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# Anderson County Board of Commissioners

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## Regular Agenda

Monday, August 19, 2024 @ 6:30 P.M.

1. **Call to Order / Roll Call**
2. **Prayer**
3. **Pledge of Allegiance**
4. **Appearance of Citizens** – Items on or not on the agenda
5. **Approval and Correction of Agendas**
  - Consent Agenda
  - Regular Agenda
6. **Courtesy Resolutions/Presentations/Proclamations**
  - Resolution No. 24-08-1179 Honoring Commissioner Aaron Wells
  - Resolution No. 24-08-1180 Honoring Law Director, Jay Yeager
7. **Nominating Committee Report** – by Chairman Mayes
  - Animal Care Advisory Committee – Joyce S Klee
  - Library Board Appointment – Charlotte Johnson
  - County Commission Committees and Boards Appointments
8. **Presentation of Reports:**
  - A. Elected Officials
    1. County Mayor – Terry Frank  
Any questions from Commissioners
  - B. Department Heads
    1. Director of Finance – Robby Holbrook
      - Budget Committee Report – by Robby Holbrook, Finance Director
      - Purchasing Committee Report – by Robby Holbrook, Finance Director
    2. Director of Schools
      - Written Report
    3. Law Director Office Report
      1. Contract Approvals
      2. Zoning Violations
      3. Bankruptcies
      4. Delinquent Taxes
  - C. Committees/Boards Reports
    1. Operations Committee Report – by Chairman Isbel
      - Temporary Use Agreement Senior Center Parking Lot (Revised)
      - Termination of Term Recreational Easement Bull Run Steam Plant/Claxton Park
      - Anderson County Personnel Policy/Employee Handbook
      - Historic Black Cemetery Gate
      - NRDAR Grant for Lost Bottom Park and Blockhouse Valley Landfill Property
      - Basic Emergency Operations Plan

2. Legal Services Advisory Committee Report

9. **Unfinished Business**

10. **New Business**

11. **Announcements**

12. **Adjourn**

**Respectfully Submitted**  
**H. Tyler Mayes, Chairman**

**Anderson County Board of Commissioners**

**RESOLUTION NO. 24-08-1179**

**RESOLUTION HONORING COUNTY COMMISSIONER AARON WELLS**

**WHEREAS**, Aaron Wells has served with distinction as a County Commissioner for Anderson County's Sixth District, demonstrating unwavering dedication and commitment to the betterment of our community; and

**WHEREAS**, during his tenure, Commissioner Wells has been a tireless advocate for effective governance, transparency, and inclusivity, consistently working to improve the quality of life for all residents of Anderson County; and

**WHEREAS**, Commissioner Wells has played a pivotal role in advancing key initiatives, including advocating and securing funding for the Scarboro 85 Project, streamlining daily government operations through accountability and transparency, and seeking the win-win solution for all districts which have had a profound and positive impact on our county; and

**WHEREAS**, his leadership has fostered collaboration among various stakeholders, facilitated innovative solutions to complex challenges, and championed the needs of diverse constituencies; and

**WHEREAS**, Commissioner Wells has demonstrated exemplary service by upholding the highest standards of integrity, accountability, and public service, earning the respect and admiration of his colleagues and constituents alike; and

**WHEREAS**, Commissioner Wells leadership and hard work resulted in him serving on various committees and boards such as: Chairman of Legislative and Intergovernmental Committees and active roles on Anderson County's Audit, Budget, Human Resources Advisory, Nominating, Non-Profit, Purchasing, Resale of Land Purchased at Delinquent Tax Sales, and Rules committees; and

**WHEREAS**, his contributions extend beyond his official duties, as he has also been actively involved in community organizations and efforts for decades, especially the Oak Ridge Boys and Girls Club, further exemplifying his commitment to the welfare and progress of Anderson County; and

**WHEREAS**, as he concludes his tenure, we acknowledge and celebrate the significant achievements and lasting legacy he has left on our county.

**NOW THEREFORE, BE IT RESOLVED**, meeting in regular session on Monday, August 19, 2024, that the Anderson County Board of Commissioners extends its deepest gratitude and appreciation to County Commissioner Aaron Wells for his exemplary service and dedication. His unwavering commitment and passion to serve others will continue to impact this body and our county for years to come.

**BE IT FURTHER RESOLVED** that we, the Anderson County Board of Commissioners, proclaim Friday, August 23, 2024, as County Commissioner Aaron Wells Day in Anderson County in honor of his leadership and devotion to his community.

**DULY PASSED, RESOLVED, AND EFFECTIVE** this 19th day of August, 2024.

\_\_\_\_\_  
H. Tyler Mayes, Commission Chairman

\_\_\_\_\_  
Terry Frank, Anderson County Mayor

**ATTEST:**

\_\_\_\_\_  
Jeff Cole, Anderson County Clerk

**Anderson County, Tennessee  
Board of Commissioners**

**RESOLUTION NO. 24-08-1180**

**RESOLUTION HONORING THE LATE JAY YEAGER,  
ANDERSON COUNTY LAW DIRECTOR**

**WHEREAS** Jay Yeager served as the Law Director for Anderson County from 2006 until his passing with exceptional dedication and integrity, exemplifying the highest standards of public service and legal excellence; and

**WHEREAS** during his tenure, Jay was a steadfast advocate for the rule of law, guiding the county through complex legal matters with skill and compassion; and

**WHEREAS** his leadership was instrumental in advancing the legal framework and administrative processes within Anderson County, contributing significantly to the well-being and safety of its residents; and

**WHEREAS** Jay was known for his unwavering commitment to his profession, his mentorship of young attorneys, and his active involvement in community service and local organizations and was recently recognized as the 2024 Tennessee County Attorney of the Year and was serving as an officer of the Tennessee County Attorneys Association; and

**WHEREAS** Jay was an advocate and proud supporter of The Boys and Girls Club of Anderson County, Anderson County Volunteer Fire Departments, and the South Clinton Inclusive Playground; and

**WHEREAS** before serving as our Law Director, Jay attended East Tennessee State University and later received his Bachelor of Science degree in Criminal Justice from East Carolina University; and

**WHEREAS** after graduating from college, Jay worked in law enforcement for many years as a police officer, sergeant, and member of the Gwinnett County Bomb Squad and SWAT teams in Georgia; and

**WHEREAS** Jay stepped away from the front line of duty to pursue his dreams by attending the University of Georgia School of Law where he graduated in 2001; and

**WHEREAS** in 2001, Jay became the Assistant County Attorney of Anderson County where he served in this capacity until 2006 when he became the Anderson County Law Director; and

**WHEREAS** Jay was devoted to his family and friends and always made sure his children knew how proud he was of them. He would do anything to help others in a time of need and never met a stranger; and

**WHEREAS** Jay had many titles including son, husband, father, grandfather, friend, cousin, attorney but his favorite was "Papi Jay"; and

**WHEREAS** his passing represents a profound loss to Anderson County, his colleagues, and all who had the privilege of working with him; and

**WHEREAS** the legacy of Jay's work will continue to inspire and guide those who follow in his footsteps, reflecting his enduring impact on the legal community and the county as a whole;

**NOW, THEREFORE, BE IT RESOLVED**, meeting in regular session on Monday, August 19, 2024, that the Anderson County Board of Commissioners extend our deepest condolences to the family of Jay Yeager and express our profound gratitude for his service to Anderson County and we honor and recognize Jay for his exemplary career as Law Director, his unwavering dedication to service, and his significant contributions to our community.

**BE IT FURTHER RESOLVED** that we, the Anderson County Board of Commissioners, proclaim Friday, August 23, 2024 as Jay Yeager Day in Anderson County in honor of his service to the people of Anderson County.

**DULY PASSED, RESOLVED, AND EFFECTIVE** this 19th day of August, 2024.

\_\_\_\_\_  
H. Tyler Mayes, Commission Chairman

\_\_\_\_\_  
Terry Frank, Anderson County Mayor

**ATTEST:**

\_\_\_\_\_  
Jeff Cole, Anderson County Clerk



Anderson County Board of Commissioners  
**NOMINATING COMMITTEE**  
Minutes

**August 12, 2024**

**Members Present:** Tyler Mayes, Denise Palmer, Tim Isbel, Sabra Beauchamp, Josh Anderson, Bob Smallridge and Jerry White

**Members Absent:** Aaron Wells

**Call to Order:** Chairman Mayes called the meeting to order.

Commissioner Isbel made a motion to approve the agenda as presented. Second by Commissioner Smallridge. Motion carries.

No citizens addressed the committee.

Commissioner White made a motion to approve Joshua Hoskins to serve on the Beer Board. Second by Commissioner Isbel. Commissioner Anderson made a motion to defer for thirty days to get a legal opinion. Second by Commissioner Isbel. Motion carries.

Commissioner Isbel made a motion to approve Joyce S. Klee to serve on the Animal Care Advisory Committee. Second by Commissioner White. Motion carries to forward to full commission for approval.

Library Board Appointment

Commissioner Isbel nominated to accept all three candidates in attendance for the Library Board Appointment. Second by Commissioner Anderson. Motion carries to forward to full commission for approval.

Voting for Pat Stonecipher – Anderson, White, Smallridge  
Voting for Charlotte Johnson- Mayes, Palmer, Isbel, Beauchamp  
Voting for David Garner- None

With four (4) votes, Charlotte Johnson is nominated to serve on the Library Board with approval from full commission.

Commission Boards & Committees

Commissioner Isbel made a motion approve Commissioner Palmer moving to Budget Committee and Commissioner Foster moving to Operations, Commissioner Capshaw to be on Operations Committee. Second by Commissioner Palmer. Motion carries to forward to full commission for approval.

Commissioner Capshaw to serve on Rules Committee, Resale of Land Committee, Purchasing, Highway and Audit. Commissioner Allen to serve on Intergovernmental, Legislative, Non-Profit and Nominating.

Commissioner Vowell is nominated to serve on HR advisory Committee.

**Unfinished Business – None**

**New Business – None**

**Meeting Adjourned**

# ANDERSON COUNTY COMMISSION COMMITTEES 2024-2025

[Rev 08/13/2024]

## Audit

T.C.A. 9-3-405 [\*1\*4]  
 [4 year term/staggered] Employs county auditor

Tyler Mayes (9/26)	Commissioner D-1
Michael Foster (9/26)	Commissioner D-2
Josh Anderson (9/26)	Commissioner D-3
Stephen Verran (9/26)	Commissioner D-7
Ebony Capshaw (9/27)	Commissioner D-6
Phil Yager (9/25)	Commissioner D-8
Sabra Beauchamp (9/28)	Commissioner D-7

## Fixed Asset

[1 year term] [\*4\*8]

Robby Holbrook	Finance Director
Jim Woodward	School Finance Director
Katherine Ajmeri	Purchasing Agent
Gary Long	Highway Department
Anthony Allen	County Commission D-6

## Budget

\*81 Finance Act [\*1\*2\*3\*4]  
 [1 year term] appointed in January Budgets and taxes

Tyler Mayes	Commissioner D-1
Denise Palmer	Commissioner D-2
Shelly Vandagriff	Commissioner D-3
Shain Vowell	Commissioner D-4
Jerry White	Commissioner D-5
Anthony Allen	Commissioner D-6
Sabra Beauchamp	Commissioner D-7
Bob Smallridge	Commissioner D-8

## Highway

[1 year term] [\*1\*4]  
 Roads, Bridges, Road Superintendent

Ebony Capshaw	Commissioner D-1
Michael Foster	Commissioner D-2
Shelly Vandagriff	Commissioner D-3
Tim Isbel	Commissioner D-4
Jerry White	Commissioner D-5

## Finance Committee

TCA 5-21-104 [\*1,\*3,\*4,\*8]  
 [1 year term] appointed in September

Tracy Wandell	Commissioner D-1
Joshua Anderson	Commissioner D-3
Tim Isbel	Commissioner D-4
Phil Yager	Commissioner D-8
Terry Frank	Mayor
Dr. Tim Parrott	Director of Schools
Gary Long	Road Superintendent

## Non-Profit

[1 year term][created 7/03] [\*1\*4]

Tracy Wandell	Commissioner D-1
Denise Palmer	Commissioner D-2
Shelly Vandagriff	Commissioner D-3
Shain Vowell	Commissioner D-4
Jerry White	Commissioner D-5
Anthony Allen	Commissioner D-6
Stephen Verran	Commissioner D-7
Phil Yager	Commissioner D-8

\*1. Standing Committee

\*2. Rule XVI: 1 year life unless specified yearly.

\*3. Membership required to be people who hold certain positions

\*4. Nominated and appointed by county legislative body

\*5. Nominated by county mayor.

\*6. Ratified by county legislative body.

\*7. Rules of Procedure regulate membership.

\*8. Members need not be members of county legislative body.

# ANDERSON COUNTY COMMISSION COMMITTEES 2024-2025

[Rev 08/13/2024]

## Legislative

[1 year term] {\*1\*4}  
Private Acts, liaison with legislators

Tyler Mayes	Commissioner D-1
Denise Palmer	Commissioner D-2
Shelly Vandagriff	Commissioner D-3
Tim Isbel	Commissioner D-4
Jerry White	Commissioner D-5
Anthony Allen	Commissioner D-6
Sabra Beauchamp	Commissioner D-7
Bob Smallridge	Commissioner D-8

## Nominating

[1 year term] {\*1\*4 \*7}  
Makes nominations to County Commission for all positions which are not required to be nominated by others.

Tyler Mayes	Commissioner D-1
Denise Palmer	Commissioner D-2
Josh Anderson	Commissioner D-3
Tim Isbel	Commissioner D-4
Jerry White	Commissioner D-5
Anthony Allen	Commissioner D-6
Sabra Beauchamp	Commissioner D-7
Bob Smallridge	Commissioner D-8

## Operations

[1 year term] {\*1 \*4 \*7}  
Courthouse, cable TV, Sheriff, administrative functions, contracts, policies

Tracy Wandell	Commissioner D-1
Michael Foster	Commissioner D-2
Josh Anderson	Commissioner D-3
Tim Isbel	Commissioner D-4
Robert McKamey	Commissioner D-5
Ebony Capshaw	Commissioner D-6
Stephen Verran	Commissioner D-7
Phil Yager	Commissioner D-8

## Purchasing Commission

'81 Finance Act {\*1\*2 \*3 \*4}  
[4 year term] Assists purchasing agent in setting policies

Tyler Mayes	Commissioner D-1
Denise Palmer	Commissioner D-2
Stephen Verran	Commissioner D-4
Ebony Capshaw	Commissioner D-6
Phil Yager	Commissioner D-8

\*1. Standing Committee

\*2. Rule XVI: 1 year life unless specified yearly.

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# ANDERSON COUNTY COMMISSION COMMITTEES 2024-2025

[Rev 08/13/2024]

## Resale of Land Bought at Delinquent Tax Sales

T.C.A. 67-5-2507 (b) (1) {\*1 \*3 \*4}  
Sets price of & authorizes sale of such land.

Terry Frank (CH)	County Mayor
Josh Anderson	Commissioner D-3
Shain Vowell	Commissioner D-4
Ebony Capshaw	Commissioner D-6
Phil Yager	Commissioner D-8

## Rules

[1 year term] {\*1\*4}  
Committee on Committees, Rules of Procedure

Tyler Mayes	Commissioner D-1
Michael Foster	Commissioner D-2
Ebony Capshaw	Commissioner D-6
Anthony Allen	Commissioner D-6
Bob Smallridge	Commissioner D-8

## Intergovernmental Committee

[Established 10-21-02] [1 year term] {\*1\*4}

Tracy Wandell	Commissioner D-1
Shelly Vandagriff	Commissioner D-3
Tim Isbel	Commissioner D-4
Shain Vowell	Commissioner D-4
Anthony Allen	Commissioner D-6
Bob Smallridge	Commissioner D-8
Terry Frank (ex officio)	County Mayor
Jay Yeager (ex officio)	Law Director

## Veterans Service Advisory

[Established 11-20-06] {\*1\*4\*8}

Tracy Wandell	Commissioner D-1
Robert McKamey	Commissioner D-5
Stephen Verran (Volunteer)	Commissioner D-7
Marc A. Brooks	Veteran
John Aperans	Veteran
Robert S. Matthews	Veteran
Mark D. Walter	Veteran
Leon Jaquet	Ex-officio

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# ANDERSON COUNTY

## Boards, Committees and Commissions

### 2024 - 2025

[Rev.8/13/2024]

#### Adult Oriented Establishment Board

T.C. A. 7-51-1120 {\*5 \*6 \*7}  
 [4 yr term] five members

Phil Yager	Commissioner
Shain Vowell	Commissioner
Denise Palmer	Commissioner
Jerry White	Commissioner
Tracy Wandell	Commissioner

#### Anderson County Animal Shelter Advisory Committee

{\*1,\*6,\*7}

Stephen Verran	Commissioner
Robert McKamey	Commissioner
Tracy Wandell	Commissioner
Joe Hall	Citizen
Steven Newby	Citizen
Lauren Biloski	Citizen
Vada Oberlin	Citizen
Joyce Klee	Citizen
Marybeth Skeans	Citizen

#### Alternatives to Incarceration Advisory

[established by resolution # 12-321] [1.17.12] {\*10}

Terry Frank	County Mayor
Rex Lynch	Circuit Court Clerk
Dave Clark	District Attorney General
	District Public Defender
Phil Yager	County Commissioner
Richard Parker	Chief Jailer
Russell Barker	Sheriff
Jan Cagle	Mental Health Professional

#### Anderson County Beer Board

T.C.A. 57-5-105 [3 yr term] {\*1 \*6 \*7}  
 Maximum ten members Regulates issuance of beer licenses

Open  
 Open  
 Stephen Verran (9/27)  
 Jeff Watson (9/26)  
 Jerry White (9/25)  
 Michael Foster (9/26)  
 Tim Isbel (9/26)  
 Steven Phillips (9/26)  
 Josh Anderson (9/24)

#### American's with Disabilities Oversight

[1 yr term] {\*2 \*4 \*8}  
 Oversees policies and facilities compliance with ADA Act

Louise McKown	Chairman
Roger Lloyd	ADA Coordinator
Stephen Verran	Commissioner
Anthony Allen	Commissioner
Open	Site Compliance/Wheelchairs
Jim Woodward	School Department
<u>Open</u>	School Department

#### Board of Health

T.C.A. Title 68, Ch. 2 {\*2 \*6 \*7 \*10}  
 [4 yr term] Oversees county health department

Terry Frank	County Mayor
Dr. Tim Parrott	Director of Schools
Open (9/26)	
Dr. Thomas Clary (9/26)	Physician
Dr. Curtis Sexton (9/25)	Physician
Jim McBride (9/26)	Pharmacist
Dr. Mark Garrett (9/26)	Veterinarian
Brenda Vowell (9/26)	Registered Nurse
Jeanie Bertram (9/25)	Citizen Representative
Deborah Horton	County Health Officer (Interim Ex-Officio)
Charles Turner	County Health Dir. (Ex- Officio & Secretary)

#### Agricultural Extension Committee

T.C.A. 49-50-104 {\*4 \*6}  
 [2 yr terms, January 1]

Michael Foster (12/25)	Commissioner
Josh Anderson (12/24)	Commissioner
Shelly Vandagriff (12/24)	Commissioner
Kathy Turpin (12/25)	Farm Woman
Joe Hall (12/24)	Farm Man
Amanda Evans (12/25)	Farm Woman
Jeremy Horne (12/2r)	Farm Man

\*1 Nominated by Nominating Committee  
 \*2 Nominated by Board  
 \*3 Nominated by County Mayor  
 \*4 Appointed by State Agency  
 \*5 Appointed by County Mayor

\*6 Ratified by County Legislative Body  
 \*7 Members need not be members of the Co. Legislative Body  
 \*8 Nominated by City Mayor, ratified by City Council  
 \*9 County entitled to seat(s) on the Board  
 \*10 Membership required to be people who hold certain positions



# ANDERSON COUNTY

## Boards, Committees and Commissions

### 2024 - 2025

[Rev.8/13/2024]

