it would accommodate heavier trucks, the reality on the ground is that this bridge often sees substantial flooding, sometimes as much as 15 feet over the bridge. The tremendous force of this water has weakened the structure and the underlying soil and would need to be replaced to accommodate larger truck travel.

The budgetary impacts on our county would be disastrous and would either require cuts in other critical areas or new taxes, which would be especially painful given the small size of our tax base. Absent devastating budgetary shifts, closures would be inevitable, which would create significant hardships for everyday motorists and commercial vehicles alike.

Johnson County Bridges At Risk with Heavier Truck Configurations

Route Carried	Features Intersected	Operating Rating (US tons)	Structure Length (ft.)	Bridge Condition	Bridge Age (yr)
NOLAN RIV RD-PCT 1	NOLAN RIVER	28	101	Fair	56
FM 1434	ROBINSON BRANCH	39	200.1	Fair	58
CR 108 - PCT 4	COTTONWOOD CREEK	36	79.1	Fair	82
CR 210 - PCT 4	TRIB OF COTTONWOOD CK	25	29.9	Fair	28
CR 1208 - PCT. 1	PILOT BRANCH	25	29.9	Fair	74
CR-1206 PCT 1	MUSTANG CREEK	36	75.1	Fair	62
CR 604	IH 35W	41	237.9	Good	59
FM2331	MUSTANG CREEK	43	163.1	Good	56
FM 1434	CAMP CREEK	44	120.1	Fair	53
FM 3391	TR QUILL MILLER CK	44	65.9	Good	25

CR 714 - PCT. 3	VILLAGE CREEK	44	67.9	Good	27
CR 508 - PCT 3	MOUNTAIN CREEK	46	80.1	Fair	28
CR 401 - PCT 4	S FORK OF CHAMBERS CREEK	48	100.1	Fair	80
FM 731	VILLAGE CREEK	47	80.1	Good	59

National Analysis

After a thorough review of the case study counties, the method of evaluating bridges that would be at risk for replacement if heavier trucks were allowed was shown to closely match the findings of each county engineer and did not deviate substantially in any review. In fact, most inaccuracies found were bridges that had not been included in the initial list.

Absent a detailed engineering analysis of every local bridge in the nation, any method of analysis will be imperfect. The methodology applied here provides a useful tool for state and federal policymakers charged with making decisions about truck size and weight laws.

Summary of Data

The application of this method produces conservative results. Not all bridges were examined due to assigned ratings, resulting in an overall undercount of the total at-risk structures. Cost estimates do not account for recent dramatic increases in raw material prices and exclude 22 specific line items. Finally, this study examines only the initial cost and does not account for future deterioration caused by increased loads.

Nationally, a total of 423,422 local bridges were examined.

National Summary of Heavier Configuration Monetary Impact

Configuration	Local Bridges At Risk	Overall Cost
88,000 lbs. 5-axle	69,231	\$54.6 billion
91,000 lbs. 6-axle	72,240	\$60.8 billion
97,000 lbs. 6-axle	87,455	\$78.4 billion

In terms of the governmental entities bearing the impact, local bridges owned by state highway agencies had the second highest amount of at-risk bridges, but have a far higher replacement cost due to a larger average size. **In terms of local governmental entities, counties bear the highest burden, with total costs ranging from \$18.6-\$24 billion, which represents 19.6-23.1% of their bridges.**

An important conclusion drawn from the following tables is that the impact of heavier trucks is not isolated to a single level of government. From top to bottom, there are significant costs associated with replacing bridges that cannot accommodate heavier configurations.

Heavier Truck Impact by Governmental Level

Governmental Entity	88,000 lb. at-risk bridges	88,000 lb. replacement cost	91,000 lb. at-risk bridges	91,000 lb. replacement cost	97,000 lb. at-risk bridges	97,000 lb. replacement cost
County Highway Agencies	40,354	\$18.6 billion	40,907	\$20 billion	47,558	\$24 billion
State Highway Agencies	17,684	\$23.5 billion	19,470	\$26.9 billion	25,872	\$37.8 billion
City or Municipal Highway Agencies	4,230	\$5.9 billion	4,541	\$6.8 billion	5,529	\$8.2 billion
Town or Township Highway Agencies	2,378	\$1.2 billion	2,459	\$1.4 billion	2,957	\$1.7 billion

Conclusion

Policymakers in both Congress and in state legislatures across the country have been tasked with setting vehicle weight limits since the dawn of commercial motor vehicles. They seek to strike a balance between the benefits to commerce and the costs to society.