#### Board of Zoning Appeals

T.C.A. 13-7-101 {\*1 \*6 \*7}  
 [5 yr term] Required to hear zoning appeals

Mark C. Skove (9/27)  
 Carl Kenneth Wright (9/26)  
 Jerry White (9/25) Commissioner  
 Archie Burress (9/27)  
 James Ferguson (9/28)

Caitlin Nolan (9/19) Citizen  
 Chad McNabb (9/22) PSI Probation  
 Ratisha Crawford Collier Probation/Parole Officer  
 Dan Cox Probation/Parole Officer

#### Civil Service Board

T.C.A. 8-8-405 [3 yr term] {\*1 \*6 \*7}  
 Enforces law enforcement civil service regulations

Richie Noe (9/26)  
 Lisa Smith (9/24)  
 Mark Weaver (9/25)

#### Emergency Communications District Board of Directors

T.C.A. 7-86-105 {\*5 \*6 \*7}  
 Required as a condition of forming E-911 system which  
 was approved by referendum

Jeremy Huddleston (1/28)  
 Nathan Sweet (1/28) ACEMS  
 Russell Barker (1/25) Sheriff  
 Anne Jordan (1/25)  
 Brice Kidwell (1/26)  
 James Shetterly (1/26) Rocky Top Police  
 Tyler Mayes (1/27) County Commission  
 Scott Thomas (1/27)  
 Terry Allen (1/27)

#### Clinch River Regional Library Board

(3 year term) {\*2 \*6 \*7 \*9}

Joshua Anderson (6/21)  
 Mary Jane Berry (6/21)

#### Election Commission

T.C.A. 2-12-101 {\*4 \*7}  
 [2 yr term, April of odd years]

#### Conservation Board

T.C.A. 11-21-102 {\*5 \*6 \*7}  
 [5 yr term] Oversees parks and recreation

Tony Powers (12/24)  
 Scott Burton (12/25)  
 John Croes (12/22)  
 Lewis Ridenour (12/23)  
 Joshua Anderson (12/21)

David Bradshaw  
 Mary Matheny  
 D. Jane Miller  
 William T. Gallaher  
 William "Bear" Stephenson

#### Equalization Board

T.C.A. 67-1-401 {\*1 \*6 \*7 \*10}  
 [2 yr terms, April even years]

#### Community Corrections Advisory Board

T.C.A. 40-36-201 [Re-established 9.21.09] {\*3 \*6 \*7\*9\*10}

Tom Marshall Criminal Defense Attorney  
 David S. Clark District Attorney General  
 Russell Barker Sheriff  
 Paul Gore Manager  
 Walter Cum Officer  
 Tyrone Fritts (9/18) Non-Profit Human Service Agency

James Earl Ferguson (4/24)  
 Harold L Whited (4/24)  
 Kathy Edwards (4/24) (City of Oak Ridge)  
 George T Paynter (4/24)  
 Harold D Edwards (4/24)

\*1 Nominated by Nominating Committee  
 \*2 Nominated by Board  
 \*3 Nominated by County Mayor  
 \*4 Appointed by State Agency  
 \*5 Appointed by County Mayor

\*6 Ratified by County Legislative Body  
 \*7 Members need not be members of the Co. Legislative Body  
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# ANDERSON COUNTY

## Boards, Committees and Commissions

### 2024 - 2025

[Rev.8/13/2024]

#### County Ethics Commission

Code of Ethics adopted 5-21-07 (\*10)  
 [2 yr terms expiring 9/2010, no term limits]

- |  |                     |
|--|---------------------|
| A) County Mayor, or designee           | Terry Frank         |
| B) Chairman of the CLB, or designee    | Joshua Anderson     |
| C) County Clerk or designee            | Jeff Cole           |
| D) Circuit Court Clerk, or designee    | Rex Lynch           |
| E) Clerk and Master, or designee       | Hal Cousins         |
| F) Director of Schools, or designee    | Dr. Tim Parrott     |
| G) Highway Superintendent, or designee | Gary Long           |
| H) Mbr of the Judiciary, or designee   |                     |
| I) Assessor of Property, or designee   | Johnny Alley        |
| J) Register of Deeds, or designee      | Tim Shelton         |
| K) Sheriff, or designee                | Russell Barker      |
| L) Trustee, or designee                | Regina Copeland     |
| M) Member of CLB, or designee          | Catherine Denenberg |
| N) Member of the CSB, or designee      | Dail Cantrell       |
| O) County Mayor appointment            | Dusty Irwin         |
| P) CLB appointment                     | Shain Vowell        |
| Q) Ombudsman/Law Director, ex officio  | Jay Yeager          |

#### Fire Commission

Established 3/21/94 (\*1 \*6 \*7 \*10)  
 Bylaws updated 3/18/13  
 Membership: [County Commissioners 2 yr terms; Dept Chiefs serve thru term of office]

- Membership:
- |                        |                   |
|------------------------|-------------------|
| Tracy Wandell (9/26)   | Commissioner      |
| Sabra Beauchamp (9/24) | Commissioner      |
| Andrea Kroth, Chief    | Andersonville VFD |
| Jamie Brewster, Chief  | Briceville VFD    |
| Dusty Sharpe, Chief    | Claxton VFD       |
| Stephanie Fox, Chief   | Marlow VFD        |
| Joe Gilliam, Chief     | Medford VFD       |
| Terry Allen, Chief     | Rescue Squad      |
| Jeff Little, Chief     | Clinton FD        |
| Jim Shetterly, Chief   | Rocky Top FD      |
| Rick Roach, Vice Chair | Norris FD         |
| Travis Solomon, Chief  | Oak Ridge FD      |
| Justin Bailey, Chief   | Oliver Springs FD |

- Associate Members
- |                        |       |
|------------------------|-------|
| Steve Payne, Director  | ACEM  |
| Nathan Sweet, Director | ACEMS |

#### Employee Insurance Board of Trustees

[by resolution amended - approved 4.21.08] (\*10)

- |                      |                     |
|----------------------|---------------------|
| Terry Frank          | County Mayor        |
| Robby Holbrook       | Finance Director    |
| Kim Jeffers-Whitaker | H R Director        |
| Phil Yager           | County Commissioner |
| Shain Vowell         | ACSD Captain        |

#### Facility Oversight Committee

Established by contract  
 (1) County Commissioner

- |                 |              |
|-----------------|--------------|
| Joshua Anderson | Commissioner |
| Terry Frank     | County Mayor |

#### Health & Education Facilities Board

T.C.A. 48-101-307 (\*2 \*6)  
 [6 yr terms]

- Leslie Sellers (11/26)  
 Open (11/26)  
 Edward E. Coker (11/26)  
 Louise B. Dunlap (11/24)  
 Curtis C. Sexton, MD (11/24)  
 Charles E. Price (11/28)  
 William T. Gallaher (11/28)  
 John E. Stair (11/28)  
 Paul E. Bostic, Jr. (11/24)

#### Human Resource Advisory Committee

Established by Resolution #200-3-05 (3-21-05) (\*5\*6 \*10)

- |                |                        |
|----------------|------------------------|
| Terry Frank    | County Mayor           |
|                | County Law Director    |
| Jeff Cole      | County Clerk           |
| Rex Lynch      | Circuit Court Clerk    |
| Robby Holbrook | Finance Director       |
| Gary Long      | Highway Superintendent |

\*1 Nominated by Nominating Committee  
 \*2 Nominated by Board  
 \*3 Nominated by County Mayor  
 \*4 Appointed by State Agency  
 \*5 Appointed by County Mayor

\*6 Ratified by County Legislative Body  
 \*7 Members need not be members of the Co. Legislative Body  
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# ANDERSON COUNTY

## Boards, Committees and Commissions

### 2024 - 2025

[Rev.8/13/2024]

Johnny Alley  
Tim Shelton  
Russell Barker  
Regina Copeland  
Hal Cousins  
Shain Vowell

Property Assessor  
Register of Deeds  
Sheriff  
Trustee  
Clerk & Master  
County Commissioner

Charlotte Johnson (6/26)  
Janine Brewer (12/24)  
Christy Day Hibler (6/25)

City  
County  
Rocky Top

### Legal Services Advisory Committee

Established by Private Act 1-17-06 {\*6 \*10}

Terry Frank	County Mayor
Jeff Cole	County Clerk
Rex Lynch	Circuit Court Clerk
Gary Long	Highway Superintendent
Johnny Alley	Property Assessor
Tim Shelton	Register of Deeds
Russell Barker	Sheriff
Regina Copeland	Trustee
Tracy Wandell	Commissioner
Sabra Beauchamp	Commissioner
Josh Anderson	Commissioner

### Industrial Development Board

T.C.A. 7-53-301 {\*2 \*6}  
[6 yr terms]

William Stephenson (11/26)  
Donald A. Whitaker (11/26)  
Edward Coker (11/26)  
Timothy Sharp (11/24)  
Robert Baird (11/24)  
David Hopper (11/24)  
Steve Queener (11/28)  
Ernest Bowles(11/28)  
Hugh V. Evans (11/28)

### Northeast Railroad Authority

T.C.A. 64-2-104 {\*1 \*6 \*7 \*9 \*10}

Terry Frank	County Mayor
Mark Morgan	Tourism Council Chairman
Tim Isbel	Commissioner

### IT Advisory Board

Est. by Resolution 17-4-629 (4/17/17) {\*5\*6 \*10}

Terry Frank	County Mayor
Jeff Cole	County Clerk
Rex Lynch	Circuit Court Clerk
Gary Long	Highway Superintendent
Johnny Alley	Assessor of Property
Tim Shelton	Register of Deeds
Regina Copeland	Trustee
Hal Cousins	Clerk and Master
Robby Holbrook	Finance Director
Kim Jeffers-Whitaker	HR Director
Anthony Allen (one Member)	County Commissioner
	(non-voting ex officio) Law Director
Russell Barker	Sheriff

### Public Records Commission

T.C.A. 10-7-401 {\*3 \*6 \*7 \*10}

[Term of Office] Regulates disposal of public records

Terry Frank	Mayor
Tim Isbel	County Commission
Jeff Cole	County Clerk Ex-Officio
Tim Shelton	Register of Deeds Ex-Officio
Mary Sue Harris	Historian Emeritus
Jamie Brooks	Chancellor
Stephanie A. Hill (9/26)	Genealogist
Brian Young	IT Ex-Officio
Zach Foster	County Archives Ex-Officio

### Library Board

[3 yr terms] T.C.A. 10-3-104 {\*6 \*8}

Debbie Shaw	Rocky Top
Joshua Anderson (6/25)	County Commission
Vickie Underwood (6/24)	Clinton
Jess Anne Cole (6/26)	Clinton
Tommy Mariner (6/24)	Norris
Carolyn Boswell (6/25)	Norris

- \*1 Nominated by Nominating Committee
- \*2 Nominated by Board
- \*3 Nominated by County Mayor
- \*4 Appointed by State Agency
- \*5 Appointed by County Mayor

- \*6 Ratified by County Legislative Body
- \*7 Members need not be members of the Co. Legislative Body
- \*8 Nominated by City Mayor, ratified by City Council
- \*9 County entitled to seat(s) on the Board
- \*10 Membership required to be people who hold certain positions

# ANDERSON COUNTY

## Boards, Committees and Commissions

### 2024 - 2025

[Rev.8/13/2024]

#### Regional Planning Commission

T.C.A. 13-3-201 (\*3 \*4 \*7)  
[4 yr term]

Ned Ferguson (9/26)	
H. A. (Tony) Gregg (1/27)	
Tim Isbel (1/24)	Commissioner
Jonathan Tue (1/27)	
Harold Edwards(1/24)	
Benjamin Stephens(1/24)	
Ernie Gonzales (1/22)	

#### Regional Solid Waste Planning Board

T.C.A. 68-211-813 (a) (2) (\*3 \*6 \*8)  
Required by Solid Waste Act [6 yr term]

Dusty Irwin (9/20)	Citizen
Richard Burroughs(9/20)	Citizen
Steven Poppick (9/26)	Citizen
Robert McKamey (9/20)	Commissioner
Jerry White (9/19)	Commissioner
Harold Evans (9/25)	Citizen
Bill Riggs (9/25)	City of Clinton
Terry Bearden (9/23)	City of Rocky Top
Adam Ledford	City of Norris
Shira McWaters (9/25)	City of Oak Ridge
David Bolling (9/17)	Town of Oliver Springs

#### Anderson County Opioid Settlement Task Force

Denise Palmer	Commissioner D-2
Michael Foster	Commissioner D-2
Joshua Anderson	Commissioner D-3
Shelly Vandagriff	Commissioner D-3
Tim Isbel	Commissioner D-4
Sabra Beauchamp	Commissioner D-7

#### Tourism Council Advisory Board

T.C.A. 5-9-203 [1 yr term] (\*5 \*6 \*8)  
Manages Local Tourism Activities

Tim Isbel	County Commissioner
Michael Foster	County Commissioner
Terry Frank	County Mayor
Jason Brown	City of Clinton
Lisa Shirey	City of Norris
Charlie Smith	City of Rocky Top
Beth Hickman	City of Oak Ridge
Cory Jenkins	City of Oliver Springs
Katherine Birkbeck	Historic Downtown Clinton/Main St.
Brent Galloway	Windrock Park
Park Manager	Norris Dam State Park
Serena Satterfield	Sequoyah Marina
Amanda Bridges	Holiday Inn Express
John Meyer	Museum of Appalachia
Jimmy Taylor	Resident
Katy Watt	Oak Ridge C / V Bureau
Maria Hooks	Rocky Top Chamber
Rick Meredith	Anderson County Chamber
Christine Michaels	Oak Ridge Chamber
Stephanie Wells	Executive Director

#### Anderson County Water Authority

Established by Private Act [4 yr staggered terms] (\*5 \*6)

Zenith "Ricky" Rose (9/27)  
Jack Shelton (9/27)  
George Horton (9/25)  
Ernie Bowles (9/26)  
Charles "Dusty" Irwin

\*1 Nominated by Nominating Committee  
\*2 Nominated by Board  
\*3 Nominated by County Mayor  
\*4 Appointed by State Agency  
\*5 Appointed by County Mayor

\*6 Ratified by County Legislative Body  
\*7 Members need not be members of the Co. Legislative Body  
\*8 Nominated by City Mayor, ratified by City Council  
\*9 County entitled to seat(s) on the Board  
\*10 Membership required to be people who hold certain positions

**ANDERSON COUNTY GOVERNMENT  
SUMMARY OF BUDGET AMENDMENTS**

August 8, 2024

<u>PAGE NO.</u>	<u>ITEM NO.</u>	<u>FUND - DEPARTMENT</u>	<u>AMOUNT</u>
1	1	General Fund 101 - Register of Deeds	\$ 2,000.00
<b>Group 2 - Appropriations - School (Commission Approval by Board Vote)</b>			
2	2	Fund 141 - Fiscal Services	\$ 1,400,000.00
2	3	Fund 141 - Fiscal Services	\$ 150,000.00
3	4	Fund 141 - Special Education	\$ 195,642.60
<b>Group 3 - Transfers - School (Commission Approval by Board Vote)</b>			
<b>Group 4 - Appropriations - NonSchool (Commission Approval by Board Vote)</b>			
3	5	General Fund 101 - EMA	\$ 9,744.13
4	6	General Fund 101 - EMA	\$ 28,250.00
4	7	Fund 115 - Library	\$ 3,000.00
5	9	General Fund 101 - Sheriff's Department	\$ 5,841.26
5	11	General Fund 101 - Finance/Sheriff	\$ 17,050.00
7	13	General Fund 101 - EMS	\$ 134,180.10
7	14	General Fund 101 - Mayor/Sr Center	\$ 6,750.00
8	15	General Fund 101 - Mayor	\$ 857,841.00
9	17	Fund 121 - ARPA/EMS	\$ 425,000.00
9	18	Fund 121 - ARPA/Sheriff	\$ 572,000.00
10	19	Fund 121 - ARPA/Archives	\$ 16,280.66
<b>Group 5 - Appropriations - General Fund Unassigned Fund Balance (Commission Approval by Board Vote)</b>			
4	8	General Fund 101 - Sheriff's Department	\$ 12,297.76
5	10	General Fund 101 - Finance	\$ 175,000.00
8	16	General Fund 101 - Finance/EMS	\$ 45,000.00
10	20	General Fund 101 - Finance/Law Director	\$ 45,000.00
<b>Group 6 - Transfers - NonSchool (Commission Approval by Board Vote)</b>			
6	12	General Fund 101 - Sheriff's Department	\$ 59,638.00
<b>Group 7 - Miscellaneous</b>			
10	A	State Approval of FY 24/25 Budget	Information
10	B	EMS Performance Raises and Capital Outlay	Motion Passed
11	C	Sheriff Capital Outlay	Motion Passed
11	D	Mayor Discussion Items/Archives, Part-Time 4% & TDOT	Motions Passed
12	E	General Clark	No Action
12	F	Judge Spitzer	No Action
12	G	Consolidation of Budget & Purchasing Committees	Motion Passed
12	H	New Business/Law Director Special Counsel BA	Motion Passed
<b>Group 8 - Additional Items not discussed during budget committee (requires 3/4 majority vote)</b>			

**ANDERSON COUNTY GOVERNMENT  
CASH AND FUND BALANCE REPORT  
July 31, 2024**

*Unaudited + June  
is still not closed.*

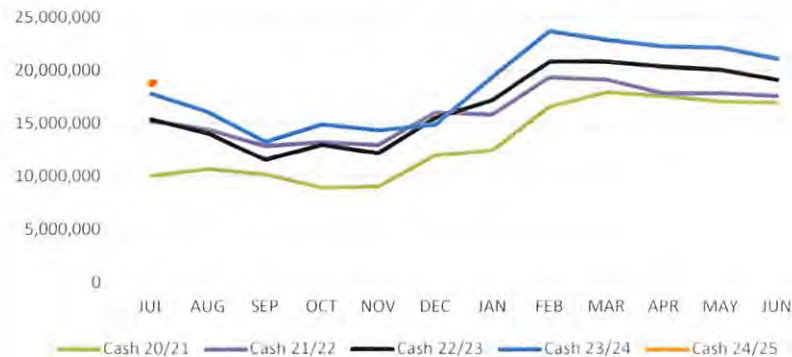
FUND	DESCRIPTION	NON-SPENDABLE	RESTRICTED FUNDS	COMMITTED FUNDS	ASSIGNED FUNDS	UNASSIGNED FUND BALANCE	TOTAL FUND BALANCE	CASH
101	General Fund	\$ -	\$ 1,397,952	\$ 1,207,965	\$ 4,123,188	\$ 12,976,877 *	\$ 19,705,982	\$ 18,744,836
115	Library Fund	\$ -	\$ 291,898		\$ -	\$ -	\$ 291,898	\$ 357,802
116	Solid Waste/Sanitation Fund	\$ -	\$ 535,318	\$ -	\$ -	\$ -	\$ 535,318	\$ 645,299
118	Ambulance Fund	\$ -		\$ -	\$ -	\$ 480,982	\$ 480,982	\$ 211,079
121	American Rescue Plan							\$ 4,295,609
122	Drug Control Fund	\$ -	\$ 142,508	\$ 8,754	\$ -	\$ -	\$ 151,262	\$ 173,697
127	Channel 95 Fund	\$ -	\$ -	\$ -	\$ 62,928	\$ -	\$ 62,928	\$ 34,269
128	Tourism Fund	\$ -	\$ 629,723	\$ -	\$ 100,000	\$ -	\$ 729,723	\$ 956,368
131	Highway Fund	\$ 75,128	\$ 269,737	\$ 3,684,146	\$ -	\$ -	\$ 4,029,011	\$ 3,188,140
141	General Purpose School Fund	\$ -	\$ -	\$ 13,881,124	\$ -	\$ -	\$ 13,881,124	\$ 10,634,687
143	Central Cafeteria	\$ 88,414	\$ 4,439,538	\$ -	\$ -	\$ -	\$ 4,527,952	\$ 4,787,743
151	General Debt Service Fund	\$ -	\$ 966,806	\$ -	\$ -	\$ -	\$ 966,806	\$ 834,426
152	Rural Debt Service Fund	\$ -	\$ 673,258	\$ -	\$ -	\$ -	\$ 673,258	\$ 1,181,135
156	Education Debt Service Fund	\$ -	\$ 124,463	\$ -	\$ -	\$ -	\$ 124,463	\$ 241,648
171	Capital Projects Fund	\$ -	\$ 478,024	\$ -	\$ -	\$ -	\$ 478,024	\$ 645,735
177	Education Capital Projects Fund		\$ 856,342	\$ -	\$ -	\$ -	\$ 856,342	\$ 985,347
263	Employee Benefit Fund	\$ 33,174	\$ -	\$ -	\$ 751,588	\$ -	\$ 784,762	\$ 1,039,802
		<b>\$ 196,716</b>	<b>\$ 10,805,567</b>	<b>\$ 18,781,989</b>	<b>\$ 5,037,704</b>	<b>\$ 13,457,859</b>	<b>\$ 48,279,835</b>	<b>\$ 48,957,622</b>

\* General Unassigned Fund Balance limit of \$6M requiring 2/3 (11) votes for budget amendments.

**Cash Trends**  
July

Cash 20/21	10,101,594
Cash 21/22	15,225,725
Cash 22/23	15,379,674
Cash 23/24	17,794,773
Cash 24/25	18,744,836

**General Fund Cash Trends**





Local Option Sales Tax - Net Breakdown by FY.xlsx

FY2023	Anderson Co.	Clinton	Rocky Top	Norris	Oak Ridge	Oliver Springs	Out of State	Total	+/-
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%
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	\$4,290,171.92	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%
<b>Totals:</b>	<b>\$5,975,489.53</b>	<b>\$10,679,834.90</b>	<b>\$1,116,337.77</b>	<b>\$531,367.88</b>	<b>\$27,847,577.62</b>	<b>\$1,343,129.32</b>	<b>\$541,515.74</b>	<b>\$48,035,252.76</b>	<b>3%</b>
FY2024	Anderson Co.	Clinton	Rocky Top	Norris	Oak Ridge	Oliver Springs	Out of State	Total	+/-
July	\$499,637.60	\$935,432.32	\$102,159.70	\$46,607.31	\$2,247,025.24	\$118,499.10	\$59,819.45	\$4,009,180.72	6.0%
August	\$500,254.95	\$926,747.98	\$98,402.33	\$43,576.87	\$2,251,218.53	\$113,524.76	\$54,814.98	\$3,988,540.40	11.2%
September	\$498,267.57	\$829,693.94	\$94,982.26	\$44,472.85	\$1,967,736.93	\$123,433.87	\$66,142.24	\$3,624,729.66	5.9%
October	\$396,910.18	\$835,882.72	\$97,479.82	\$42,433.32	\$2,204,981.13	\$119,806.40	\$38,657.92	\$3,736,151.49	1.4%
November	\$571,075.78	\$904,200.44	\$99,587.51	\$49,072.97	\$2,386,633.93	\$124,162.50	\$34,294.14	\$4,169,027.27	2.1%
December	\$532,307.18	\$922,440.70	\$100,427.07	\$44,352.65	\$2,320,943.19	\$117,583.48	\$32,817.52	\$4,070,871.79	-4.2%
January	\$597,913.34	\$1,249,551.98	\$101,379.14	\$50,729.98	\$3,109,781.97	\$132,529.68	\$54,001.85	\$5,295,887.94	13.0%
February	\$463,197.93	\$840,801.01	\$85,022.91	\$36,322.45	\$2,257,927.65	\$123,286.98	\$45,658.68	\$3,852,217.61	-4.6%
March	\$441,473.00	\$900,598.83	\$86,804.45	\$44,262.92	\$2,261,867.52	\$116,953.82	\$61,480.38	\$3,913,440.92	3.9%
April	\$508,342.61	\$948,424.49	\$106,095.26	\$47,724.45	\$2,660,226.92	\$128,789.00	\$44,311.95	\$4,443,914.68	3.6%
May	\$493,848.18	\$922,182.17	\$101,604.30	\$45,094.65	\$2,698,535.39	\$121,936.01	\$52,740.49	\$4,435,941.19	5.1%
June	\$567,955.36	\$976,246.00	\$107,120.87	\$45,031.06	\$2,446,928.85	\$117,326.50	\$86,206.98	\$4,346,815.62	2.9%
<b>Totals:</b>	<b>\$6,071,183.68</b>	<b>\$11,192,202.58</b>	<b>\$1,181,065.62</b>	<b>\$539,681.48</b>	<b>\$28,813,807.25</b>	<b>\$1,457,832.10</b>	<b>\$630,946.58</b>	<b>\$49,886,719.29</b>	<b>3.9%</b>

11%

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	\$ (9,982,644.49)	\$ (4,958,396.79)	\$ (14,941,041.28)			
<b>Remaining Allocation</b>	<b>\$ 17,355.51</b>	<b>\$ (6,322.79)</b>	<b>\$ 11,032.72</b>			
Interest earned	\$ 268,944.49					
<b>Remaining Allocation + Interest</b>	<b>\$ 286,300.00</b>			Obligation Deadline 12/31/2024		
Project Name	BUDGETED	EXPENDED TO-DATE	BUDGETED BUT NOT EXPENDED	PROJECT STATUS	REVENUE LOSS	Date Approved by Commission
Employee Retention Payments -Exempt	\$ 85,013.68	\$ 85,013.68	\$ -	Complete	YES	4/18/2022
Employee Retention Payments -Non-Exempt	\$ 614,826.78	\$ 614,826.78	\$ -	Complete	NO	4/18/2022
TN Emergency Broadband Fund Grants -MF Highland	\$ 11,636.84	\$ 11,636.84	\$ -	Complete	YES	2/22/2022
GIS Digitized Stormwater System And Outfall Map	\$ 103,060.00	\$ 103,060.00	\$ -	Complete	YES	11/21/2022
EMS Budget Fund Balance Adjustment (Worker Comp/Building/Contents/MotorPool)	\$ 280,000.00	\$ 280,000.00	\$ -	Complete	YES	8/15/2022
Whole Body Scanner for Jail	\$ 135,000.00	\$ 135,000.00	\$ -	Complete	YES	9/20/2021
County Paving Projects	\$ 766,991.63	\$ 766,991.63	\$ -	Complete	YES	8/15/2022
County Paving Projects - New Eligibility	\$ 1,485,844.01	\$ 1,485,844.01	\$ -	Complete	NO	8/15/2022
Claxton Sewerline Study	\$ 30,000.00	\$ 30,000.00	\$ -	Complete	YES	8/15/2022
Witness Room/Archives Relocation	\$ 1,019,170.85	\$ 1,019,170.85	\$ -	Complete	YES	8/15/2022
Senior Center Kitchen Improvements	\$ 667,365.84	\$ 667,365.84	\$ -	Complete	YES	5/16/2022
A/V Technology for Room 118A	\$ 15,182.53	\$ 15,182.53	\$ -	Complete	YES	5/16/2022
Other Vehicles on Capital Requests	\$ 224,823.00	\$ 224,823.00	\$ -	Complete	YES	8/15/2022
Sheriff's Vehicles for 2 Years	\$ 899,349.03	\$ 899,349.03	\$ -	Complete	YES	8/15/2022
Family Justice Center -Building Purchase	\$ 175,000.00	\$ 175,000.00	\$ -	Complete	YES	8/15/2022
EMS Stretchers (12)	\$ 398,409.00	\$ 398,409.00	\$ -	Complete	YES	11/21/2022
Oak Ridge Fire Dept. Training Center	\$ 273,500.00	\$ 273,500.00	\$ -	Complete	YES	8/15/2022
Other County Capital Outlay Requests (e.g., \$10k Judges)	\$ 9,334.76	\$ 9,334.76	\$ -	Complete	YES	8/15/2022
Repair Chimes	\$ 18,635.00	\$ 18,635.00	\$ -	Complete	YES	1/17/2023
A/V Technology for Room 312	\$ 13,994.24	\$ 13,994.24	\$ -	Complete	YES	3/20/2023
Jail Medical Services	\$ 250,000.00	\$ 250,000.00	\$ -	Complete	YES	5/15/2023
EMS Budget Fund Balance Adjustment (FY24)	\$ 516,000.00	\$ 516,000.00	\$ -	Complete	YES	6/19/2023
Fire Department/Rescue Squad Equipment	\$ 547,389.89	\$ 547,389.89	\$ -	Complete	YES	8/21/2023
EMS AED's	\$ 272,669.74	\$ 272,669.74	\$ -	Complete	YES	8/21/2023
Claxton Area Repeater	\$ 13,475.23	\$ 13,475.23	\$ -	Complete	YES	8/21/2023
Contributions Child Advocacy Center & American Legion	\$ 18,405.00	\$ 18,405.00	\$ -	Complete	YES	3/18/2024
Parks Bobcat	\$ 53,161.25	\$ 53,161.25	\$ -	Complete	YES	5/20/2024
TN Emergency Broadband Fund Grants -MF Comcast	\$ 250,000.00	\$ -	\$ 250,000.00	In Progress	NO	2/22/2022
County-wide Assessment for Water & Sewer Planning	\$ 92,000.00	\$ 59,936.50	\$ 32,063.50	In Progress	YES	3/10/2022
IT Infrastructure Needs (e.g., Multi-Factor Authentication)	\$ 150,000.00	\$ 106,064.04	\$ 43,935.96	In Progress	YES	8/15/2022
EMS Ambulances for 2 years	\$ 1,357,726.00	\$ 500,511.66	\$ 857,214.34	In Progress	NO	8/15/2022
TDEC ARP Water Infrastructure Investment Plan (WIIP)	\$ 379,514.92	\$ 67,989.81	\$ 311,525.11	In Progress	YES	6/19/2023
County-wide Emergency Communications System	\$ 1,250,000.00	\$ 1,098,270.00	\$ 151,730.00	In Progress	NO	12/18/2023
Anderson County Fire Commission Funding for Departments	\$ 330,000.00	\$ 210,000.00	\$ 120,000.00	In Progress	YES	5/20/2024
Digital Poll Books -Election Office	\$ 100,000.00	\$ -	\$ 100,000.00	Pending	YES	8/15/2022
CDBG Waterline Project (Buchanan Ln, Judson Rd, Savage Garden)	\$ 450,000.00	\$ -	\$ 450,000.00	Pending	YES	8/15/2022
Dental Clinic Redesign/Relocation/Bldg Improvements	\$ 500,000.00	\$ -	\$ 500,000.00	Pending	YES	9/18/2023
Auto Purchases	\$ 170,281.40	\$ -	\$ 170,281.40	Pending	YES	6/17/2024
EMS Vehicles FY25	\$ 425,000.00	\$ -	\$ 425,000.00	Pending	YES	8/19/2024
Sheriff's Vehicles FY25	\$ 572,000.00	\$ -	\$ 572,000.00	Pending	YES	8/19/2024
Archives Security Cameras	\$ 16,280.66	\$ -	\$ 16,280.66	Pending	YES	8/19/2024

Obligated 12/31/2024  
Spent 12/31/2026

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		\$ (8,969,363.83)	\$ (4,958,396.79)	\$ (13,927,760.62)		
Remaining Allocation		\$ 1,030,636.17	\$ (6,322.79)	\$ 1,024,313.38		
Interest earned		\$ 268,944.49				
Remaining Allocation + Interest		\$ 1,299,580.66			Obligation Deadline 12/31/2024	
Project Name	BUDGETED	EXPENDED TO-DATE	BUDGETED BUT NOT EXPENDED	PROJECT STATUS	REVENUE LOSS	Date Approved by Commission
1 Employee Retention Payments -Exempt	\$ 85,013.68	\$ 85,013.68	\$ -	Complete	YES	4/18/2022
2 Employee Retention Payments -Non-Exempt	\$ 614,826.78	\$ 614,826.78	\$ -	Complete	NO	4/18/2022
3.1 TN Emergency Broadband Fund Grants -MF Highland	\$ 11,636.84	\$ 11,636.84	\$ -	Complete	YES	2/22/2022
4 GIS Digitized Stormwater System And Outfall Map	\$ 103,060.00	\$ 103,060.00	\$ -	Complete	YES	11/21/2022
5 EMS Budget Fund Balance Adjustment (Worker Comp/Building/Contents/MotorPool)	\$ 280,000.00	\$ 280,000.00	\$ -	Complete	YES	8/15/2022
6 Whole Body Scanner for Jail	\$ 135,000.00	\$ 135,000.00	\$ -	Complete	YES	9/20/2021
7 County Paving Projects	\$ 766,991.63	\$ 766,991.63	\$ -	Complete	YES	8/15/2022
7.1 County Paving Projects - New Eligibility	\$ 1,485,844.01	\$ 1,485,844.01	\$ -	Complete	NO	8/15/2022
9 Claxton Sewerline Study	\$ 30,000.00	\$ 30,000.00	\$ -	Complete	YES	8/15/2022
10 Witness Room/Archives Relocation	\$ 1,019,170.85	\$ 1,019,170.85	\$ -	Complete	YES	8/15/2022
11 Senior Center Kitchen Improvements	\$ 667,365.84	\$ 667,365.84	\$ -	Complete	YES	5/16/2022
12 A/V Technology for Room 118A	\$ 15,182.53	\$ 15,182.53	\$ -	Complete	YES	5/16/2022
15 Other Vehicles on Capital Requests	\$ 224,823.00	\$ 224,823.00	\$ -	Complete	YES	8/15/2022
16 Sheriff's Vehicles for 2 Years	\$ 899,349.03	\$ 899,349.03	\$ -	Complete	YES	8/15/2022
18 Family Justice Center -Building Purchase	\$ 175,000.00	\$ 175,000.00	\$ -	Complete	YES	8/15/2022
19 EMS Stretchers (12)	\$ 398,409.00	\$ 398,409.00	\$ -	Complete	YES	11/21/2022
21 Oak Ridge Fire Dept. Training Center	\$ 273,500.00	\$ 273,500.00	\$ -	Complete	YES	8/15/2022
22 Other County Capital Outlay Requests (e.g., \$10k Judges)	\$ 9,334.76	\$ 9,334.76	\$ -	Complete	YES	8/15/2022
23 Repair Chimes	\$ 18,635.00	\$ 18,635.00	\$ -	Complete	YES	1/17/2023
24 A/V Technology for Room 312	\$ 13,994.24	\$ 13,994.24	\$ -	Complete	YES	3/20/2023
25 Jail Medical Services	\$ 250,000.00	\$ 250,000.00	\$ -	Complete	YES	5/15/2023
26 EMS Budget Fund Balance Adjustment (FY24)	\$ 516,000.00	\$ 516,000.00	\$ -	Complete	YES	6/19/2023
28 Fire Department/Rescue Squad Equipment	\$ 547,389.89	\$ 547,389.89	\$ -	Complete	YES	8/21/2023
29 EMS AED's	\$ 272,669.74	\$ 272,669.74	\$ -	Complete	YES	8/21/2023
30 Claxton Area Repeater	\$ 13,475.23	\$ 13,475.23	\$ -	Complete	YES	8/21/2023
32 Contributions Child Advocacy Center & American Legion	\$ 18,405.00	\$ 18,405.00	\$ -	Complete	YES	3/18/2024
33 Parks Bobcat	\$ 53,161.25	\$ 53,161.25	\$ -	Complete	YES	5/20/2024
3 TN Emergency Broadband Fund Grants -MF Comcast	\$ 250,000.00	\$ -	\$ 250,000.00	In Progress	NO	2/22/2022
8 County-wide Assessment for Water & Sewer Planning	\$ 92,000.00	\$ 59,936.50	\$ 32,063.50	In Progress	YES	3/10/2022
13 IT Infrastructure Needs (e.g., Multi-Factor Authentication)	\$ 150,000.00	\$ 106,064.04	\$ 43,935.96	In Progress	YES	8/15/2022
14 EMS Ambulances for 2 years	\$ 1,357,726.00	\$ 500,511.66	\$ 857,214.34	In Progress	NO	8/15/2022
27 TDEC ARP Water Infrastructure Investment Plan (WIIP)	\$ 379,514.92	\$ 67,989.81	\$ 311,525.11	In Progress	YES	6/19/2023
32 County-wide Emergency Communications System	\$ 1,250,000.00	\$ 1,098,270.00	\$ 151,730.00	In Progress	NO	12/18/2023
34 Anderson County Fire Commission Funding for Departments	\$ 330,000.00	\$ 210,000.00	\$ 120,000.00	In Progress	YES	5/20/2024
17 Digital Poll Books -Election Office	\$ 100,000.00	\$ -	\$ 100,000.00	Pending	YES	8/15/2022
20 CDBG Waterline Project (Buchanan Ln, Judson Rd, Savage Garden)	\$ 450,000.00	\$ -	\$ 450,000.00	Pending	YES	8/15/2022
31 Dental Clinic Redesign/Relocation/Bldg Improvements	\$ 500,000.00	\$ -	\$ 500,000.00	Pending	YES	9/18/2023
35 Auto Purchases	\$ 170,281.40	\$ -	\$ 170,281.40	Pending	YES	6/17/2024
	\$ 13,927,760.62	\$ 10,941,010.31	\$ 2,986,750.31			





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**BUDGET COMMITTEE MINUTES**  
**AUGUST 8, 2024**

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Members Present:

Michael Foster, Commissioner–Chairman  
Bob Smallridge, Commissioner, Vice Chair  
Aaron Wells, Commissioner  
Jerry White, Commissioner  
Sabra Beauchamp, Commissioner  
Shain Vowell, Commissioner  
Shelly Vandagriff, Commissioner  
Tyler Mayes, Commissioner

Meeting Facilitator: Robby Holbrook, Finance Director

Committee Chair Michael Foster called the meeting to order.

**Appearance of Citizens:** No citizens appeared.

**Approval of Agenda:**

Request from Committee Chair Michael Foster to approve the addition of an appropriation request to the agenda under New Business.

Motion by Commissioner Shain Vowell, second by Commissioner Sabra Beauchamp, and passed to approve the addition to the agenda as requested.

**TRANSFERS (Approved through Consent Agenda)**

**THE 1<sup>st</sup> ITEM**, to be presented to the Anderson County Budget Committee, was a written request from Tim Shelton, Register of Deeds, that the following **TRANSFER** in General Fund 101 be approved.

Decrease Expenditure Code:

101-51600-337	Maintenance & Repair	\$2,000.00
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Increase Expenditure Code:

101-51600-351	Rentals	\$2,000.00
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Justification: Transfer is necessary to pay rental for map plotter from Cannon.

Motion by Commissioner Bob Smallridge, seconded by Commissioner Sabra Beauchamp, and passed to approve the transfer request.



# APPROPRIATIONS    REQUIRING    FULL    COMMISSION APPROVAL

**THE 2<sup>nd</sup> 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	\$1,400,000.00
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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:

141-76100-304	Architect Fees	\$460,000.00
141-76100-399	Other Contracted Services	400,000.00
141-76100-706	Building Construction	<u>540,000.00</u>
		\$1,400,000.00

Justification: To appropriate funds for anticipated costs for new construction of Claxton Elementary School.

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

**THE 3<sup>rd</sup> 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	\$150,000.00
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Increase Expenditure Codes:

141-72310-506	Liability Insurance	\$125,000.00
141-72310-513	Worker’s Compensation Insurance	<u>25,000.00</u>
		\$150,000.00

Justification: To appropriate additional funds for increased costs in liability insurance and worker’s compensation insurance.