While some bridges continue to stand since the times of horse drawn carriages, the weight of commercial vehicles has continued to increase, putting immense strain on a system that requires hundreds of billions of dollars to stay standing each year.

Governments of all shapes and sizes are responsible for the maintenance of our roads and bridges. From the tiniest of townships to large metropolises and the federal government, all play a role in the construction and maintenance of our bridges. And the money that funds these projects comes from a variety of sources: user fees, registration fees and taxes on income, property and fuel. While the trucks that cause this damage offset some of the cost, systemic underpayment means that taxpayers, at every level, ultimately pay for the shortfall.²²

The strength of our research lies in close consultation with the local officials who know their bridges the best and know the budgetary difficulties that would accompany additional costs. When changes are proposed to truck size and weight, they can provide the most specific insight into the damage that would be caused to our bridges and the difficult, if not impossible, task of coming up with additional funding.

The data garnered from this study shows a dramatic and devastating cost associated with proposals that would raise the national weight limit. This cost is not limited to the Federal government, with the ability to print money and take out significant amounts of debt, but is spread out among nearly every township, city, county and state in the nation. Failure to replace bridges not capable of holding heavier vehicles would result in a patchwork of closed bridges, creating massive delays for residents and businesses alike. Bridges can and will fail, resulting in the loss of human life.

While the cost of inaction is too high for many units of government, so is the cost of replacing these bridges. Smaller units of government are severely limited in how much revenue they can generate by small tax bases. This is the case in many of the counties that we represent.

The data generated by this research approach should be used by policymakers to evaluate the costs that heavier truck proposals would incur at all levels of government.

²² Federal Highway Administration. (2000). *Addendum to the 1997 Federal Highway Cost Allocation Study Final Report*

Appendix

Table 1: Costs per ft² for Replacement/Strengthening²³

State	Cost (dollars/ft ²)
Alabama	\$130
Alaska	\$372
Arizona	\$223
Arkansas	\$179
California	\$409
Colorado	\$235
Connecticut	\$540
Delaware	\$455
District Of Columbia	\$1,468
Florida	\$174
Georgia	\$162
Hawaii	\$1,436
Idaho	\$243
Illinois	\$199
Indiana	\$176
Iowa	\$115
Kansas	\$133
Kentucky	\$266
Louisiana	\$165
Maine	\$301
Maryland	\$421
Massachusetts	\$594
Michigan	\$267
Minnesota	\$148
Mississippi	\$117
Missouri	\$122
Montana	\$213
Nebraska	\$202
Nevada	\$291
New Hampshire	\$605
New Jersey	\$492
New Mexico	\$255
New York	\$335
North Carolina	\$144

²³ Federal Highway Administration. (2022). *Bridge Replacement Unit Costs 2021*.

North Dakota	\$170
Ohio	\$194
Oklahoma	\$127
Oregon	\$297
Pennsylvania	\$332
Rhode Island	\$868
South Carolina	\$126
South Dakota	\$200
Tennessee	\$126
Texas	\$100
Utah	\$196
Vermont	\$370
Virginia	\$348
Washington	\$294
West Virginia	\$232
Wisconsin	\$132
Wyoming	\$155
Puerto Rico	\$295

Table 2: Local bridges put at risk by 91,000 pound trucks, by Congressional District (2023)

State	Congressional District	# Bridges fail 91k	Cost
Alaska	At-Large	242	\$193,489,513
Alabama	1	134	\$67,068,521
	2	489	\$267,721,392
	3	464	\$198,238,066
	4	436	\$223,609,542
	5	219	\$118,139,895
	6	145	\$87,607,975
	7	439	\$323,316,058
Arkansas	1	890	\$501,950,035
	2	211	\$139,755,951
	3	253	\$151,280,633
	4	894	\$532,290,972
Arizona	1	25	\$27,721,799
	2	135	\$106,475,244
	3	9	\$13,618,320
	4	2	\$19,584,886
	5	6	\$13,931,880
	6	58	\$89,752,193
	7	49	\$137,592,093
	8	2	\$5,530,801
	9	37	\$51,719,743
California	1	634	\$1,080,196,444
	2	351	\$778,854,733
	3	233	\$321,604,226
	4	124	\$239,435,430
	5	204	\$280,494,409
	6	15	\$111,851,807
	7	50	\$178,229,030
	8	24	\$66,839,025
	9	53	\$143,622,763
	10	30	\$65,913,745
	11	4	\$23,556,151
	12	15	\$65,738,815
	13	214	\$451,265,733