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



**THE 4<sup>th</sup> 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	Special Education Fees for Service	\$195,642.60
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Increase Expenditure Code:

141-71200-189-SEFFS	Other Salaries & Wages-SEFFS	\$15,000.00
141-71200-201-SEFFS	Social Security-SEFFS	930.00
141-71200-204-SEFFS	State Retirement-SEFFS	954.00
141-71200-212-SEFFS	Employer Medicare-SEFFS	217.50
141-71200-399-SEFFS	Other Contracted Services	114,000.00
141-71200-429-SEFFS	Instructional Materials-SEFFS	30,000.00
141-71200-499-SEFFS	Other Supplies-SEFFS	15,000.00
141-71200-524-SEFFS	Staff Development-SEFFS	7,000.00
141-72220-189-SEFFS	Other Salaries & Wages-SEFFS	11,000.00
141-72220-201-SEFFS	Social Security-SEFFS	682.00
141-72220-204-SEFFS	State Retirement-SEFFS	699.60
141-72220-212-SEFFS	Employer Medicare-SEFFS	<u>159.50</u>
		<b>\$195,642.60</b>

*Justification:* To appropriate Special Education Fees for Service funds for salary supplements, clerical assistance, contracted services for billing and psychologist/behavioral personnel.

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

**THE 5<sup>th</sup> 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	Civil Defense Reimbursement-Emergency Management Performance Grant	\$9,744.13
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Increase Expenditure Code:

101-54410-169	Part-Time	\$9,744.13
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*Justification:* Reimbursement grant, funds not spent from \$33,709.13 grant last fiscal year.

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

**THE 6<sup>th</sup> 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:

101-47235-DHS	Revenue	\$28,250.00
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Increase Expenditure Code:

101-54410-499-DHS	Civil Defense-Other Supplies & Materials	\$28,250.00
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Justification: To purchase ballistic vest and shields, a radar message sign and portable barriers.

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

**THE 7<sup>th</sup> ITEM**, to be presented to the Anderson County Budget Committee, was a written request from John Prince, Norris Library/Finance, that the following **APPROPRIATION** in Library Fund 115 be approved.

Increase Expenditure Code:

115-56500-499-4001	Other Supplies & Materials-Norris	\$3,000.00
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Decrease Reserve Code:

115-34535-4001	Fund Balance	\$3,000.00
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Justification: To allocate grant funds from East Tennessee Foundation. Received \$3,000 last FY. These funds rolled into Fund balance and this BA moves money into an expenditure code this FY 24-25.

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

**THE 8<sup>th</sup> ITEM**, to be presented to the Anderson County Budget Committee, was a written request from Kenny Sharp/Russell Barker, Sheriff's Department, that the following **APPROPRIATION** in General Fund 101 be approved.

Decrease Reserve Code:

101-39000	Unassigned Fund Balance	\$12,297.76
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Increase Expenditure Code:

101-54110-338	Sheriff's Dept-Vehicle Repairs & Maintenance	\$12,297.76
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Justification: This is to repair ACSD vehicles.

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

**THE 9<sup>th</sup> ITEM**, to be presented to the Anderson County Budget Committee, was a written request from Kenny Sharp/Russell Barker, Sheriff's Department, that the following **APPROPRIATION** in General Fund 101 be approved.

Increase Revenue Code:

101-49700	Insurance Recovery	\$5,841.26
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Increase Expenditure Code:

101-54110-338	Sheriff's Dept. Vehicle Repairs & Maintenance	\$5,841.26
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*Justification:* Insurance recovery for ACSD vehicle.

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

**THE 10<sup>th</sup> ITEM**, to be presented to the Anderson County Budget Committee, was a written request from Robby Holbrook, Finance, that the following **APPROPRIATION** in General Fund 101 be approved.

Decrease Reserve Code:

101-39000	Unassigned Fund Balance	\$175,000.00
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Increase Expenditure Code:

101-51900-599	Other General Administration-Other Charges	\$175,000.00
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*Justification:* Tennessee Risk Management payment for insurance increased \$153,971 from prior year and \$281,461 over the past 2 years, and while I have increased our appropriations the last 2 years it has not been enough to absorb this increase. I plan to do a full audit this fiscal year of each department's workman's comp insurance as well as buildings & contents, liability and vehicle insurance.

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

**THE 11<sup>th</sup> ITEM**, to be presented to the Anderson County Budget Committee, was a written request from Robby Holbrook, Finance/Sheriff, that the following **APPROPRIATION** in General Fund 101 be approved.

Increase Revenue Code:

101-46290-SORR1	Other Public Safety Grants-Sheriff's Office Recruitment and Retention	\$17,050.00
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Increase Expenditure Codes:

101-54110-188-SORR1	Sheriff Department-Sheriff's Office Recruitment and Retention	\$15,000.00
101-54110-201-SORR1	Social Security	932.00
101-54110-204-SORR1	Retirement	900.00
101-54110-212-SORR1	Medicare	<u>218.00</u>
		\$17,050.00

*Justification:* To allocate funds for the Tennessee Law Enforcement Hiring, Training, and Recruitment Grant administered by the Tennessee Department of Commerce and Insurance. Upcoming payout of \$3,000 which we received on 7/9/24.

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

**THE 12<sup>th</sup> ITEM**, to be presented to the Anderson County Budget Committee, was a written request from Lounicia Bolton, Sheriff's Office/Finance Grant, that the following **TRANSFER (Payroll)** in General Fund 101 be approved.

Decrease Expenditure Codes:

101-54110-309-VCIF2	VCIF Collaborative FY24-Contrats w/ other Gov Agencies	\$20,000.00
101-54110-431-VCIF2	VCIF Collaborative FY24-Law Enforcement Supplies	9,500.00
101-54110-716-VCIF2	VCIF Collaborative FY24-Law Enforcement Equipment	30,000.00
101-54110-207-VCIF2	VCIF Collaborative FY24-Medical Insurance	<u>138.00</u>
		\$59,638.00

Increase Expenditure Codes:

101-54110-187-VCIF2	VCIF Collaborative FY24-Overtime Pay	\$20,000.00
101-54110-499-VCIF2	VCIF Collaborative FY24-Other Supplies & Materials	9,500.00
101-54110-718-VCIF2	VCIF Collaborative FY24-Cap Outlay- Motor Vehicles	30,000.00
101-54110-299-VCIF2	VCIF Collaborative FY24-Other Fringe Benefits	<u>138.00</u>
		\$59,638.00

*Justification:* To adjust FY25 Violent Crime Intervention Fund Collaborative Grant funds from the Office of Criminal Justice Programs for two staff positions and purchase equipment.

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

**THE 13<sup>th</sup> ITEM**, to be presented to the Anderson County Budget Committee, was a written request from Robby Holbrook, Finance/EMS Grant, that the following **APPROPRIATION** in General Fund 101 be approved.

Increase Revenue Code:

101-46290-EMSE1	EMS Equipment Grant	\$134,180.10
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Increase Expenditure Codes:

101-55130-790-EMSE1	EMS Equipment Grant-Other Equipment	\$134,180.10
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*Justification:* Allocating funds for a TN State EMS equipment grant. Grant is a non-matching reimbursement grant that we have until September 30, 2024 to spend. Approved in April of 2024 by Budget and Commission.

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

**THE 14<sup>th</sup> ITEM**, to be presented to the Anderson County Budget Committee, was a written request from Mayor Terry Frank, Senior Center & Office on Aging, that the following **APPROPRIATION** in General Fund 101 be approved.

Increase Expenditure Codes:

101-56300-790	Other Equipment	\$6,000.00
101-56300-524	Staff Development	<u>750.00</u>
		\$6,750.00

Decrease Reserve Code:

101-39000	Unassigned Fund Balance	\$6,750.00
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**(Amendment will be from 101-34635-SENR Restricted for Senior Center (donations) and a JE will replenish the reserve for 39000)**

*Justification:* Concrete tables outside the Senior Center are soft and degrading. We thought we could salvage them with cleaning & sanding, but they have degraded, are cracked, and also have continuous areas where sharp rebar is exposed. We are demolishing to limit liability, but would like to replace them using funds donated for use at the Senior Center. The amendment is for seven sets (concrete table for base, top and three concrete benches). In addition, the budget does not have a staff development code, so request is to set up that code.

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

**THE 15<sup>th</sup> ITEM**, to be presented to the Anderson County Budget Committee, was a written request from Mayor Terry Frank, General Administration, that the following **APPROPRIATION** in General Fund 101 be approved.

Increase Expenditure Code:

101-58190-706-ARC	Other Economic and Community Development	\$857,841.00
	Building Construction	

Decrease Reserve Code:

101-39000	Unassigned Fund Balance	\$857,841.00
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**(Amendment will be from 101-34685-1000 Restricted for Industrial and a JE will replenish the reserve for 39000)**

*Justification:* Attached is Resolution for ARC Grant application for EMS Training Facility authorized by County Commission. Anderson County has been notified that funding was approved for the grant, and we would like to set aside funds with specific ARC code.

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 16<sup>th</sup> ITEM**, to be presented to the Anderson County Budget Committee, was a written request from Robby Holbrook, Finance, that the following **APPROPRIATION** in General Fund 101 be approved.

Decrease Reserve Code:

101-39000	Unassigned Fund Balance	\$45,000.00
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Increase Expenditure Codes:

101-55130-131	Ambulance/Emergency Medical Services-Medical Personnel	\$29,600.00
101-55130-187	Overtime	10,400.00
101-55130-201	Social Security	2,420.00
101-55130-204	Retirement	2,000.00
101-55130-212	Medicare	<u>580.00</u>
		\$45,000.00

*Justification:* Motion from budget committee to move \$45,000 into EMS budget for pay increases for medical personnel for key performance indicators.



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

Voting Yes: Commissioners Shain Vowell, Sabra Beauchamp, Shelly Vandagriff, Bob Smallridge, Aaron Wells, and Tyler Mayes.

Voting No: Commissioners Jerry White and Michael Foster.

Motion to amend by Commissioner Tyler Mayes, second by Commissioner Bob Smallridge and passed, to start the program effective August 8, 2024 and make \$45,000.00 in funding available this fiscal year.

**THE 17<sup>th</sup> ITEM**, to be presented to the Anderson County Budget Committee, was a written request from John Prince, Finance, that the following **APPROPRIATION** in Fund 121 be approved.

**Increase Revenue Code:**

121-47901-11806	ARPA Direct Federal Revenue-EMS Vehicles FY 25	\$425,000.00
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**Increase Expenditure Code:**

121-91401-718-11806	EMS Vehicles FY25	\$425,000.00
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**Justification:** To purchase and retrofit vehicles for EMS.

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

**THE 18<sup>th</sup> ITEM**, to be presented to the Anderson County Budget Committee, was a written request from John Prince, Finance, that the following **APPROPRIATION** in Fund 121 be approved.

**Increase Revenue Code:**

121-47901-SD004	ARPA Direct Federal Revenue-Sheriff's Vehicles FY25	\$572,000.00
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**Increase Expenditure Code:**

121-91401-718-SD004	APRA Grant-Sheriff's Vehicles FY25	\$572,000.00
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**Justification:** To purchase motor vehicles for the Sheriff's Department.

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

**THE 19<sup>th</sup> ITEM**, to be presented to the Anderson County Budget Committee, was a written request from John Prince, Finance, that the following **APPROPRIATION** in Fund 121 be approved.

**Increase Revenue Code:**

121-47901-ARCH1	ARPA Direct Federal Revenue-Archives Security Cameras	\$16,280.66
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**Increase Expenditure Code:**

121-58841-355-ARCH1	ARPA Grant-Archives Security Cameras	\$16,280.66
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**Justification:** To purchase security cameras and equipment for the County Archives.

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

**THE 20<sup>th</sup> ITEM**, to be presented to the Anderson County Budget Committee, was a written request from Robby Holbrook, Finance, that the following **APPROPRIATION** in General Fund 101 be approved.

**Decrease Reserve Code:**

101-39000	Unassigned Fund Balance	\$45,000.00
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**Increase Expenditure Code:**

101-51400-399-SPC	Law Director-Special Counsel Contract	\$45,000.00
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**Justification:** Funding for a special counsel contract to provide legal services for up to 90 days.

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

Voting No: Commissioner Jerry White

**SECTION A, FY 24/25 Budget Approval by State of Tennessee**

Finance Director Robby Holbrook informed the committee that the Office of the Tennessee Comptroller of the Treasury approved the county's 2024/2025 budget.

**SECTION B, EMS Performance Raises & Capital Outlay/Nathan Sweet**

1. EMS Director Nathan Sweet requested permission to implement a Key Performance Indicator (KPI) improvement and reward program as presented.

Motion by Commissioner Aaron Wells, second by Commissioner Tyler Mayes, and passed to refer to the Anderson County Board of County Commissioners with a recommendation for approval.

Voting Yes: Commissioners Shain Vowell, Sabra Beauchamp, Shelly Vandagriff, Bob Smallridge, Aaron Wells, and Tyler Mayes.

Voting No: Commissioners Jerry White and Michael Foster.

Motion to amend by Commissioner Tyler Mayes, second by Commissioner Bob Smallridge and passed, to start the program effective August 8, 2024 and make \$45,000.00 in funding available this fiscal year.

This is reflected as the “16<sup>th</sup> Item” above.

2. EMS Director Nathan Sweet present an appropriation request for \$425,000.00 in funding for capital outlay for ambulances.

Motion by Commissioner Tyler Mayes, second by Commissioner Aaron Wells, to appropriate \$425,000.00 for EMS and \$572,000.00 for Sheriff’s Department vehicles and equipment from ARP funds.

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

This is reflected as the “17<sup>th</sup> Item” and “18<sup>th</sup> Item” above.

### **SECTION C, FY Sheriff Capital Outlay**

See Section B2 and the “18<sup>th</sup> Item” above.

### **SECTION D, Mayor Frank Discussion Items A-C**

- A. Mayor Terry Frank presented a request to appropriate \$16,280.66 in ARP funds for the purchase of a camera system for the Anderson County Archives.

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

This is reflected as the “19<sup>th</sup> Item” above.

- B. Mayor Terry Frank presented a request to include permanent part-time employees in the 4% compensation increase as received by full-time employees. To be funded by the departments.

Motion by Commissioner Tyler Mayes, second by Commissioner Sabra Beauchamp, and passed, to refer to the Anderson County Board of County Commissioners with a recommendation for approval.

- C. Mayor Terry Frank presented a request for permission to release the contract regarding the SR170/Edgemoor Rd. project back to TDOT and for authority to reach out to TDOT to restart lighting discussions for reduced areas of lighting coverage, for example, safety areas at signalized intersections or at a crosswalk.

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

#### **SECTION E, General Clark**

Commissioner Shain Vowell informed the committee the General Clark intends to make a request for a portion of the Opioid Funds to fund a vehicle purchase.

No action.

#### **SECTION F, Judge Spitzer**

Judge Spitzer discussed the need for Recovery Court funding for transportation to and from treatment facilities, the need for funding for Recovery Court counseling, and the possible use of Opioid Funds for these purposes.

No action.

#### **SECTION G, Consolidation of Committees/Commissioner Mayes**

Commission Mayes opened a discussion on the dissolution of the Purchasing and Budgeting Committees, and creation of a Ways and Means Committee.

Motion by Commissioner Tyler Mayes for the drafting of a resolution to dissolve the Purchasing and Budgeting Committees and for the creation of a Ways and Means Committee, second by Commissioner Sabra Beauchamp.

Voting Yes: Commissioners Sabra Beauchamp, Shelly Vandagriff, Michael Foster, Aaron Wells, and Tyler Mayes.

Voting No: Commissioners Shain Vowell and Bob Smallridge.

Motion Passed.

#### **SECTION H, NEW BUSINESS**

This is reflected the "20<sup>th</sup> item" above.

Meeting Adjourned.



Robby Holbrook, Finance Director

**Anderson County Board of Commissioners  
Purchasing Committee Meeting Minutes  
August 12, 2024  
4:30 p.m.  
Room 312 of the Courthouse**

**Members:** Phil Yager (Committee Chair), Denise Palmer (Co-Chair), Tyler Mayes, Aaron Wells and Steve Verran.

**1. Call to Order**

**2. Approval of Agenda**

Commissioner Mayes made a motion to add the EMS Tuition contracts, the EMS Grant and the legal services requisitions to the agenda as new business items. Commissioner Verran seconded the motion. Motion passed unanimously.

**3. Appearance of Citizens**

**4. Contracts with Legal Review**

- A. State of Tennessee, Department of Health, CARES Act Grant Amendment, Health Department, Contract #23-0108** – Amendment to extend grant expiration date to 12/31/2024.
- B. Canon, Board of Education, Contract #25-0006**– Five-year copier lease for \$23.50 per month for Anderson County High School Cafeteria. Pricing from State Wide Contract.
- C. Canon, Board of Education, Contract #25-0007**– Five-year copier lease for \$23.50 per month for Andersonville Elementary School Cafeteria. Pricing from State Wide Contract.
- D. Canon, Board of Education, Contract #25-0008**– Five-year copier lease for \$23.50 per month for Claxton Elementary School Cafeteria. Pricing from State Wide Contract.
- E. Canon, Board of Education, Contract #25-0009**– Five-year copier lease for \$23.50 per month for Fairview Elementary School Cafeteria. Pricing from State Wide Contract.
- F. Canon, Board of Education, Contract #25-0010**– Five-year copier lease for \$23.50 per month for Grand Oaks Elementary School Cafeteria. Pricing from State Wide Contract.
- G. Canon, Board of Education, Contract #25-0011**– Five-year copier lease for \$23.50 per month for Lake City Elementary School Cafeteria. Pricing from State Wide Contract.
- H. Canon, Board of Education, Contract #25-0012**– Five-year copier lease for \$23.50 per month for Lake City Middle School Cafeteria. Pricing from State Wide Contract.
- I. Canon, Board of Education, Contract #25-0013**– Five-year copier lease for \$23.50 per month for Norris Elementary School Cafeteria. Pricing from State Wide Contract.
- J. Canon, Board of Education, Contract #25-0014**– Five-year copier lease for \$23.50 per month for Norwood Middle School Cafeteria. Pricing from State Wide Contract.

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

## 5. Contracts Pending Legal Review

- A. **Andrew Lang, EMS, Contract #25-0021** – Agreement to provide EMS employee tuition in the amount of \$13,500 for the Paramedic State EMS Course with the conditions that the employee passes the course, and remains employed full-time with EMS for three years after obtaining license.
- B. **Mark Brown, EMS, Contract #25-0022** – Agreement to provide EMS employee tuition in the amount of \$1,500 for the Critical Care Course with the conditions that the employee passes the course and remains employed full-time with EMS for one-year after obtaining license.
- C. **Scott Prosize, EMS, Contract #25-0023** – Agreement to provide EMS employee tuition in the amount of \$1,500 for the Critical Care Course with the conditions that the employee passes the course and remains employed full-time with EMS for one-year after obtaining license.
- D. **Canon, Board of Education, Contract #25-0025**– Five-year copier lease for \$39.08 per month for the School Nutrition Office. Pricing from State Wide Contract.
- E. **Language Line, Family Justice Center, Contract #25-0026** – Three-year contract for translation services.
- F. **Canon, Norris Library, Contract #25-0027**– Five-year copier lease for \$37.76 per month. Pricing from State Wide Contract.
- G. **Turf Tank, BOE, Contract #24-0029** – Three-year lease of Turf Painting Robot for \$7,500 per year.
- H. **Canon, Elections, Contract #24-0030** – Five-year copier lease for \$68.85 per month. Pricing from State Wide Contract.
- I. **State of Tennessee, Office of Criminal Justice Programs, Mayor, Contract #23-0124** – Amendment to the three-year grant for a domestic violence court coordinator. Grant is \$67,000 per year to include salary and benefits.

Commissioner Mayes made a motion to approve items A – H as a group and to forward to County Commission with a recommendation for approval. Commissioner Verran seconded the motion. Motion passed unanimously.

Commissioner Wells made a motion to deny item I. Commissioner Verran seconded the motion. Motion passed unanimously.

## **6. Unfinished Business**

## **7. New Business**

- A. Grace Hayden, EMS, Contract #25-0036 – Agreement to provide EMS employee the \$5,000 EMT Course with the conditions that the employee passes the course, and remains employed full-time with EMS for two years after obtaining license.**
- B. Misty Green, EMS, Contract #25-0036 – Agreement to provide EMS employee the \$5,000 EMT Course with the conditions that the employee passes the course, and remains employed full-time with EMS for two years after obtaining license.**
- C. Hayley Chandler, EMS, Contract #25-0036 – Agreement to provide EMS employee the \$5,000 EMT Course with the conditions that the employee passes the course, and remains employed full-time with EMS for two years after obtaining license.**
- D. Chloe Seiber, EMS, Contract #25-0036 – Agreement to provide EMS employee the \$5,000 EMT Course with the conditions that the employee passes the course, and remains employed full-time with EMS for two years after obtaining license.**
- E. Katelyn Claxton, EMS, Contract #25-0036 – Agreement to provide EMS employee the \$5,000 EMT Course with the conditions that the employee passes the course, and remains employed full-time with EMS for two years after obtaining license.**
- F. Dylan Fisher, EMS, Contract #25-0036 – Agreement to provide EMS employee the \$5,000 EMT Course with the conditions that the employee passes the course, and remains employed full-time with EMS for two years after obtaining license.**
- G. State of Tennessee, Department of Health, EMS, Contract #25-0031 – Grant in the amount of \$134,180.10 for essential equipment.**
- H. Requisition to establish a 90-day agreement with James Brooks for Legal Services as approved by the Legal Services Advisory Committee.**

Commissioner Mayes made a motion to approve items A – G as a group and to forward to County Commission with a recommendation for approval. Commissioner Verran seconded the motion. Motion passed unanimously.

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





**Office of the Director of Schools**  
101 South Main Street, Suite 501  
Clinton, Tennessee 37716  
Office: (865) 463-2800  
Fax: (865) 457-9157

**Dr. Tim Parrott, Director**

**MEMORANDUM**

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

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

DATE: August 2024

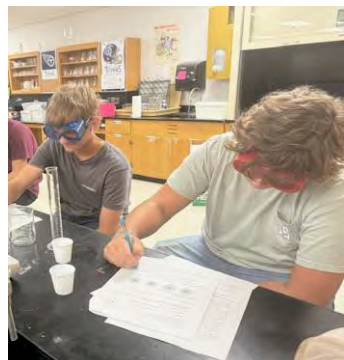
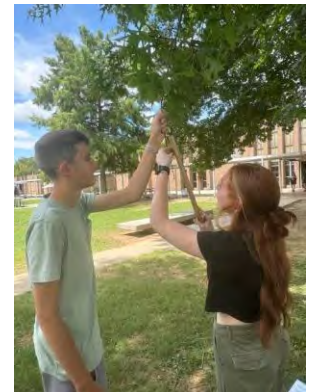
RE: Report to County Commission

**ATTENDANCE**

Student enrollment stands at 5,912 students including Kindergarten standing at 351 students.

**HIGH SCHOOL**

**Anderson County**



At Anderson County High School, science teachers wasted no time diving into their dynamic curricula, immersing students in hands-on learning and engaging laboratory experiments. From learning about the intricacies of ecosystems, to understanding the difference between precise and accurate measurements, Donovan Harrington, Lisa Overton, and Jonathan Cotton provided students with opportunities to explore, question, and connect classroom knowledge with real-world applications; setting the stage for a year brimming with discovery and learning.

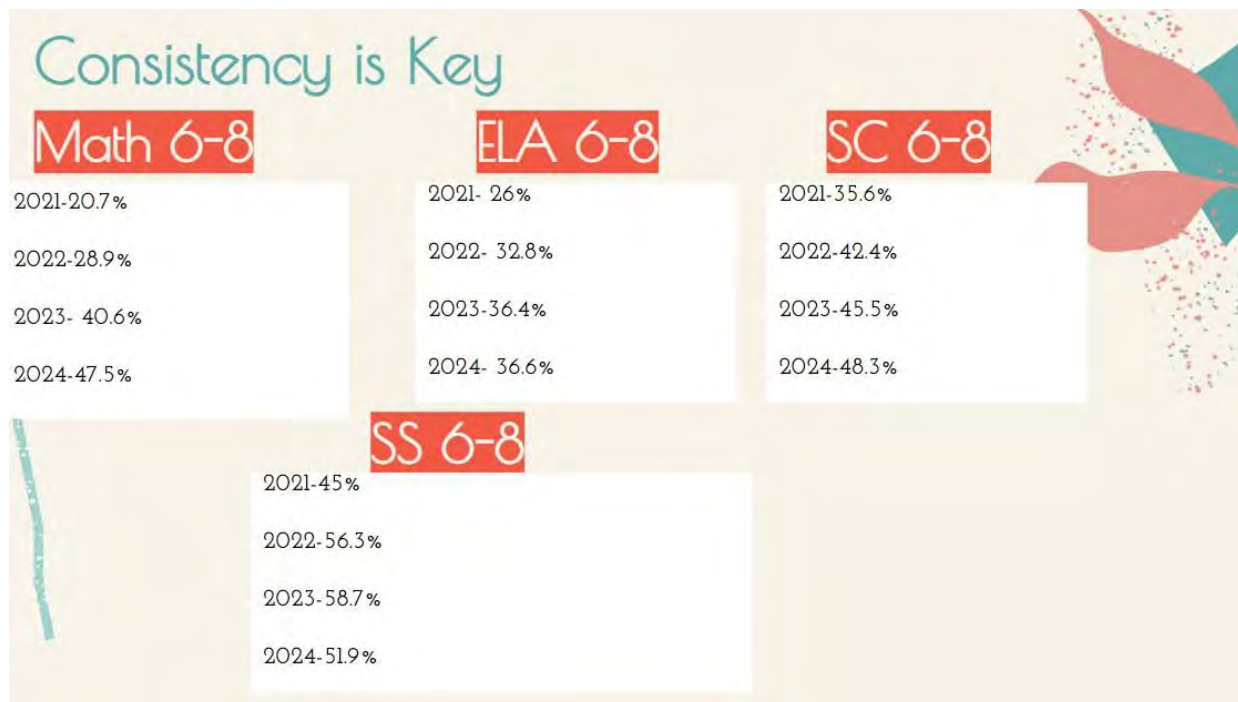
## Clinton High



CHS students have been working hard all summer to better their postsecondary opportunities. Students came in regularly for ACT prep; Ellie Hatmaker became part of the Elite 100 for hitting all of the ACT college readiness benchmarks; and Gage Wergin got to use his Helping Hand scholarship from the Education Foundation to purchase some much-needed supplies for his entry into the TCAT Oneida Powerline Program. What a great summer!

## MIDDLE SCHOOL

### Norris Middle



Norris Middle School's teachers and administration came together to analyze data in the four core subject areas. Related Arts and Special Education teams also joined this important analysis. As a school, we celebrated the clear growth in achievement over the past four years, and collected strategies that were used consistently.

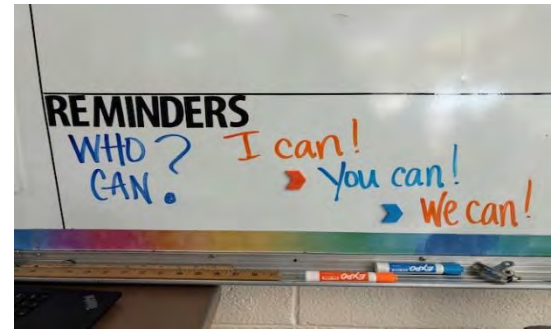
Clearly, the efforts of the staff are paying off and we are excited to see where the year takes us!



## Clinton Middle



As school resumes at Clinton Middle this year, we have decided to set a school wide goal of having a Growth Mindset. We want our students to know we believe in them, and they need to believe in themselves too. As the year progresses, we want to introduce goal setting and self-reflection to our students as a way for them to be proud of their accomplishments and to continue to strive for excellence. Our first step is letting the students see and hear that they can do anything they set their minds to, every day. Somewhere, in each classroom you'll find the words, "I can, you can, we can." When class begins, students and teachers repeat those words as a reminder that we can accomplish the goals for the day. One step at a time.



## Lake City Middle



Lake City Middle has been making a lot of big changes this year. Brandon Duncan has been working with Rocky Top as well as the Anderson County School System to procure a much-needed new scoreboard for all of the kids in our community.



We would also like to introduce the new Principal for Lake City Middle School: Mrs. Courtney Bachelor! We are more than excited to have Mrs. Bachelor lead our school; we know she is going to rock it!

## Norwood Middle



School is back in session and Norwood Middle School is looking better than ever! Students were welcomed back into the building with new floors, new paint, and new signs to help direct them throughout the building. Students, staff, and families were all very excited to see the new updates. We are looking forward to a great 2024-2025 school year.

## ELEMENTARY

### Andersonville



The employees at Climashield of Clinton took up donations for classroom snacks, bottled water, paper towels, tissues and water bottles for our students. We thank you Jason Hamm, and everyone at Climashield for thinking of our AES students. These items are always needed and appreciated.

Our principals were at the Anderson County Fair to see everyone in the community.





## Briceville



Mrs. Seiber's fourth grade class had an amazing first day back!

Ms. McCoy's second graders are eager to start the year!



## Claxton

Claxton has benefited from some generous donations this summer. Edgemoor Baptist Church, KPMG Group and the Vendetta's Motorcycle Club donated backpacks and supplies. We also had Riverview and Zion Baptist donate teacher supplies. These supplies were greatly appreciated by our teachers, and we are so grateful for the student supplies donation!





## Dutch Valley



The pioneers are looking forward to another amazing school year and it shows in their 24-25 DVES Staff Photo!



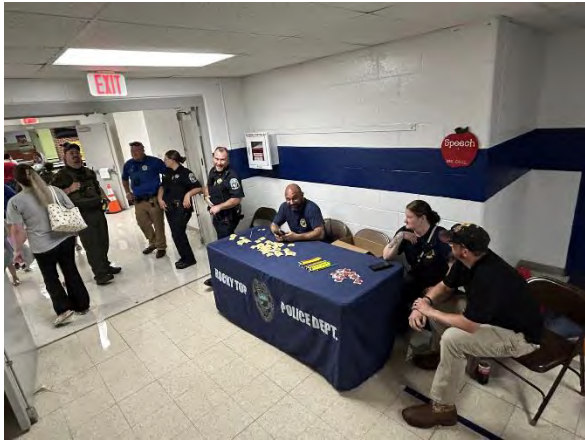
Welcome back Pioneers!

## Lake City



A big thank you to Upper Room Church for generously adopting the fourth grade classes this year and sponsoring supplies for the students.

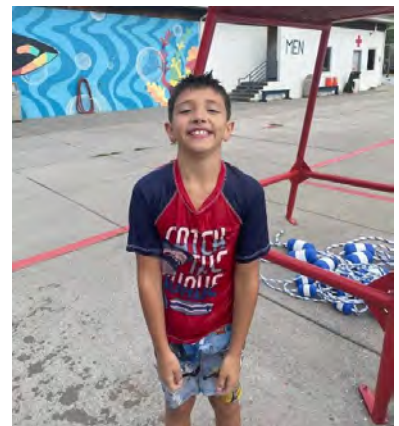




We had an amazing Back to School Bash tonight! It was great to see all of the smiling kiddos with their families who came to meet their teachers and have a little fun. We are thankful for our community partners who supported us: Lowe's Tows, Rocky Top City Hall, Rocky Top Police Dept., Rocky Top Fire Dept., Willow Brook Baptist, Clinch River Baptist, Main Street Baptist, Rocky Top First Baptist, Boys and Girls Club, and East TN Children's Hospital.

### Grand Oaks

We had so much fun celebrating our amazing students and their dedication to reading over the summer at our pool party! We are incredibly proud of all our students who participated in the Summer Reading Bingo Challenge. Your hard work helps prevent learning loss and keeps your minds sharp for the new school year.





Norris



The wonderful teaching staff at Norris Elementary.

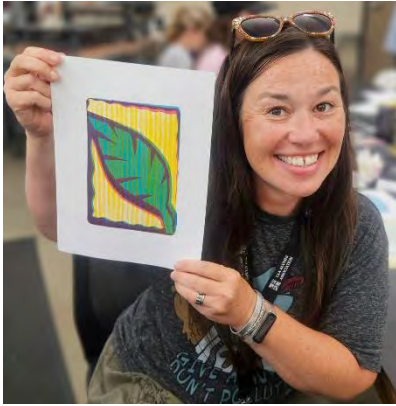


And the amazing support staff at Norris Elementary.



The Norris PTO helped start the school year in a positive way by “Stocking the Fridge” and providing a week full of snacks. Our PTO has been generous with their funds to support both educational efforts and emotional ones as well. Teachers and assistants feel the appreciation from the very active group.





Norris Elementary School continues its journey to be a certified Integrated Arts school. Part of this process is to continue teachers' professional education in the arts. This year, Mrs. Reeves and Mrs. Greenhouse spent a week in Nashville at the Tennessee Arts Academy, our state's premiere professional training event for K-12 arts teachers.

## Norwood

It has already been a great start to the year. Our littlest learners are doing an amazing job and there are huge smiles all over the building.







Our hallways are ready to welcome our students back to school next week. You can see The Very Hungry Caterpillar crawl his way through our halls, eat some delicious fruit, cozy up inside of his cocoon, and transform into a BEAUTIFUL butterfly. Thank you Lauren Leffew and Black Sheep & Co. for all of your hard work. We know our students are going to love this so much!



A huge THANK YOU to Lauren Leffew of Black Sheep & Co. for donating breakfast to our staff this morning. She is also here working on some amazing balloon arches for our students to enjoy next week when they come back to school. We absolutely cannot wait to share pictures. They are looking incredible!



And another huge thank you to Jay Steele and Krystal for providing our staff with a delicious breakfast on Monday. We appreciate his support for Norwood.

## Central Office

## Nursing



Anderson County Schools has partnered with East Tennessee Children's Hospital to provide telehealth services at Claxton Elementary and Lake City Elementary. This program will help students get the medical attention they need, alongside our onsite school nurses, without having to leave campus.

Accidents and illnesses can happen suddenly, but they don't have to interrupt the student's whole day. Our new telehealth program offers fast, convenient medical attention for non-emergencies, so parents can stay at work and students can get back to class faster.

Telehealth calls are coordinated through the school's nurse. These calls connect nurse, child and parents with a provider at Children's Hospital. That way, the child and parent have access to highly-trained pediatric providers, even if they are not in the same room.

Parents must provide consent to participate in this program. The school nurse will have the ability to test students for illnesses such as Flu and Strep throat.

Common symptoms that can be assessed and treated through this program include: Fever, Ear Pain, Rash, Congestion, Flu-like Symptoms, Mild Headache, Nausea, Skin Infection, Tooth Pain, Cough, Pink Eye and Sore Throat.



## Student Services

- As a part of a Mental Health Grant, Student Services/Anderson County Schools will be hiring two more mental health therapists to meet the needs of our student population.
- Family Resource Center and our Student Support Workers will participate in the Anderson County Community Resource Fair on Sunday, August 18, 2024 (12:00 – 2:30) in the Family Life Center Gym of FBC Clinton. Staff will be meeting with families, students, and community members to network and learn about community resources in our area.
- Remote Area Medical Clinic will have a free pop-up dental, vision, and medical clinic November 2-3, 2024
  - First come, first serve
  - Two days only
  - First Baptist Church in Clinton

## Office of Technology



- In May of 2024, the Office of Technology installed and assigned 570 new teacher laptops.
- Summer of 2024 OOT installed and delivered 2,200 Chromebooks to ACHS and CHS.
- 28 Boxlights were delivered and installed.
- All new security cameras were installed at Briceville Elementary.

## Coordinated School Health



On August 2<sup>nd</sup>, all ACS staff were invited to First Baptist Church for a Mental Health and Wellness Day. Kevin Hines, known for surviving an attempt to take his own life by jumping from the Golden Gate Bridge in San Francisco, California, came to share his heartfelt story with our ACS staff, as well as raise awareness for mental health and suicide prevention. It was a beautiful presentation that touched many lives.

## CAPITAL PROJECTS 2024-30+

- Yearly maintenance priorities - \$600,000.00 to \$800,000.00 per year  
Roofs, safety cameras, floors, gym floors refinished, painting, playground mulch, and other needed maintenance
- Softball field at CHS- 80% completed
- New Claxton Elementary School- design phase, construction to begin January 2025
- NES, AVES, FES, NWES paving- 50% complete
- Replace awning at LCES – design phase
- Welding and Agriculture building at CHS contract signed, site work being done
- Multi-sport facility ACHS- ½ cost from district ½ cost from donors- Design phase
- ESG project Phase III contract signed
- All schools Safety film on windows and doors -work started
- Lockdown notification system all school-s work started
- HVAC LCES – scheduled- to start in the fall of 2024
- Waste water upgrade DVES -work started
- Waste water upgrade BES- scheduled to start mid-summer
- Replace scoreboard at Rocky Top football field- in works
- Replace bleachers and fieldhouse at CHS football stadium partnership with the City of Clinton- design phase

- Replace gym floors at NES, AVES, DVES, FES-
- LCMS- New auditorium seats 2025
- Replace windows at CHS
- Replace Bleaches at CHS
- Replace gym at BES
- Replace turf at ACHS
- Start replacing HVC from first ESG project
- Replace classrooms at NES
- CHS auditorium renovation

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

101 South Main Street, Suite 310  
CLINTON, TENNESSEE 37716

N. JAY YEAGER  
Law Director

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

**MEMORANDUM**

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

**CC:** County Commission

**FROM:** Law Director's Office

**DATE:** August 14, 2024

**RE:** Law Director's Report –August 19, 2024 – County Commission Meeting

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

**A. Contract Approvals:**

1. Turf Tank- Schools
2. Language Line- Family Justice Center
3. ETF Grant- Norris Area Community Foundation
4. General Order Update-Vehicle Assignment & Drive Home Policy- Sheriff's Department
5. Updating General Orders for Secondary Employment- Sheriff's Department
6. Leora Boyd- Part-Time Employee Contract- District Public Defender
7. Dirt Guys (Amendment)- Schools
8. Health Department- Grant Amendment #2
9. Cannon- 9 Copiers for Schools' Cafeterias
10. Z Government Grant Contract- Amendment #1
11. McKamey Electric- CHS Welding Building
12. Canon- School Nutrition
13. Canon- Norris Library
14. Canon- Sheriff's Dept.
15. Jesse Bridges (Parent Driver)- Schools

**B. Anderson County Zoning Violations**

Newly Opened

1. 7015 Eddie Kimbell Lane

Complaint Filed

1. 215 Toby Hollow Lane
2. 143 Toby Hollow Lane

Default Judgment

1. 177 Scott Brogan Lane

Motion for Contempt and Show Cause Filed

1. 230 Haney Hollow- hearing scheduled for August 26<sup>th</sup>, 2024

Contempt Granted

1. 303 Frost Bottom- lien to be place on the property once the Contempt Order becomes final with a daily fine of One Hundred Dollars (\$100.00) to be applied with the date of the Order.

Closed:

1. 146 Blacksberry Road- closed with a final lien recorded for a total of \$10,500 for daily fines and work completed to bring the property into compliance.
2. 202 Shipe Road

**C. Bankruptcies**

1. D. Toler- Chapter 13 Bankruptcy. Received Amended Schedule C, amended so Debtor could claim Tennessee State Retirement as exempt property from the bankruptcy estate. No action needed.
2. T. Richburg- Chapter 7 Bankruptcy. Received Order of Discharge. Case is now closed, no action needed.
3. C. Heck Jr.- Chapter 13 Bankruptcy. Received Order of Discharge, case is now closed. No action needed.
4. T and M Miller- Chapter 13 Bankruptcy. Received Order of Discharge, case is now closed. No action needed.
5. G and W Sharp- Chapter 13 Bankruptcy. Received Agreed Order Resolving Trustee's Motion to Dismiss. No action needed.
6. J Hamm- Chapter 7 Bankruptcy. Received Notice of Chapter 7 Case with No Proof of Claim Deadline due to no assets. No action needed.
7. T and L Justice- Chapter 13 Bankruptcy. Received Order Confirming Chapter 13 Plan. Mortgage Company pays real property taxes, no claim necessary. No action needed.
8. E. Hill- Chapter 7 Bankruptcy. Received Amended Schedules A/B and C to disclose and exempt funds levied prior to filing. No action needed.
9. B. Ward- Chapter 7 Bankruptcy. Received Notice of Chapter 7 Case with No Proof of Claim Deadline due to no assets. No action needed.