	14	18	\$75,746,064
	15	14	\$72,712,102
	16	37	\$70,503,175
	17	12	\$62,684,649
	18	73	\$206,926,802
	19	120	\$205,632,357
	20	82	\$215,767,009
	21	75	\$153,920,851
	22	129	\$257,165,294
	23	114	\$160,123,541
	24	69	\$153,729,194
	25	77	\$144,573,729
	26	31	\$90,918,042
	27	16	\$70,139,083
	28	14	\$42,436,572
	29	4	\$4,512,006
	30	13	\$64,846,746
	31	9	\$41,174,562
	32	7	\$6,472,875
	33	16	\$69,177,033
	34	18	\$87,031,805
	35	6	\$29,017,323
	36	4	\$29,625,751
	37	4	\$28,715,522
	38	6	\$39,593,122
	39	9	\$25,573,134
	40	8	\$29,980,763
	41	16	\$52,102,060
	42	16	\$72,084,410
	43	10	\$68,832,410
	44	2	\$11,746,807
	45	7	\$52,843,945
	46	6	\$46,081,089
	47	10	\$36,801,738
	48	25	\$69,117,973
	49	26	\$123,805,282
	50	18	\$99,691,869
	51	5	\$41,774,115
	52	9	\$51,798,214
Colorado	1	22	\$61,221,730
	2	128	\$130,776,651

	3	326	\$290,397,478
	4	242	\$268,168,600
	5	35	\$43,415,522
	6	15	\$33,208,085
	7	72	\$73,289,309
	8	26	\$58,220,498
Connecticut	1	38	\$178,291,206
	2	59	\$200,676,960
	3	32	\$151,908,588
	4	29	\$111,380,022
	5	40	\$150,138,144
District of Columbia	At-Large	9	\$144,791,482
Delaware	At-Large	54	\$378,662,785
Florida	1	120	\$256,427,153
	2	225	\$137,661,422
	3	102	\$73,889,609
	4	65	\$98,167,196
	5	19	\$56,511,337
	6	31	\$24,208,881
	7	15	\$91,655,179
	8	19	\$17,756,526
	9	21	\$106,205,267
	10	10	\$9,708,156
	11	15	\$12,489,337
	12	3	\$4,942,696
	13	9	\$44,809,855
	14	22	\$36,671,283
	15	3	\$10,373,462
	16	20	\$53,519,860
	17	44	\$67,909,851
	18	58	\$50,351,320
	19	15	\$51,119,669
	20	16	\$25,821,078
	21	24	\$47,906,132
	22	11	\$48,374,854
	23	40	\$63,462,550
	24	26	\$47,726,843
	25	9	\$33,210,301
	26	26	\$51,281,785
	27	11	\$37,646,727
	28	13	\$61,143,878

Georgia	1	153	\$205,441,114
	2	330	\$240,634,824
	3	281	\$214,683,741
	4	47	\$71,991,828
	5	43	\$88,248,334
	6	57	\$40,137,476
	7	13	\$25,032,240
	8	415	\$348,806,977
	9	227	\$152,528,661
	10	244	\$204,572,571
	11	65	\$69,586,679
	12	277	\$313,146,140
	13	68	\$57,572,840
	14	224	\$191,967,045
Hawaii	1	62	\$644,495,899
	2	163	\$568,689,172
Iowa	1	849	\$269,920,723
	2	1045	\$316,567,356
	3	1425	\$381,609,332
	4	1752	\$499,162,509
Idaho	1	304	\$213,345,618
	2	290	\$210,752,338
Illinois	1	14	\$20,301,065
	2	89	\$51,164,563
	3	5	\$5,966,299
	4	5	\$4,101,609
	5	6	\$59,167,695
	6	4	\$8,369,343
	7	21	\$127,061,799
	8	4	\$8,984,452
	9	9	\$13,732,771
	10	19	\$25,215,668
	11	22	\$23,946,745
	12	228	\$186,782,977
	13	58	\$57,859,748
	14	46	\$34,771,608
	15	395	\$191,962,902
	16	218	\$161,932,429
	17	105	\$85,279,002
Indiana	1	52	\$85,443,882
	2	125	\$108,535,874

	3	161	\$166,863,664
	4	321	\$257,652,930
	5	170	\$164,623,026
	6	171	\$148,695,307
	7	44	\$83,709,947
	8	596	\$393,338,319
	9	278	\$220,339,078
Kansas	1	2699	\$956,326,941
	2	1483	\$674,896,708
	3	221	\$186,583,399
	4	1251	\$533,183,574
Kentucky	1	493	\$256,350,428
	2	173	\$217,670,073
	3	64	\$65,623,344
	4	188	\$198,812,204
	5	591	\$331,464,223
	6	180	\$121,437,751
Louisiana	1	263	\$192,480,540
	2	142	\$554,063,037
	3	550	\$433,840,572
	4	826	\$581,191,397
	5	1125	\$690,165,117
	6	336	\$238,487,436
Massachusetts	1	81	\$163,230,428
	2	82	\$235,711,674
	3	25	\$73,395,531
	4	22	\$129,843,826
	5	13	\$30,615,176
	6	16	\$63,470,920
	7	12	\$1,080,176,051
	8	8	\$40,555,469
	9	22	\$136,340,404
Maryland	1	49	\$151,944,499
	2	30	\$37,642,031
	3	13	\$38,657,020
	4	8	\$23,486,538
	5	10	\$40,590,462
	6	64	\$61,473,915
	7	4	\$30,643,538
	8	8	\$25,193,272
Maine	1	122	\$331,852,874

	2	253	\$368,751,518
Michigan	1	143	\$68,050,527
	2	80	\$73,711,998
	3	11	\$15,211,978
	4	26	\$15,095,139
	5	103	\$62,690,265
	6	27	\$29,819,868
	7	46	\$32,060,265
	8	60	\$58,649,647
	9	58	\$34,734,244
	10	5	\$5,452,113
	11	10	\$38,740,338
	12	8	\$45,632,970
	13	13	\$102,826,559
Minnesota	1	215	\$122,154,331
	2	17	\$14,855,678
	3	13	\$26,528,689
	4	22	\$52,292,130
	5	32	\$74,397,306
	6	35	\$33,831,690
	7	293	\$193,899,392
	8	139	\$107,924,135
Missouri	1	27	\$69,103,789
	2	59	\$36,886,676
	3	317	\$129,807,536
	4	863	\$348,348,271
	5	39	\$63,740,340
	6	1540	\$457,734,346
	7	330	\$177,743,703
	8	928	\$363,200,905
Mississippi	1	605	\$222,258,067
	2	1180	\$488,832,716
	3	580	\$218,182,625
	4	298	\$154,059,038
Montana	1	346	\$292,437,477
	2	579	\$421,848,098
North Carolina	1	119	\$60,639,034
	2	21	\$12,192,768
	3	101	\$81,425,090
	4	59	\$41,873,774
	5	225	\$86,171,688

	6	51	\$30,921,725
	7	51	\$21,357,923
	8	76	\$33,675,714
	9	141	\$44,579,894
	10	188	\$89,201,794
	11	389	\$141,197,924
	12	15	\$10,348,891
	13	26	\$12,899,650
	14	19	\$12,385,901
North Dakota	At-Large	591	\$184,308,833
Nebraska	1	646	\$268,085,532
	2	273	\$123,969,602
	3	2583	\$1,028,325,039
New Hampshire	1	52	\$155,961,382
	2	199	\$312,230,266
New Jersey	1	18	\$55,822,271
	2	52	\$293,533,547
	3	35	\$99,697,109
	4	19	\$92,550,120
	5	19	\$38,253,148
	6	16	\$128,993,938
	7	97	\$181,782,942
	8	16	\$104,463,064
	9	22	\$107,813,534
	10	18	\$200,207,100
	11	14	\$25,110,056
	12	29	\$61,680,121
New Mexico	1	35	\$20,496,696
	2	88	\$83,212,875
	3	158	\$117,997,578
Nevada	1	6	\$14,058,734
	2	45	\$70,528,797
	3	2	\$14,342,081
	4	6	\$32,866,268
New York	1	15	\$37,330,357
	2	7	\$27,880,710
	3	6	\$13,121,816
	4	4	\$7,384,874
	5	3	\$12,444,413
	6	1	\$5,284,826
	7	0	\$75,886,847