**D. Delinquent Taxes**



1. 2021 and 2022 City of Oak Ridge Delinquent Real and Personal Property Tax Suit  
24CH5860- Motion and Order for Service by Publication filed. Tax Suit to be published in the Clinton Courier and Oak Ridger. Motion for Default Judgment for those served by Certified Mail, Personal Service and Publication filed setting a hearing date for October 7, 2024.

Anderson County Board of Commissioners  
**OPERATIONS COMMITTEE**  
**MINUTES**  
**August 12, 2024**  
**6:00 PM Room 312**

**Members Present:** Tim Isbel, Tracy Wandell, Phil Yager, Joshua Anderson, Stephen Verran, Anthony Allen, Robert McKamey and Denise Palmer

**Members Absent:** None

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

Nathan Sweet, EMS Director, said the prayer.

Commissioner Elect Ebony Capshaw led the Pledge of Allegiance.

Commissioner Yager made a motion to approve the agenda as presented. Second by Commissioner Anderson. Motion passed.

No citizens addressed the committee.

Mayor's Report

Commissioner Wandell made a motion that the park be torn down at the cost of TVA with the understanding a new location has been chosen. Second by Commissioner Allen. Motion passed. Commissioner Wandell withdrew his motion.

Commissioner Anderson made a motion to give the Mayor the authority to sign the TVA agreement (Attached with agenda) with an effective date of December 1, 2025. Commissioner Wandell seconded. Motion passed unanimously.

Commissioner Anderson made a motion that Anderson County maintains a park in Claxton and authorizes the Mayor to continue negotiations with TVA on where that will be and how much they will contribute. Second by Commissioner Wandell. Motion passed unanimous to forward to full commission for approval.

Commissioner Yager made a motion to approve updated changes to the Anderson County Personnel Policy/Employee Handbook and file as required by law with the Anderson County Clerk. Second by Commissioner McKamey. Motion passed to forward to full commission for approval.

Commissioner Wandell made a motion that the gate TVA installed at the Historic Black Cemetery fall under the Conservation Board. Second by Commissioner Anderson. Motion passed to forward to full commission for approval.

Commissioner Anderson made a motion to authorize the mayor to work on a grant application possibly with NRDAR for Lost Bottom Park. Seconded by Commissioner McKamey. Motion passed unanimous to forward to full commission for approval.

Commissioner Wandell made a motion to authorize the mayor to pursue NRDAR grant (planning) for Blockhouse Valley Landfill Property. Seconded by Commissioner McKamey. Motion passed unanimous to forward to full commission for approval.

Commissioner McKamey made a motion to approve the additional county property adjacent to the Glen Alpine Convenience Center at 3065 Norris Freeway as the EMS Training Facility project location. Second by Commissioner Allen. Motion passed unanimous to forward to full commission for approval.

ENA Phone Pilot Project Update – No Action Taken.

Mayor discussed eliminating the main courthouse number (457-5400) over a period of 6 months to a year. IT Director, Brian Young, discussed the amount of savings there would be with this new phone system.

Speeding on Old Lake City Highway

Discussion. No Action Taken.

Anderson County Veterans

No Action Taken.

Basic Emergency Operations Plan

Commissioner Allen made a motion to approve the Anderson County Basic Emergency Operations Plan. Second by Commissioner Wandell. Motion passed to forward to full commission for approval.

Commission Committees and Boards – deferred for 60 days until October meeting.

Strategic Planning

Update. No Action Taken.

**Announcement**

Tennessee County Commission Association will have their annual meeting at the Appalachian Museum at 5:30 pm on October 1, 2024.

**Unfinished Business:**

Commissioner Wandell made a motion to approve the corrected version of the Temporary Use Agreement for Yes-Go Travel to utilize the Senior Center's parking lot. Second by Commissioner Verran. Motion passed to forward to full commission for approval.

**New Business:**

None.

**Meeting Adjourned**

# **TEMPORARY USE AGREEMENT**

## **Senior Center Parking Lot “Yes Go Travel”**

This Temporary Use Agreement is made by and between the parties of Anderson County, Tennessee, a governmental entity and political subdivision of the State of Tennessee (henceforth “Lessor”) and “Yes Go Travel” a Tennessee Limited Liability Company (henceforth “Lessee”).

### **WITNESSETH**

#### **Section 1. DEMISED PREMISE:**

Lessor hereby agrees to provide Lessee a Temporary Use Permit for a portion of the Senior Center parking lot in order to provide secure overnight parking for seniors traveling on Lessee’s charter bus to regional attractions. Lessee accepts the terms of this Temporary Use Permit for the following described premises:

SITUATED within the Civil District No. 11 of Anderson County, Tennessee and **only a portion** of the improved parking lot (exact location to be determined by the Senior Center Director) on property identified as follows: Parcel 1: Map: 081, Parcel: 095.02 - containing 3.56 Acres, and also known as the “Anderson County Senior Center” located at 96 Mariners Point Drive, Clinton, TN 37716.

Further, Lessor requires and Lessee accepts that Lessee shall not interfere with the operations and activities associated with the Anderson County Senior Center. Lessee shall notify the Senior Center Director no less than five (5) days prior to a planned use of the parking lot. Property shall be used exclusively for overnight parking for senior clients to park their personally owned vehicles while participating in bus charters sponsored and operated by Yes Go Travel (Lessee).

#### **Section 2. CONSIDERATION:**

This agreement is made upon consideration of a donation of Five Hundred Dollars and No One Hundredths (\$500.00) per quarter and other benefits and mutual covenants herein set out.

Payments should be sent or delivered to:

Anderson County Finance Department  
C/o Director Robby Holbrook  
Anderson County Courthouse  
100 N. Main Street, Room 2210  
Clinton, TN 37716

#### **Section 3. TERM OF AGREEMENT:**

This Temporary Use Agreement shall be effective from the 15th day of July 2024, through and including the 30th day of June 2027. Additional extension options are available for three (3) year periods upon mutual agreement of the parties

**Section 4. INDEMNITY:**

The Lessee agrees to defend and hold harmless the Lessor from and against any and all claims of or damage to property, or injury to or death of person or persons resulting from or arising out of use of the Senior Center parking lot by the Lessee or the public being served by the Lessee, where such injury, damage, or death occur as a proximate cause of the negligence of either Lessee or Lessor. Lessee agrees to provide adequate insurance coverage on premises sufficient to cover any and all claims arising from property damage, injuries, illness or death on premise.

**Section 5. DEFAULT:**

In the event of default by any party hereto, any non-defaulting party may bring suit against the other to enforce the terms of this Temporary Use Agreement. In such event, the prevailing party shall be entitled to any remedies available at law and/or equity, including the reasonable attorney's fees and the costs associated with the default.

**Section 6. NO ORAL MODIFICATION:**

No modification, amendment, supplement to or waiver of this Temporary Use Agreement or any of its provisions shall be binding upon the parties hereto unless made in writing and duly signed by all parties.

**Section 7. CANCELLATION/TERMINATION:**

a) **FOR CAUSE:** In the event any party materially breaches, defaults or fails to perform hereunder, this Temporary Use Agreement may be canceled by the other party with cause on thirty (30) days written notice to the other in the event the breach, default or failure is not cured during that time. Anderson County may cancel this Temporary Use Agreement if unforeseen circumstances occur with sixty (60) days written notice to Lessor.

b) **FOR COVENIENCE:** Either party may terminate this lease at any time by giving written notice to the other party at least sixty (60) days prior to the date when such termination becomes effective. Notice shall commence on the day after the date of mailing.

**Section 8. WAIVER:**

A failure of any party to exercise any right provided for herein shall not be deemed to be a waiver of any right hereunder.

**Section 9. ENTIRE AGREEMENT:**

This Temporary Use Agreement sets forth the entire understanding of the parties as to the subject matter and may not be modified except in a writing executed by all parties.

**Section 10. SEVERABILITY:**

In the event any one or more of the provisions of this Agreement is invalid or otherwise unenforceable, the enforceability of remaining provisions shall be unimpaired.

**Section 11. EXHIBITS:**

Any Exhibits attached hereto or incorporated herein are made a part of this Agreement for all purposes. The expression "this Agreement" means the body of this Agreement and the Exhibits.



**Section 12. MULTIPLE COUNTERPARTS; EFFECTIVENESS:**

This Temporary Use Agreement may be executed in multiple counterparts, each of which shall be deemed an original for all purposes and all of which shall be deemed, collectively, one Agreement. This Temporary Use Agreement shall become effective when executed and delivered by all the parties.

**Section 13. JURISDICTION:**

Each party hereby irrevocably consents to the jurisdiction of all state courts sitting in Tennessee or all federal courts sitting in Knoxville, Tennessee and agrees that venue for any legal action brought in connection with this Agreement shall lie exclusively in such courts.

**Section 14. BINDING EFFECT:**

This Temporary Use Agreement shall be binding upon and inure to the benefit of the parties and upon their respective successors, heirs or assigns.

**Section 15. CHOICE OF LAW:**

This Agreement shall be governed and construed in accordance with the laws of the State of Tennessee.

**Section 16. NOTICE:**

Any notice required or provided pursuant to this Agreement shall be in writing and sent or delivered to the parties and attorneys at the following addresses:

**LESSOR:**

Anderson County Government  
Office of the County Mayor  
Anderson County Courthouse  
100 N. Main Street, Room 208  
Clinton, TN 37716  
(865)457-5400  
tfrank@andersoncountyttn.gov

**LESSEE:**

Yes Go Travel  
Suzie Housley  
969 Oak Ridge Turnpike, PMB #238  
Oak Ridge, TN 37830  
www.yesgotravel.info/contact  
(865) 405-3690

**Registered Agent:**

Susan Rena Housley  
153 N. Alabama Road  
Oak Ridge, TN 37830  
Suzie@yes-gotravel.com

**Section 17. TITLES AND SUBTITLES:**

Titles of paragraphs and subparagraphs are for convenient reference only and shall not have the effect of modifying, amending or changing the express terms of this Agreement.

**Section 18. ASSIGNMENT:**

This Temporary Use Agreement shall be assignable only upon the written consent of the non-assigning party. Consent to an assignment shall not be unreasonably withheld. In the event of assignment or succession, the terms and conditions of this Agreement shall be binding upon the parties and their successors, assigns, heirs, executors and/or administrators.

**Section 19. FURTHER DOCUMENTATION:**

The parties agree for themselves and their successors and assigns to execute any and all instruments in writing, which are or may become necessary or proper to carry out the purpose and intent of this Agreement.

**Section 20. RELEASE AND HOLD HARMLESS:**

The parties mutually agree that they shall and do hereby release, forever discharge and hold harmless one another as well as the employees, agents and counsel for one another from any and all claims whatsoever, both known and unknown that may have existed prior to the execution of this Agreement or that may arise in the future from lawsuits or circumstances referenced herein. (Subject to Section 4 of this Agreement) Lessor assumes no responsibility for loss, theft, damage or injuries to Lessees' vehicles, personnel or business guest. The only claim that shall survive this Temporary Use Agreement is compliance with this Agreement.

**IN WITNESS WHEREOF**, the parties hereto, each acting under due and proper authority have accepted the terms and executed this Agreement.

This \_\_\_\_\_ day of \_\_\_\_\_, 2024.

**ACCEPTANCE BY ANDERSON COUNTY (LESSOR):**

\_\_\_\_\_  
H. Tyler Mayes, Chairman

\_\_\_\_\_  
Terry Frank, County Mayor

ATTEST:

\_\_\_\_\_  
Jeff Cole, County Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Rachel Wallace, Assistant Attorney

**ACCEPTANCE BY "YES GO TRAVEL" (LESSEE):**

\_\_\_\_\_  
Suzie Housley

This instrument prepared by:

TVA TRACT NO. XBRSP-6RE,S.1X  
(BRSP-17,Q2; BRSP-18,Q1; BRSP-19,Q1)

Lorie M. Hunt, Attorney  
Tennessee Valley Authority  
1101 Market Street, BR 4B-C  
Chattanooga, Tennessee 37402-2801  
Telephone: (423) 751-6317

TERMINATION  
OF  
TERM RECREATIONAL EASEMENT  
  
BULL RUN STEAM PLANT RESERVATION

This TERMINATION OF TERM RECREATIONAL EASEMENT, effective as of the \_\_\_\_ day of \_\_\_\_\_, 2024, among the UNITED STATES OF AMERICA (hereinafter sometimes referred to as "USA"), acting by and through its legal agent, the TENNESSEE VALLEY AUTHORITY (hereinafter sometimes referred to as "TVA"), an executive branch corporate agency and instrumentality of the United States of America, created by the Tennessee Valley Authority Act of 1933, as amended, and ANDERSON COUNTY, TENNESSEE (sometimes hereinafter referred to as "ANDERSON COUNTY").

W I T N E S S E T H:

WHEREAS USA/TVA granted to ANDERSON COUNTY a Term Recreational Easement on October 24, 2002, the same recorded in Book 1309, page 632 in the Office of the Register of Anderson County, Tennessee, identified in TVA's land records as Tract No. XBRSP-6RE, for a term of thirty (30) years (Easement); and

WHEREAS USA/TVA and ANDERSON COUNTY mutually desire to terminate said Easement prior to the natural expiration of its thirty year term; and

WHEREAS USA/TVA, at its sole cost, has agreed to remove and dispose of all facilities and/or equipment placed upon the Easement area by ANDERSON COUNTY or its agents or contractors, and said removal and disposal of all facilities and/or equipment shall be subject to the completion of all appropriate TVA environmental or other reviews and approvals;

NOW THEREFORE, in consideration of the foregoing premises and the mutual promises contained herein, USA/TVA and ANDERSON COUNTY hereby declare said Grant of Term Recreational Easement – Bull Run Steam Plant Reservation is terminated and cancelled effective as of the date shown above.

USA/TVA and ANDERSON COUNTY acknowledge that all rights, duties, and obligations owing to each other under said Easement have been satisfied and performed, and that, to the best of their respective knowledge and belief, no defaults exist under the Easement.

ANDERSON COUNTY further acknowledges that the requirements of covenant 7. of the Easement, its release and indemnification of USA/TVA, survives this termination and remains the continuing obligation of ANDERSON COUNTY; provided, however, that said release and indemnification does not apply to pollution or contamination that occurs after the effective date shown above, unless such pollution

or contamination is caused by the act or omission of ANDERSON COUNTY, its officers, agents, employees, or contractors.

This Termination may be executed in any number of counterparts and by different parties in separate counterparts. Each counterpart when so executed shall be deemed to be an original and all of which together shall constitute one and the same agreement.

IN WITNESS WHEREOF, the TENNESSEE VALLEY AUTHORITY, acting herein for itself and as legal agent of the UNITED STATES OF AMERICA, and being duly authorized to do so, has caused this instrument to be executed by its authorized officer this the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

TENNESSEE VALLEY AUTHORITY,  
for itself and as legal agent of the  
UNITED STATES OF AMERICA

By: \_\_\_\_\_  
AARON B. NIX  
Senior Manager, Realty Services

STATE OF TENNESSEE        )  
  ) SS  
COUNTY OF HAMILTON     )

On the \_\_\_\_\_ day of \_\_\_\_\_, 2024, before me appeared AARON B. NIX to me personally known, who, being by me duly sworn, did say that he is the Senior Manager, Realty Services of the TENNESSEE VALLEY AUTHORITY, an executive branch corporate agency and instrumentality of the United States of America, and that said instrument was signed and delivered on behalf of said corporate agency and as legal agent of the UNITED STATES OF AMERICA; and said AARON B. NIX acknowledged said instrument to be the free act and deed of the UNITED STATES OF AMERICA, as principal, and the TENNESSEE VALLEY AUTHORITY, as its agent.

WITNESS my hand and official seal of office in Chattanooga, Tennessee, on the day and year aforesaid.

\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires: \_\_\_\_\_

IN WITNESS WHEREOF, ANDERSON COUNTY, TENNESSEE has caused this instrument to be executed by its authorized officer this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

ANDERSON COUNTY, TENNESSEE

By: \_\_\_\_\_  
TERRY FRANK  
Its: Mayor

STATE OF TENNESSEE        )  
  ) SS  
COUNTY OF ANDERSON        )

Appeared before me, the undersigned authority, a Notary Public in an for said County, TERRY FRANK, to me personally known, who, being by me duly sworn, did say that she is the MAYOR of ANDERSON COUNTY, TENNESSEE, a municipal corporation, and that said instrument was signed, sealed, and delivered on behalf of said municipal corporation, and she, as such Officer, acknowledged said instrument to be the free act and deed of the municipal corporation on the day and year therein mentioned.

WITNESS my hand and official seal of office this the \_\_\_\_\_ day of \_\_\_\_\_, 2024.


The name and address of the legal owner is:

OWNER:                    United States of America                    [Tax Exempt -  
                                  Tennessee Valley Authority                    T.C.A. §67-5-203(a)(1)]  
                                  1101 Market Street, BR 4B  
                                  Chattanooga, Tennessee 37402

Tax Map and Parcel:    p/o 101 009.00

Prepared by:

TVA TRACT NO. XBRSP-6RE

  
Janice K. Pulver, Attorney  
Tennessee Valley Authority  
1101 Market Street, SP 3L  
Chattanooga, Tennessee 37402-2801  
(423) 751-2096

State of Tennessee, County of ANDERSON  
Received for record the 26 day of  
NOVEMBER 2002 at 1:48 PM. (RECH 199650)  
Recorded in Book 1309 pages 632- 640  
State Tax \$ .00 Clerks Fee \$ .00,  
Recordings \$ .00, Total \$ .00,  
Register of Deeds TIM SHELTON  
Deputy Register VETTA BROWN

**GRANT OF TERM RECREATIONAL EASEMENT**

**BULL RUN STEAM PLANT RESERVATION**

THIS GRANT OF TERM EASEMENT, made and entered into by and between the UNITED STATES OF AMERICA (sometimes hereinafter referred to as "GRANTOR"), acting herein by and through its legal agent, the TENNESSEE VALLEY AUTHORITY (hereinafter sometimes referred to as "TVA"), a corporation created and existing under an Act of Congress, known as the Tennessee Valley Authority Act of 1933, as amended, and ANDERSON COUNTY, TENNESSEE, (sometimes hereinafter referred to as "GRANTEE").

**W I T N E S S E T H:**

WHEREAS TVA is authorized by Public Law 87-852 to grant to an applicant, on behalf of the United States of America, such easements affecting federal property in its custody and control as TVA's Board of Directors determines will not be adverse to the interests of GRANTOR; and

WHEREAS in considering GRANTEE's application, TVA's Board of Directors has determined that the use of the land hereinafter described for the purposes hereinafter defined, and subject to the exceptions, reservations, covenants, conditions and/or limitations hereinafter set forth, will not be adverse to the interests of the GRANTOR; and

NOW, THEREFORE, in consideration of the sum of ELEVEN THOUSAND THREE HUNDRED AND NO/100 DOLLARS (\$11,300.00), cash in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, the United States of America, acting by and through its legal agent TVA, does hereby bargain, sell, transfer, and convey unto GRANTEE, an easement and right-of-way for a term of thirty (30) years from the date hereof, subject to the exceptions, reservations, restrictions, covenants, conditions, and/or limitations hereinafter set forth, for the following uses and purposes, namely: the right to enter upon TVA Tract No. XBRSP-6RE to construct, maintain, and operate a public recreational area and appurtenances thereto, in accordance with plans approved in advance and in writing by TVA, all in, on, over, across, upon, through or under said tract of land located in the First Civil District of Anderson County, Tennessee (hereinafter referred to as the "easement area") and more particularly described in Exhibit A and shown on Exhibit B, both of which are attached hereto and made a part hereof.