	8	0	\$29,654,535
	9	3	\$5,286,535
	10	6	\$15,194,227
	11	0	\$279,876,353
	12	14	\$71,786,648
	13	2	\$65,794,436
	14	1	\$16,712,346
	15	7	\$27,947,945
	16	18	\$46,803,721
	17	32	\$70,417,335
	18	62	\$93,388,084
	19	170	\$182,807,179
	20	16	\$27,887,075
	21	201	\$135,100,006
	22	56	\$76,539,393
	23	155	\$172,290,869
	24	103	\$121,693,306
	25	35	\$51,684,102
	26	28	\$104,234,413
Ohio	1	49	\$180,562,396
	2	352	\$276,852,823
	3	31	\$101,693,035
	4	286	\$233,808,606
	5	268	\$194,235,535
	6	246	\$183,157,883
	7	81	\$68,584,471
	8	107	\$92,081,012
	9	149	\$150,639,855
	10	37	\$53,700,403
	11	22	\$109,075,530
	12	324	\$198,968,088
	13	43	\$74,027,315
	14	99	\$106,626,241
	15	121	\$189,842,793
Oklahoma	1	82	\$80,765,802
	2	876	\$327,596,208
	3	1136	\$408,623,427
	4	401	\$145,871,794
	5	426	\$150,533,494
Oregon	1	218	\$621,256,522
	2	736	\$914,003,965

	3	117	\$352,744,367
	4	485	\$717,785,591
	5	286	\$513,212,852
	6	156	\$296,316,781
Pennsylvania	1	50	\$60,329,691
	2	8	\$13,924,810
	3	9	\$51,942,031
	4	36	\$34,432,085
	5	14	\$19,557,688
	6	45	\$33,319,420
	7	41	\$46,230,431
	8	77	\$72,615,663
	9	155	\$89,294,654
	10	32	\$41,565,039
	11	66	\$39,016,308
	12	23	\$71,140,230
	13	93	\$77,537,218
	14	138	\$87,749,692
	15	162	\$109,679,420
	16	95	\$70,374,206
	17	14	\$27,387,477
Puerto Rico	At-Large	376	\$487,046,593
Rhode Island	1	36	\$227,157,249
	2	53	\$271,391,249
South Carolina	1	89	\$190,651,016
	2	275	\$230,191,697
	3	1139	\$480,007,561
	4	402	\$270,299,522
	5	699	\$345,600,725
	6	532	\$316,688,728
	7	634	\$252,430,340
South Dakota	At-Large	1077	\$563,429,282
Tennessee	1	224	\$149,076,245
	2	111	\$93,073,268
	3	180	\$132,410,389
	4	243	\$147,355,071
	5	119	\$76,511,182
	6	230	\$138,376,405
	7	249	\$193,086,344
	8	470	\$243,850,835
	9	78	\$91,250,057

Texas	1	121	\$60,688,130
	2	15	\$6,622,890
	3	18	\$6,381,850
	4	78	\$21,950,950
	5	44	\$32,971,970
	6	107	\$28,926,010
	7	6	\$12,537,120
	8	35	\$12,355,120
	9	5	\$2,166,280
	10	130	\$51,174,110
	11	144	\$83,408,010
	12	34	\$31,051,170
	13	143	\$66,201,228
	14	22	\$11,215,860
	15	56	\$26,976,720
	16	9	\$9,421,530
	17	229	\$84,936,680
	18	5	\$2,002,670
	19	122	\$67,439,040
	20	17	\$10,693,580
	21	46	\$25,261,900
	22	53	\$13,771,960
	23	188	\$87,680,970
	24	20	\$8,120,560
	25	107	\$50,081,090
	26	29	\$9,018,020
	27	111	\$46,492,620
	28	71	\$46,638,780
	29	9	\$8,347,620
	30	12	\$16,702,790
	31	87	\$34,847,460
	32	8	\$7,092,340
	33	8	\$6,523,060
	34	5	\$2,158,080
	35	27	\$17,535,800
	36	53	\$22,034,792
	37	7	\$8,014,710
	38	4	\$2,817,830
Utah	1	111	\$140,986,622
	2	113	\$135,226,378
	3	129	\$100,278,253

	4	38	\$35,942,990
Virginia	1	39	\$123,906,722
	2	39	\$42,218,768
	3	7	\$33,301,164
	4	91	\$106,004,454
	5	242	\$314,874,332
	6	185	\$231,067,963
	7	25	\$42,870,642
	8	17	\$61,728,414
	9	248	\$248,398,711
	10	33	\$46,904,723
	11	6	\$29,284,026
Vermont	At-Large	390	\$295,176,640
Washington	1	16	\$46,427,804
	2	153	\$232,559,498
	3	211	\$329,754,251
	4	273	\$275,338,115
	5	329	\$335,031,718
	6	167	\$341,001,574
	7	21	\$143,500,959
	8	229	\$258,450,520
	9	20	\$67,025,797
	10	29	\$65,988,770
Wisconsin	1	28	\$23,943,058
	2	55	\$30,798,504
	3	261	\$126,225,277
	4	15	\$53,287,938
	5	27	\$16,144,735
	6	63	\$35,368,740
	7	259	\$102,709,978
	8	100	\$40,976,232
West Virginia	1	251	\$231,717,169
	2	172	\$173,997,593
Wyoming	At-Large	284	\$127,643,926

From: Commissioner Denise Palmer dpalmer@andersoncountyttn.gov
Subject: Fwd: External: Letter Opposing Heavier Trucks
Date: August 14, 2023 at 11:54 AM
To: bdenisepalmer bdenisepalmer@gmail.com

Get

From: Christy Sammon <csammon@gorail.org>
Sent: Thursday, July 27, 2023 3:10:23 PM
To: Commissioner Denise Palmer <dpalmer@andersoncountyttn.gov>
Subject: External: Letter Opposing Heavier Trucks

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Commissioner Palmer,

I work on transportation policy issues in Tennessee for *Go Rail*, a national non-profit that advances smart transportation policy.

H.R. 3372 I'm reaching out to you about a bill proposed in Congress to raise the federal weight limit of heavy trucks on our nation's roads. *H.R. 3372* would establish a 10-year "pilot program" for states to test 91,000-pound trucks, a 14% weight increase over the current limit of 80,000 pounds. **We're asking for your help to stop this before it's imposed on your local roads.**

There is already a wealth of data showing this is bad policy, starting with the impact to local roads and bridges and the taxpayers who fund them. An *analysis* earlier this year looked specifically at local infrastructure—trucks don't just travel on the Interstate after all—and found that the overall cost of 91,000-pound trucks would be \$60.8 billion.

For example, in **Tennessee**:

- Number of local bridges at risk with 91,000-pound trucks: **1,914**
- Cost of replacing at-risk local bridges: **\$1,262,351,639**

At the current federal weight limit, trucks only cover about 80% of their damage—and a bigger subsidy would mean they pay less. It would also mean more trucks, more traffic, and more emissions as freight gets diverted away from rail. This so-called "pilot project" is really just a backdoor 11,000-pound increase in maximum truck weight.

We're working with the Coalition Against Bigger Trucks (CABT) on a group letter from state and local government officials like yourself to be sent to Congress **before H.R. 3372 potentially comes up for a floor vote as early as September**. A similar letter from CABT in 2019 had over 1,000 signers from communities across the country and we're hoping this effort will send a powerful message to Congress that local roads and bridges simply cannot handle heavier trucks.


name" to this email if you wish to sign.

You can also simply respond "add my

Please reach out if I can answer any questions.

Thank you,

Christy


(678) 890-4870 | csammon@gorail.org

Coalition Against Bigger Trucks: Local Officials Joint Letter Signup

In 2019, we sent Congress a letter with the names of over 1,000 local government officials titled " *Bigger Trucks: Bad for America's Local Communities* ." With recently introduced legislation to allow longer and heavier trucks, we would like to ask if you will add your name to the newest iteration of the letter.

Your assistance is urgent, as two bills allowing substantial truck weight increases, HR 3372 and HR 2948, both passed out of committee in late May and may come up for a floor vote after the August recess.

This will send a powerful message to lawmakers in Washington to maintain current truck size and weight laws and oppose longer and heavier trucks.

Thank you again for your advocacy against bigger trucks and for all you do for your community. Your voice and expertise is critical to pushing back against powerful bigger-truck proponents. More information on the fight against bigger trucks can be found at www.cabt.org

The Text of the Letter:

Dear Members of Congress,

Representing local communities and Americans across the nation, we are concerned about our transportation infrastructure. We strongly oppose proposals in Congress that would allow any increase in truck length or weight—longer double-trailer trucks or heavier single-trailer trucks would only make our current situation worse.

Local communities and our residents are what drive this country. We work every day to make sure the needs and safety of our residents are met. Allowing heavier and longer trucks will most certainly set us back in our efforts. Much of our transportation infrastructure that connects people to jobs, schools and leisure is in disrepair, in part because local and rural roads and bridges are older and not built to the same standards as Interstates. Many of us are unable to keep up with our current maintenance schedules and replacement costs because of underfunded budgets.

The impacts of longer or heavier tractor-trailers would only worsen these problems. Millions of miles of truck traffic operate on local roads and bridges across the country, and any bigger trucks allowed on our Interstates would mean additional trucks that ultimately find their way onto our local infrastructure. Longer and heavier trucks would

cause significantly more damage to our transportation infrastructure, costing us billions of dollars that local government budgets simply cannot afford, compromising the very routes that American motorists use every day.