Furthermore, GRANTOR conveys to GRANTEE the right to use, for purposes of ingress and egress to and from the easement area, any access road or roads, as located or as relocated at the sole discretion of GRANTOR, in, on, over, across, and upon TVA's property known as the Bull Run Steam Plant Reservation. Provided, by the acceptance hereof, GRANTEE agrees that it shall be responsible for any maintenance costs associated with its use of said road or roads. Provided further, it is understood and agreed that the provision of road access to and from said easement area does not imply an undertaking on the part of the GRANTOR to maintain any road or roads, and it shall not be liable for

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the maintenance of said road or roads or for any damages resulting from the construction, maintenance or use thereof.

In the event GRANTEE shall cease to use such easement area for the purpose for which this easement is granted for a period of two (2) consecutive years or more or shall, regardless of the time period, initiate use of the area subject to such easement for some other purpose or shall abandon such easement or commit any breach of any of the conditions contained herein, in whole or in part, then GRANTOR, TVA, or their successors or assigns, may terminate the easement by written notice to GRANTEE, its successors and assigns, and take possession of the easement area as if this grant of easement had never been made. Such termination shall be effective as of the date of such notice; provided, however, that GRANTEE, its successors and assigns, shall have the right during a period of ninety (90) days immediately following the date of such notice of termination to remove any improvements placed by it on the easement area; and provided, further, that GRANTEE, its successors and assigns, shall restore the easement area to TVA's satisfaction, including any regrading or reseeded TVA may deem appropriate. Title to any such improvements not removed within such 90-day period shall become the property of TVA at TVA's option and may be removed at GRANTEE's expense. Any failure of GRANTOR, TVA, or their successors or assigns, to exercise such power of termination shall not be construed as a waiver of any of the conditions or rights of the GRANTOR, TVA, or their successors and assigns.

The easement area is conveyed subject to such rights as may be vested in the county and/or third parties to rights-of-way for roads, telephone lines, electric power distribution lines and other utilities.

GRANTOR reserves on and over the easement area: the right, for itself, its successors and assigns, to enter upon the easement area at all reasonable times to do any and all things which may be necessary or incidental to the operation of the Bull Run Steam Plant Reservation. To the extent that the exercise of the right to enter shall not unreasonably interfere with the rights granted hereunder, this right shall include, but not be limited to, by reason of lack of specific enumeration, the right to enter upon the easement area to inspect and examine the same; to access adjoining lands; and to construct, operate, and maintain boundary markers and survey monuments, gas pipelines, waterlines, sewerlines, electric power transmission lines, communication lines, and/or other facilities.

GRANTEE, by accepting this grant of easement, covenants and agrees on behalf of itself, its successors and assigns, that the following shall constitute real covenants which shall attach to and run with the easement hereby conveyed:

1. GRANTEE shall obtain all required permits for and shall control all emissions of pollutants that might be discharged directly or indirectly into the atmosphere, into any stream, lake, watercourse, reservoir, surface or subterranean waters, or into or over the ground from any part of the easement area in full compliance with all applicable standards and requirements relating to pollution control of any kind now in effect or hereafter established by or pursuant to federal, state, or local statutes, ordinances, or regulations.
2. All land-disturbing activities on the easement area shall be conducted in accordance with the best management practices as defined by Section 208 of the Clean Water Act and implementing regulations, to control erosion and sedimentation so as to prevent adverse impact on water quality and related aquatic interests.
3. GRANTEE shall not permit or suffer any offensive use of the easement area and shall keep the easement area at all times in a clean and sanitary condition.
4. GRANTEE further agrees that it will conduct its operations on the easement area in compliance with all regulations, procedures, practices, and standards which TVA has prescribed or may prescribe for

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the Bull Run Steam Plant Reservation and its own operations thereon concerning water and air pollution, traffic control, and other matters which are in TVA's judgment necessary to protect the environment, the public, and/or TVA's operations and facilities, including any and all facilities which are presently in existence or are hereafter installed. In the event GRANTEE's activities upon the easement area, in the opinion of TVA, could damage TVA's power facilities or operations or harm or pose a threat of harm to the environment or public, GRANTEE shall immediately cease such activities upon notification by TVA, and GRANTEE shall not resume such activities until such regulations, procedures, practices, standards, or controls as TVA may reasonably prescribe to avoid such damage or harm have been met to the satisfaction of TVA.

5. GRANTEE shall conduct all activities on the easement area in compliance with all applicable laws and regulations.
6. No substances listed as hazardous (collectively, "Hazardous Substances") under the Resource Conservation and Recovery Act of 1976, as amended, the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, the National Oil and Hazardous Substance Pollution Contingency Plan, or any other federal, state, or local law or regulation (collectively, "Environmental Laws") shall be brought onto or used on the easement area in violation of applicable Environmental Laws. No Hazardous Substances shall be disposed of or (within the meaning of applicable Environmental Laws) released on the easement area or abutting property by GRANTEE, its agents or contractors. If a release (as defined in applicable Environmental Laws) occurs, GRANTEE shall notify TVA within twenty-four (24) hours and shall notify federal, state, and local authorities in accordance with applicable laws and regulations. GRANTEE shall provide TVA copies of all correspondence and reports submitted to regulatory authorities in connection with any such release of Hazardous Substances on the easement area or the abutting property. GRANTEE shall, at its own expense, promptly and in accordance with any timetables prescribed by any governmental authority having controlling jurisdiction remediate any release of Hazardous Substances on the easement or the abutting property resulting from the act or omission of the GRANTEE or its contractors.
7. GRANTEE hereby releases and agrees to indemnify and hold harmless TVA, the United States, and their officers, agents, and employees from any claims, costs, expenses, or liability resulting from GRANTEE's activities on the easement area or from pollution or contamination of any kind occurring on or under, or emanating from, the easement area, which pollution or contamination occurs during the term of this easement or results from activities that occur during the term of this easement and was not caused by TVA or the United States and did not migrate to the easement area from other lands of TVA or the United States. The foregoing release and indemnity includes, without limitation, any claims for response costs under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, and any amendments thereto. In the event this easement is assigned or transferred to any other party, the foregoing release and indemnity shall remain the obligation of GRANTEE, as well as the assignee or transferee of this easement.

Notwithstanding any other provision that may be interpreted to the contrary, the requirements of this covenant 7. shall survive the expiration or termination of this grant of easement for whatever reason and shall remain the continuing obligation of GRANTEE; provided, however, that this release and indemnity shall not apply to pollution or contamination that occurs after the expiration or termination of this easement, unless such pollution or contamination is caused by the act or omission of the GRANTEE or its contractors.

8. GRANTEE may not assign, transfer, or convey this easement or any interest therein without TVA's written consent.

9. GRANTEE shall be responsible for and shall pay when due all taxes and assessments of whatever kind which are properly assessed upon the easement area due to GRANTEE's use thereof.
10. GRANTEE shall not disturb or alter in any way the existing state of any archeological sites, human remains, funerary objects, sacred objects, objects of cultural patrimony, or any other archeological resources which may be discovered or identified on or under the easement area as provided for in the Native American Graves Protection and Repatriation Act and the Archeological Resources Protection Act. Upon the discovery of any such items, GRANTEE shall immediately stop all activity in the area of the discovery, make a reasonable effort to protect such items, and notify TVA's Cultural Resources staff by telephone at 865-632-1578. GRANTEE shall also provide written notification of such discovery to TVA, Cultural Resources, Post Office Box 1589, Norris, Tennessee, 37828. GRANTEE shall not resume work in the area of the discovery until approved by TVA.

It is expressly understood and agreed that neither GRANTEE nor TVA will be considered the agent of the other for any purpose under this grant of easement. The United States, TVA, and their agents and employees undertake no obligation or duty (in tort, contract, strict liability, or otherwise) to GRANTEE, or any other party for any damages to property (real or personal) or personal injuries (including death) arising out of or in any way connected with the acts or omissions of GRANTEE, or any other persons.

GRANTOR makes no warranties or representations to GRANTEE or any other party, either express or implied, as to the adequacy, condition, safety, reliability, merchantability, suitability, or adaptability of the property for the purpose granted, or any means of access to or egress from the property provided or made available by this easement grant.

GRANTEE agrees to indemnify the GRANTOR and TVA against and save them harmless from all claims, damages, demands, actions, costs, and charges to which they or either of them may be subject or which they or either of them may have to pay by reason of any injury to any person or property, or loss of life or property suffered or sustained by any person whomsoever, resulting from or in any way connected with the condition or use of this easement area, including any means of ingress thereto or egress therefrom, except liability for personal injuries, property damage, or loss of life or property caused by the sole negligence of the GRANTOR or TVA.

TO HAVE AND TO HOLD said easement and right-of-way unto GRANTEE, its successors and assigns, for a term of thirty (30) years from the date hereof; subject, however to the conditions set forth herein.

And TVA does hereby covenant that the UNITED STATES OF AMERICA is seized and possessed of the easement area; that TVA as legal agent of the UNITED STATES OF AMERICA is duly authorized to convey the easement and right-of-way in, on, over, across, upon, through and under the same; that said easement area and right-of-way are free and clear of liens and encumbrances; and that, subject only to such exceptions, conditions, covenants, restrictions, reservations, and/or limitations as may be expressly mentioned above, it will warrant and defend the title thereto against the lawful demands of all persons claiming by, through, or under the UNITED STATES OF AMERICA or TVA, but not further or otherwise.

Wherever in this instrument the context requires, the singular number and masculine gender as herein used may be read as plural and feminine or neuter, respectively. The word GRANTEE shall be understood to include the successors and assigns of GRANTEE as approved by TVA.

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TVA TRACT NO. XBRSP-6RE

The name and address of the owner of the aforescribed easement is:

EASEMENT OWNER: Anderson County, Tennessee  
100 North Main Street, Room 208  
Clinton, Tennessee 37716  
Telephone Number: 865-457-6200

The name and address of the legal owner is:

OWNER: United States of America  
Tennessee Valley Authority  
1101 Market Street, SP 3L  
Chattanooga, Tennessee 37402-2801

[Tax Exempt -  
T.C.A. § 67-5-203(a)(1)]

Tax map: 101

Parcel: 9 (Part of)

jkp:djb  
xbrsp6re/easement

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EXHIBIT A  
TO  
GRANT OF TERM RECREATIONAL EASEMENT

BULL RUN STEAM PLANT RESERVATION

A parcel of land lying in the First Civil District of Anderson County, State of Tennessee, being on the Bull Run Steam Plant Reservation opposite Clinch River Mile 48L, as shown on US-TVA Drawing No. 49 MS 422 B 508(D) R.0 and being more particularly described as follows:

Commencing at an angle iron (found) (Coordinates: N. 599,696.07, E. 2,547,319.03), being Corner No. 3IE-2; thence N27°06'28"W, 88.77 feet to an angle iron (set), being Corner No. 6RE-1 and the Point Of Beginning:

Thence leaving the point of beginning and with the southwestern line of the herein described parcel N34°44'42"W, 383.65 feet to an angle iron (set), being Corner No. 6RE-2; thence leaving the said southwestern line and with the northwestern line of the herein described parcel N53°55'20"E, 205.25 feet to an angle iron (set), being Corner No. 6RE-3; thence leaving the said northwestern line and with the northeastern line of the herein described parcel S40°06'37"E, 158.12 feet to an angle iron (set), being Corner No. 6RE-4; thence continuing with the said northeastern line N59°08'01"E, 39.35 feet to an angle iron (set), being Corner No. 6RE-5; thence continuing with the said northeastern line S31°22'14"E, 24.88 feet to an angle iron (set), being Corner No. 6RE-6; thence continuing with the said northeastern line S60°14'59"W, 39.76 feet to an angle iron (set), being Corner No. 6RE-7; thence continuing with the said northeastern line S12°56'21"E, 103.88 feet to an angle iron (set), being Corner No. 6RE-8; thence leaving the said northeastern line and with the southeastern line of the herein described parcel S23°38'51"W, 210.87 feet to the point of beginning and containing 1.568 acres, more or less.

Positions of corners and directions of lines are referred to the Tennessee State Coordinate System and NAD 27 Horizontal Datum. The elevations for establishing the contours are based on NGVD 1929.

Located on VTM Quad CLINTON, TN. 137-SW.

This description was prepared from Reservation Maps 49 MS 421 K 506-3, R.0, 43 MS 421 B 511-D-11 R.1, Land Sale Map 49 MS 422 B 507(D) R.0 and a survey dated April 8, 2002, by:

A. J. Monsees, RLS  
Tennessee Valley Authority  
MR 4B-C  
Chattanooga, TN 37402-2801  
TN License No. 1843

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Subject property was acquired by virtue of the following instruments of record in the office of the Register of Deeds of Anderson County, Tennessee: 1) Warranty Deed dated November 20, 1961, from John E. Crowder and wife, Agnes J. Crowder, in Deed Book D, Volume 8, page 289 for TVA Tract No. BRSP-17; 2) the Warranty Deed dated November 13, 1961, from James R. Wilmoth and wife, Dorothy Wilmoth, in Deed Book D, Volume 8, page 185, for TVA Tract No. BRSP-18; and 3) Warranty Deed dated February 15, 1962, from Luther Hicks, Ernest T. Wallace, W. L. Moorehead and Charles Hughes, Trustees of Edgemoore Baptist Church of Clinton, Tennessee, in Deed Book F, Volume 8, page 185, for TVA Tract No. BRSP-19.

06-05-2002  
date received 6/5/02



# Five Things to Know about the Future of the Claxton Community Park

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**Since 2000, the Claxton Community Park has served as safe place for children and families to enjoy.** The Claxton Optimist Club and TVA collaborated to construct the playground, which is on TVA property beside the Bull Run Fossil Plant.

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**Due to its age, the Anderson County Conservation Board approved motions earlier this year to end maintenance efforts on the playground by December 1, 2025,** and to work with TVA to remove the existing playground.

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**With the retirement of the Bull Run Fossil Plant and the ongoing decommissioning activities, the time is now to think about building a new community park and recreation area** for the benefit of the community.

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**TVA is collaborating with Anderson County officials and community leaders on a potential path forward.**

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**TVA values the relationships it has in the community and is committed to an open line of communication on this project and others.**

**2<sup>nd</sup> Item of Business:**

Discussion held on current status of Claxton Playground and its maintenance oversight by the Conservation Board and Park Director.

Motion by Lewis Ridenour, seconded by Scott Burton, that effective December 1<sup>st</sup>, 2025, the Conservation Board and Park Director will no longer maintain nor be responsible for the playground structure and wooden pavilion, with a request for the Law Director to prepare a statement regarding the Conservation Board and Park Director having no role in the removal of these structures.

Motion carried unanimously.

Additional motion made by Lewis Ridenour, seconded by Tony Powers, requesting the Mayor pursue and communicate with TVA for a proposed timeline on the removal/decommission of the Claxton Bull Run site and potential new locations for a new playground structure.

Motion carried unanimously.



installation  
complete

**COOPERATIVE AGREEMENT**  
**Cemetery Gate Agreement Revised**

This Cooperative Agreement ("Agreement"), effective July 19, 2024, is entered into between the Parties of Anderson County Government, a governmental entity and political subdivision of the State of Tennessee ("County") and the Tennessee Valley Authority ("TVA"), a corporate agency and instrumentality of the United States created and existing under the Tennessee Valley Authority Act of 1933.

The parties agree as follows:

1. TVA agrees to provide and install a steel gate ("Gate") to provide ingress and egress to the Historic Black Family Cemetery located on an unnamed abandoned county roadbed off Old Blacksberry Lane in the Claxton Community of Anderson County, Tennessee on or about a location identified by the following GPS coordinates:

Post 1 – Northing - 594595.978, Easting – 2547502.529, Elevation – 844.579  
Post 2 – Northing – 594618.693, Easting – 2547495.679, Elevation – 847.753

A map showing the location is attached as Exhibit 1.

2. County hereby grants TVA the right to access the above-described property for the purpose of installing the Gate, including the right to access the property in advance of installation for the purpose of conducting any project planning and placement of materials that TVA deems necessary. County represents and warrants to TVA that it has the necessary rights in the property to grant TVA the access rights described in this Section.
3. County agrees to provide TVA with such cooperation and assistance with regard to TVA's installation of the Gate as TVA may reasonably request.
4. County agrees that TVA has no obligation to maintain, repair, or replace the Gate once installed.
5. TVA assumes no responsibility for any liability that may arise from installation of the Gate or use of the gate by the County or others. COUNTY SHALL INDEMNIFY AND HOLD HARMLESS TVA AND ITS EMPLOYEES WITH REGARD TO ANY CLAIMS ARISING OUT OF, OR IN ANY WAY CONNECTED WITH, THE INSTALLATION OR USE OF THE GATE.
6. IT IS EXPRESSLY UNDERSTOOD THAT TVA MAKES NO GUARANTY, WARRANTY, OR REPRESENTATION, EXPRESS OR IMPLIED, (A) AS TO THE CHARACTER OR QUALITY OF THE GATE OR ITS INSTALLATION, AND (B) AS TO THE MERCHANTABILITY OR THE FITNESS FOR ANY USE OR PURPOSE OF THE GATE OR ITS INSTALLATION. COUNTY AGREES THAT THE GATE IS BEING PROVIDED AND INSTALLED BY TVA IN "AS IS" CONDITION.
7. Any notice required or permitted to be given by either party under this Agreement shall be in writing and shall be personally delivered or sent by a reputable overnight mail service (e.g., Federal Express), or by first class mail (certified or registered), or by electronic mail, to the other party. Notices will be deemed effective: (i) three (3) working days after deposit, postage prepaid, if mailed, (ii) the next day if sent by overnight mail, or (iii) the same day if sent by electronic mail. A copy of any notice shall be sent to the contacts and addresses set forth below:



For TVA:

Scott TURNBOW, VP Civil Proj  
1101 MARKET STREET  
CHATT, TN 37402  
Phone: (423) 826-9328  
E-Mail: sturnbow@tva.gov


For County:

County Mayor Terry Frank  
100 N. Main St. Suite 208  
Clinton TN 37716  
Phone: (615) 457-6200  
E-Mail: tfrank@andersoncountytg.gov


8. In the event of a breach of this Agreement by County, County shall pay to TVA any reasonable attorneys' fees and other costs and expenses incurred by TVA in connection with the enforcement of any provisions of this Agreement.
9. Neither party has the right or authority to, and shall not, assume or create any obligation of any nature whatsoever on behalf of the other party or bind the other party in any respect whatsoever.
10. No waiver of rights under this Agreement by either party shall constitute a subsequent waiver of this or any other right under this Agreement.
11. This Agreement shall not be assigned or otherwise transferred by County without the prior written consent of TVA. This Agreement shall bind and inure to the benefit of the successors and permitted assigns of the parties.
12. In the event that any of the terms of this Agreement become or are declared to be illegal by any court of competent jurisdiction, such term(s) shall be null and void and shall be deemed deleted from this Agreement. All remaining terms of this Agreement shall remain in full force and effect.
13. This Agreement shall be construed in accordance with the Federal laws of United States. The parties agree that any lawsuit between them that asserts a claim or claims arising out of or related to this Agreement (whether sounding in contract, tort, or otherwise) shall be filed and litigated to conclusion only in the United States District Court for the Eastern District of Tennessee, and each party hereby consents to the jurisdiction and venue of that court for all such lawsuits. The parties further agree that in any litigation each will waive any right it may have to a trial by jury.
14. No member of or delegate to Congress; or Resident Commissioner; or any officer, employee, special Government employee; or agent of TVA shall be admitted to any share or part of this Agreement, or to any benefit that may arise therefrom. The parties shall not construe this provision to extend to a corporation or unit of Government contracting for its or for the public's general benefit. Recipients shall not offer or give, directly or indirectly, to any officer, employee, special Government employee, or agent of TVA, any gift, gratuity, favor, entertainment, loan, or any other thing of monetary value except as provided in 5 CFR pt. 2635, subpt. B, as such provisions may subsequently be amended, supplemented, or replaced. Breach of this provision shall constitute a material breach of this Agreement.
15. To the extent applicable, this agreement incorporates by reference the Equal Opportunity clause, 41 C.F.R. § 60-1.4
16. The foregoing contains the full agreement among the parties and supersedes any prior oral or written agreements, commitments, understandings, or communications with respect to the subject matter of the Agreement. No amendment or modification of this Agreement shall be effective unless set forth in writing executed by duly authorized representatives of each party.