On behalf of America's local communities and our residents, we ask that you oppose any legislation that would allow any increase in truck length or weight.

Sincerely,

to save your progress.

* Indicates required question

Name *

Your answer

Email Address *

Your answer

Position in Government *

Your answer

Municipal/County/State Government Entity

Your answer

H. R. 3372

To amend title 23, United States Code, to establish a safety data collection program for certain 6-axle vehicles, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 16, 2023

Mr. JOHNSON of South Dakota (for himself and Mr. COSTA) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend title 23, United States Code, to establish a safety data collection program for certain 6-axle vehicles, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SAFETY DATA COLLECTION PROGRAM FOR CERTAIN 6-AXLE VEHICLES.

Section 127 of title 23, United States Code, is amended by adding at the end the following:

“(X) PILOT PROGRAM FOR SAFETY DATA COLLECTION ON CERTAIN 6-AXLE VEHICLES.—

“(1) GENERAL AUTHORITY.—Not later than 30 days after the date of enactment of this subsection, the Secretary shall establish a pilot program (referred to in this subsection as the ‘pilot program’) under which States admitted by the Secretary under paragraph (2) may allow covered 6-axle vehicles to be operated on the Interstate System in the State.

“(2) ADMISSION TO PILOT PROGRAM.—

“(A) INITIAL APPLICATION.—Beginning on the date that is 30 days after the date of enactment of this subsection, a State seeking to participate in the pilot program shall submit an application to the Secretary in electronic form, containing such administrative information as the Secretary may require, including a certification that the State has or will have the authority pursuant to State law to implement the pilot program.

“(B) ADMISSION.—The Secretary shall admit to the pilot program, on a rolling basis, States that submit a completed application under subparagraph (A).

“(C) ELECTION TO NO LONGER PARTICIPATE.—If a State elects to no longer participate in the pilot program, the State shall notify the Secretary of such election.

“(3) MEANS OF IMPLEMENTATION.—

“(A) IN GENERAL.—To be eligible to participate in the pilot program, a State shall agree to implement the pilot program through the issuance of permits per vehicle or group of vehicles with respect to covered 6-axle vehicles.

“(B) PERMIT.—A permit described in subparagraph (A) shall—

“(i) describe the Interstate System routes that may be used while operating at greater than 80,000 pounds gross vehicle weight in a covered 6-axle vehicle; and

“(ii) require the permit holder to report to the State, with respect to each covered 6-axle vehicle for which such permit was issued—

“(I) each accident (as such term is defined in section 390.5 of title 49, Code of Federal Regulations, as in effect on the date of enactment of this subsection) that occurred in the State involving the covered 6-axle vehicle on the Interstate System in the State;

“(II) the estimated gross vehicle weight of each covered 6-axle vehicle at the time of an accident described in subclause (I); and

“(III) the estimated miles traveled by the covered 6-axle vehicle on the Interstate System in the State annually.

“(C) SAFETY EQUIPMENT INCENTIVE.—

“(i) FEE REDUCTION.—With respect to any fee associated with a permit under this paragraph, the State may reduce the fee otherwise applicable to a vehicle by 67 percent if the vehicle is equipped with an automatic emergency braking system, including

such systems in use on the date of enactment of this subsection.

“(ii) GROUP OF VEHICLES.—As applied to a permit for a group of vehicles, the reduction under clause (i) shall only apply with respect to individual vehicles in the group that are equipped with an automatic emergency breaking system, including such systems in use on the date of enactment of this subsection.

“(4) OTHER AUTHORIZATIONS NOT AFFECTED.—This subsection shall not restrict—

“(A) a vehicle that may operate under any other provision of this section or another Federal law; or

“(B) a State’s authority with respect to a vehicle that may operate under any other provision of this section or another Federal law.

“(5) NO HIGHWAY FUNDING REDUCTION.—Notwithstanding subsection (a), funds apportioned to a State under section 104 for any period may not be reduced because the State authorizes the operation of covered 6-axle vehicles within such State in accordance with this subsection.

“(6) ANNUAL REPORT.—Not later than the first March 1 after the date of enactment of this subsection, and annually thereafter, a State participating in the pilot program shall submit to the Secretary with respect to the previous calendar year, a report on—

“(A) the number of accidents (as such term is defined in section 390.5 of title 49, Code of Federal Regulations (as in effect on the date of enactment of this subsection)) that occurred on the Interstate System in the State involving a covered 6-axle vehicle for which a permit was issued under the pilot program;

“(B) the estimated gross vehicle weight of each such vehicle at the time of the accident in the State described in subparagraph (A); and

“(C) the estimated miles traveled by such vehicle on the Interstate System in the State.

“(7) TERMINATION OF PILOT PROGRAM.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), the pilot program shall terminate on the date that is 10 years after the date of enactment of this subsection.

“(B) ADDITIONAL APPLICATION; CONTINUATION OF AUTHORITY.—For a period of 10 years beginning on the date described in subparagraph (A), the Secretary may continue the pilot program with respect to each State in the program, upon the application of a State and after consideration of—

“(i) the actual experience of the State under the pilot program; and

“(ii) any documents or other material submitted by the State in support of such an application.

“(8) COVERED 6-AXLE VEHICLE DEFINED.—In this subsection, the term ‘covered 6-axle vehicle’ means a vehicle—

“(A) equipped with 6 or more axles;

“(B) for which the weight—

“(i) on any single axle of the vehicle does not exceed 20,000 pounds, including enforcement tolerances;

“(ii) on any tandem axle of the vehicle does not exceed 34,000 pounds, including enforcement tolerances; and

“(iii) on any group of three or more axles of the vehicle does not exceed 45,000 pounds, including enforcement tolerances;

“(C) for which the gross weight does not exceed the lesser of—

“(i) 91,000 pounds, including enforcement tolerances; and

“(ii) the maximum permitted by the bridge formula under subsection (a); and

“(D) that is not a longer combination vehicle, as such term is defined in subsection (d)(4).”.

Truck Size & Weight

The federal weight limit of heavy trucks in the U.S. is 80,000 pounds, or roughly the weight of a 737 airplane. At this size, this most common truck on the road today only pays for about 80% of the damage it inflicts on roads and bridges.

At the same time, nearly half of the nation's bridges are at least 50 years old or considered structurally deficient, according to the Federal Highway Administration. And U.S. roads, the upkeep of which is publicly funded through outdated fuel taxes, received a "D" grade in the most recent Infrastructure Report Card from the American Society of Civil Engineers. Bigger trucks would be bad economic policy, and lawmakers should continue to oppose federal weight and size increases.

In Brief

Congress should reject proposals to allow longer and heavier trucks, including needless "pilot projects," that would increase the cost of maintaining highways and bridges, create more highway gridlock, worsen emissions, and divert freight from rail.

Background

Every year, Congress is lobbied by shipper groups that want a federal mandate forcing states to allow heavier trucks, longer trucks or trucks pulling more trailers—or as is currently the case, they seek congressional approval of bigger trucks under the guise of a 'pilot project' for states to 'test' heavier or longer trucks on the motorists in their states.

There is already abundant data showing what would happen if heavier trucks were allowed: the U.S. Department of Transportation (USDOT) found in 2016 that 91,000-pound trucks would cause \$1.1 billion in immediate damage to bridges and \$1.2-\$1.8 billion in pavement damage every year. The Transportation Research Board has also proposed a "TSW Research Plan" to update this analysis and Congress reaffirmed in 2021 and 2023 that no changes in truck weight or length policy should be made until this research is completed. The so-called "pilot project" the current Congress is being asked to authorize is nothing more than a back-door truck size and weight increase.

Why It Matters

Since heavy trucks on the road today already fail to cover the full cost of their damage, heavier or longer trucks would deepen this subsidy. At 91,000 pounds, a 14% increase over the current limit, a heavy truck would only cover about 55% of its impact to roads and bridges according to USDOT.

Despite what proponents say, bigger trucks have never meant fewer trucks. Since Congress last raised truck weights, the number of trucks registered in the U.S. and the miles they drive have increased by 91%. Raising limits now would mean millions more tons of freight on already crowded highways at a time when we're not keeping up with existing infrastructure and when the average American already spends 54 hours a year in traffic.

Every ton diverted from rail also means higher fuel consumption and higher emissions. Because rail is 3-4 times more efficient than trucks, trains today move 40% of long-distance freight while contributing only 1.7% of U.S. transportation-related emissions. But bigger trucks would alter this landscape, with USDOT finding that a 91,000-pound weight increase would divert 4.4 million rail carloads and intermodal units annually.

The most common truck on the road today only pays for about 80% of its damage to roads and bridges.



Longer and heavier trucks would cover even less.