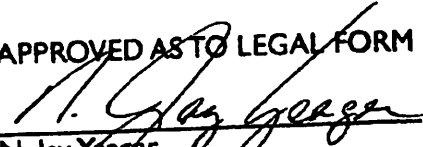
In witness whereof, the parties hereto have executed this agreement by their respective duly authorized representative as of the day and year first above written.

**PARTIES OF ANDERSON COUNTY  
GOVERNMENT**

By:   
Title: county mayor  
Date: 7/16/2024

**TENNESSEE VALLEY AUTHORITY**

By:   
Title: VP CIVIL PROJECTS  
Date: 07/19/2024

APPROVED AS TO LEGAL FORM  
  
N. Jay Yeager  
Anderson County Law Director



This agreement prepared by:  
Office of the County Law Director  
Anderson County, Tennessee  
101 S. Main Street, STE 310  
Clinton, TN 37716  
865-457-6290

## TVA LICENSE TO ERECT GATE

### Historic Black Family Cemetery

This Agreement made this 21 day of June 2021 by and between the Parties of Anderson County Government, a governmental entity and political subdivision of the State and Tennessee (Licensor) and the Tennessee Valley Authority (TVA) a United States Governmental Corporation formed under the Tennessee Valley Authority Act of 1933 (Licensee). In consideration of the terms and conditions recited below, the receipt and sufficiency of such is hereby accepted, the Parties hereto agree as follows:

#### WITNESSETH

##### **Section 1: LICENSE AGREEMENT**

Licensor grants Licensee and Licensee accepts License to construct a steel gate across real property owned, or granted to, or otherwise legally controlled by the Licensor in an effort to provide safe public ingress/egress and security to the Historic Black Family Cemetery.

##### **Section 2: CONSTRUCTION EASEMENT**

Licensor grants Licensee a temporary construction easement across real property and roadways, including rights-of-way owned by, or granted to, or otherwise legally controlled, by Licensor for the purpose of erection and construction of said gate by Licensee. Licensee shall at all times have permission to enter upon the lands and property owned, or controlled, by Licensor to provide repairs and maintenance to gate and other fixtures installed necessary to the erection and construction of gate on Licensor's property. Licensee shall at all times proceed with due care with regard to pedestrians and traveling motorists on adjacent county roads.

##### **Section 3: LOCATION**

The Parties agree that Licensee will erect, construct and provide maintenance to, a steel gate sufficient to provide safe and secure ingress/egress to the Historic Black Family Cemetery located on an unnamed abandoned county roadbed off Old Blacksberry Lane in the Claxton Community of Anderson County, Tennessee on or about a location identified by GPS Coordinates:

Post 1 – Northing - 594595.978, Easting – 2547502.529, Elevation – 844.579.

Post 2 – Northing - 594618.693, Easting - 2547495.679, Elevation – 847.753.

(See attached Exhibit 1)

**Section 4: TERM OF LICENSE**

This license shall be effective from the date stated above and shall remain effective until such time as the gate is removed by agreement of the Parties.

**Section 5: INDEMNITY**

The Parties agree to defend and hold harmless one another from and against any and all claims of, or damage to property, or injury to, or death of person or persons resulting from or arising out of this Agreement or the public being served by this Agreement, where such injury, property damage, or death occurs as a proximate cause of the negligence of either Licensee or Licensor. The Parties agree to provide adequate insurance coverage sufficient to cover all claims, individual and per aggregate, or other required and additional sums sufficient to cover any and all claims arising from property damages, injuries, illness or death related to this Agreement. Insurance certifications shall be provided upon request.

**Section 6: DEFAULT**

In the event of default of any party hereto, any non-defaulting party may bring suit against the other to enforce the terms of this Agreement. In such event, the prevailing party shall be entitled to any remedies available at law and/or equity, including reasonable attorney's fees and the costs associated with the default. If the Parties fail to comply with any provision embodied herein, this lease shall be cancelled, declared null and void, and premises automatically restored to the former condition without demand for re-entry.

**Section 7: NO ORAL MODIFICATION**

No modification, amendment, supplement to or waiver of this Agreement or any of its provisions shall be binding upon the Parties hereto unless made in writing and duly signed by all Parties.

**Section 8: CANCELLATION**

In the event any party materially breaches, defaults or fails to perform hereunder, this Agreement may be canceled by the other party with cause on thirty (30) days written notice to the other in the event the breach, default or failure is not cured during that time. Licensor may cancel Agreement if unforeseen circumstances occur with thirty (30) days written notice to Licensee and all premises, structures and fixtures shall revert to Licensee with due compensation awarded by Licensor for improvements made by Licensee.

**Section 9: WAIVER**

A failure of any party to exercise any right provided for herein, shall not be deemed to be a waiver of any and all rights hereunder.

**Section 10: ENTIRE AGREEMENT**

This Agreement sets forth the entire understanding of the Parties as to the subject matter and may not be modified except in a writing executed by all Parties.

**Section 11: SEVERABILITY**

In the event any one or more of the provisions of this Agreement is invalid or otherwise unenforceable, the enforceability of remaining provisions shall be unimpaired.

**Section 12: EXHIBITS**

Any Exhibits attached hereto or incorporated herein are made a part of this Agreement for all purposes. The expression "this Agreement" means the body of this Agreement and the Exhibits.

**Section 13: MULTIPLE COUNTERPARTS; EFFECTIVENESS**

This Agreement may be executed in multiple counterparts, each of which shall be deemed an original for all purposes and all of which shall be deemed, collectively, one Agreement. This Agreement shall become effective when executed and delivered by all the parties.

**Section 14: JURISDICTION**

Each party hereby irrevocably consents to the jurisdiction of all courts sitting in Anderson County, Tennessee or all federal courts sitting in Knoxville, Tennessee and agrees that venue for any legal action brought in connection with this Agreement shall lie exclusively in such courts.

**Section 15: BINDING EFFECT**

This Agreement shall be binding upon and inure to the benefit of the Parties and upon their respective successors, heirs or assigns.

**Section 16: CHOICE OF LAW**

This Agreement shall be governed and construed in accordance with the laws of the State of Tennessee.

**Section 17: NOTICE**

Any notice required or provided pursuant to this Agreement shall be in writing and sent or delivered to the Parties and counsel.

**Section 18: TITLES AND SUBTITLES**

Titles of paragraphs and subparagraphs are for convenient reference only and shall not have the effect of modifying, amending or changing the express terms of this Agreement.

**Section 19: ASSIGNMENT**

This Agreement shall be assignable only upon the written consent of the non-assigning party. Consent to an assignment shall not be unreasonably withheld. In the event of assignment or succession, the terms and conditions of this Agreement shall be binding upon the Parties and their successors, assigns, heirs, executors and/or administrators.

**Section 20: FURTHER DOCUMENTATION**

The Parties agree for themselves and their successors and assigns to hold this agreement as valid and to execute any and all instruments in writing, which are or may become necessary or proper to carry out the purpose and intent of this Agreement.

**Section 21: RELEASE AND HOLD HARMLESS**

The Parties mutually agree that they shall and do hereby release, forever discharge and hold harmless one another as well as the employees, agents and counsel for one another from any and all claims whatsoever, both known and unknown that may have existed prior to the execution of this Agreement or that may arise in the future related to this Agreement. The only claim that shall survive this Agreement is compliance with this Agreement.

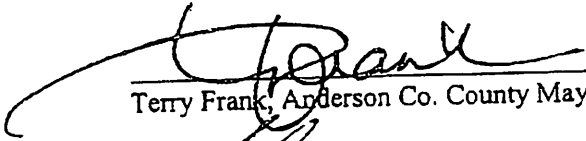
**IN WITNESS WHEREOF**, the Parties hereto, each acting under due and proper authority and counsel have accepted the terms and executed this Agreement on or about the date listed above.

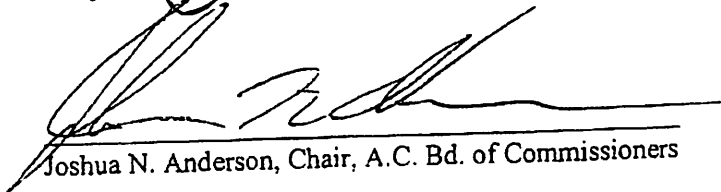
**APPROVED** by the Anderson County Board of Commissioners on June 21, 2021.

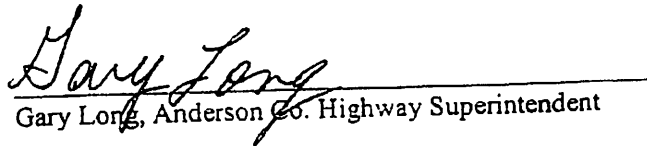
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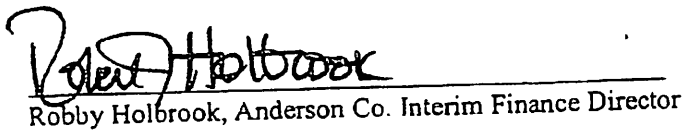


**ACCEPTANCE BY ANDERSON COUNTY (LICENSOR):**

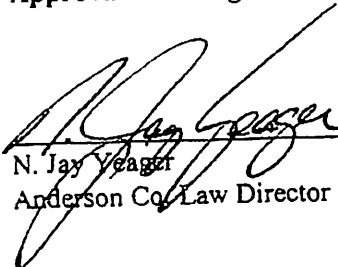
  
Terry Frank, Anderson Co. County Mayor

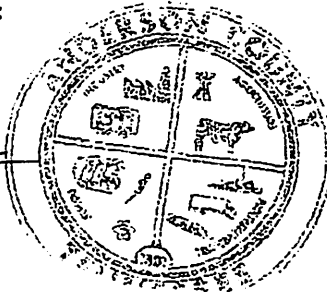
  
Joshua N. Anderson, Chair, A.C. Bd. of Commissioners

  
Gary Long, Anderson Co. Highway Superintendent

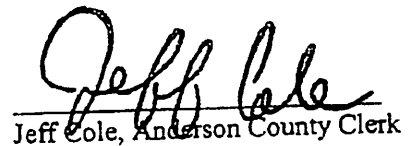
  
Robby Holbrook, Anderson Co. Interim Finance Director

**Approval as to Legal Form:**

  
N. Jay Yeager  
Anderson Co. Law Director



**ATTEST:**

  
Jeff Cole, Anderson County Clerk

<Remainder of page intentionally left blank>

**ACCEPTANCE BY TENNESSEE VALLEY AUTHORITY (LICENSEE):**

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Print Name**

\_\_\_\_\_  
**Position**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
**Address**

\_\_\_\_\_  
**Phone**

Search Environment



# Natural Resource Damage Assessment and Restoration (NRDAR)



The U.S. Department of Energy has signed a \$42 million agreement as part of the Natural Resources Damage Assessment and Restoration (NRDAR) process for impacts from its historic operations on the Oak Ridge Reservation.

Contamination released from the Oak Ridge Reservation negatively impacted natural resources and services depending on those resources in the region. The goal of the NRDAR process is to restore natural resources and replace natural resource services equivalent to what was lost.

A trustee council comprised of representatives from the State of Tennessee through the Tennessee Department of Environment and Conservation as the lead state agency, U.S. Fish and Wildlife Service, Tennessee Valley Authority, and DOE evaluated how natural resources were injured and developed a Restoration and Compensation Determination Plan. That document was finalized in December 2022 after accepting public comments.

All funds from the \$42 million agreement will be deposited into an account held by the State of Tennessee to fund grants to organizations and public entities for a wide range of local projects that either enhance the area's natural resources or provide nature and recreational opportunities.

"This is one of the most notable days in our office's history," said Jay Mullis, manager of DOE's Oak Ridge Office of Environmental Management. "Through this agreement, DOE is accounting for past impacts and creating many new opportunities to enhance how residents can enjoy this beautiful region."

Local projects eligible for those grants must be in one of five categories: habitat creation, habitat restoration or enhancement, habitat preservation, groundwater, or recreation.

Grant applications do not have a minimum value and can go as high millions of dollars for projects in Anderson and Roane counties and portions of Loudon and Knox counties.

"TDEC is pleased to see this agreement finalized and we eagerly anticipate projects that will support these local communities," said TDEC Commissioner David Salyers. "This funding will protect the natural resources in the area as well as go towards outdoor recreational opportunities for Tennesseans, creating a more balanced and healthy environment for all."

Examples of applicable projects include clearing away abandoned parking lots to plant native vegetation, removing invasive species, land conservation, installing streets and parking lots with permeable pavements to improve rainwater infiltration, and septic conversions. It also includes projects that improve public use of natural resources such as building or improving boat launches and fishing piers, purchasing and restoring land with public access to water, creating public hiking and biking trails or wildlife viewing areas, and constructing, improving, or maintaining public recreation area amenities such as trash control, water fountains, and restrooms.

- View the [Draft Restoration Project Selection Procedure Grant Program Manual](#) for more information about the grant application. This document is available for public comment through August 12, 2024.
- Public comments can be emailed to [ORRrestoration@tn.gov](mailto:ORRrestoration@tn.gov).

Once that document is finalized, expected this summer, the trustee council will post it online and host public meetings in the community to answer questions and help residents and organizations navigate the grant application process.

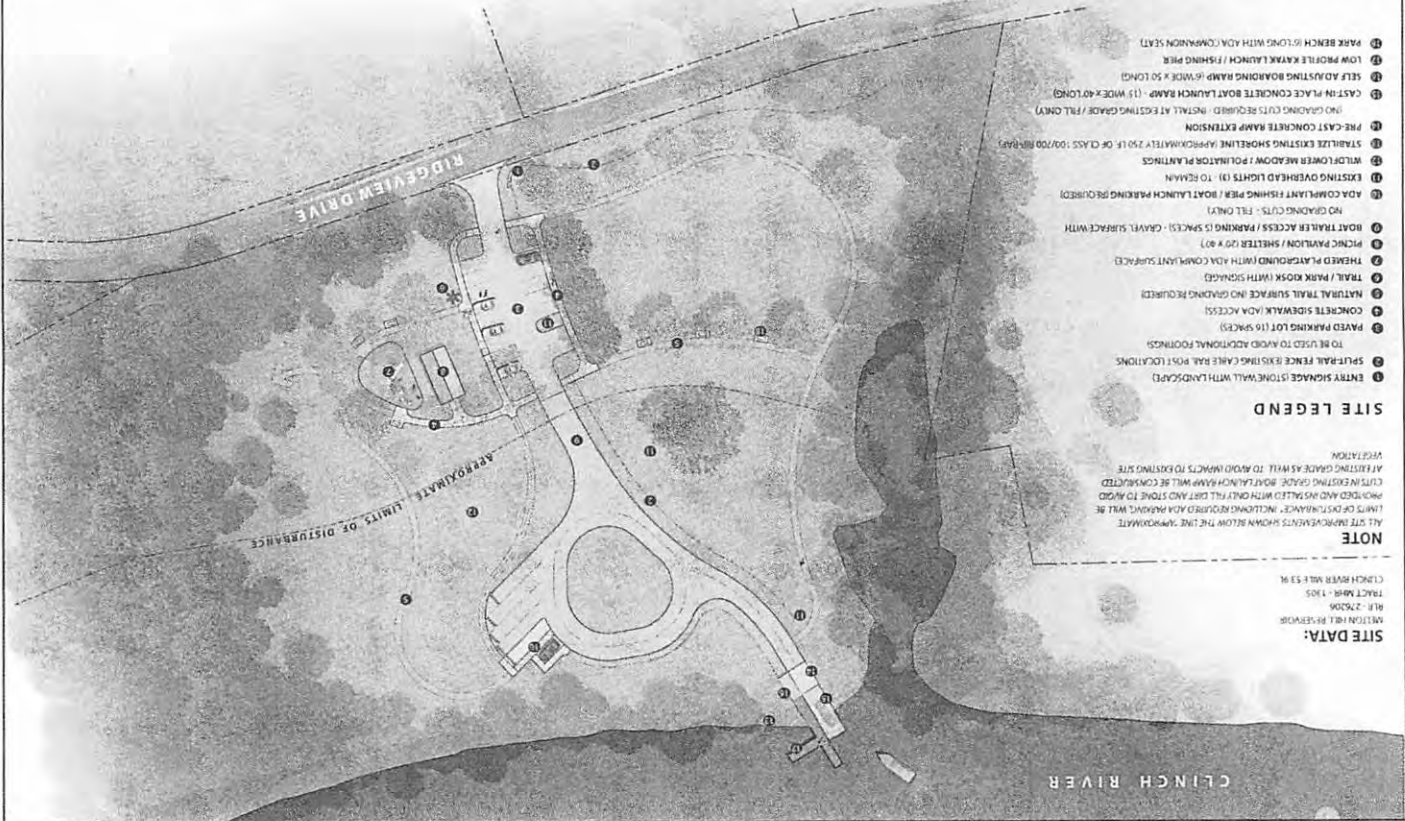
The trustee council approached the NRDAR for the Oak Ridge Reservation in two phases. This is the second phase.

The initial phase focused on the impacts to resources in Watts Bar Reservoir, involving ecological losses and recreational fishing losses downstream the Clinch River to Watts Bar Dam and the Tennessee River arm upstream to Fort Loudoun Dam. The trustees determined the terms of that agreement in 2009. Those terms involved DOE establishing the 3,000-acre Black Oak Ridge Conservation Easement and funding projects to improve recreational fishing access and opportunities.

This second phase focuses on the balance of the Oak Ridge Reservation, which includes habitat across the site, the floodplain and aquatic habitat for a portion of the Clinch River and its tributaries, groundwater flowing beneath and off site, and recreational opportunities.

*This Page Last Updated: July 10, 2024 at 11:11 AM*

**LOST BOTTOM PARK**  
CONCEPTUAL SITE PLAN  
ANDERSON COUNTY, TENNESSEE



**SITE LEGEND**

- 1 PARK BENCH (BENCHES WITH ADA COMPLIANT SEAT)
- 2 LOW PROFILE KAYAK LAUNCH / FISHING PIER
- 3 SELF ADJUSTING BOARDING RAMP (6" WIDE X 50' LONG)
- 4 CAST-IN PLACE CONCRETE BOAT LAUNCH RAMP (15' WIDE X 40' LONG) (NO GRADING CUTS REQUIRED) - INSTALL AT EXISTING GRADE / FILL ONLY
- 5 PRE-CAST CONCRETE RAMP EXTENSION
- 6 STABILIZE EXISTING SHOULDER (APPROXIMATELY 250 LF OR CLASS 100/700 RMP) (NO GRADING CUTS REQUIRED)
- 7 WILDLIFE EXISTING MEADOW / POLLINATOR PLANTINGS
- 8 EXISTING OVERHEAD LIGHTS (3) - TO REMAIN
- 9 ADA COMPLIANT FISHING PIER / BOAT LAUNCH PARKING (PRE-REQUIRED) (NO GRADING CUTS - FILL ONLY)
- 10 BOAT TRAILER ACCESS / PARKING (5 SPACES) - GRAVEL SURFACE WITH PAVING (20' X 8')
- 11 THEMED PLAYGROUND (WITH ADA COMPLIANT SURFACE)
- 12 TRAIL / PARK KIOSK (WITH SIGNAGE)
- 13 NATURAL TRAIL SURFACE AND GRADING REQUIRED
- 14 CONCRETE SIDEWALK (ADA ACCESS)
- 15 PAVED PARKING LOT (15 SPACES) (TO BE USED TO AVOID ADDITIONAL FOOTINGS)
- 16 SPLIT RAIL FENCE (EXISTING CABLE RAIL POST LOCATIONS)
- 17 ENTRY SIGNAGE (STONE WALL WITH LANDSCAPE)

**NOTE**

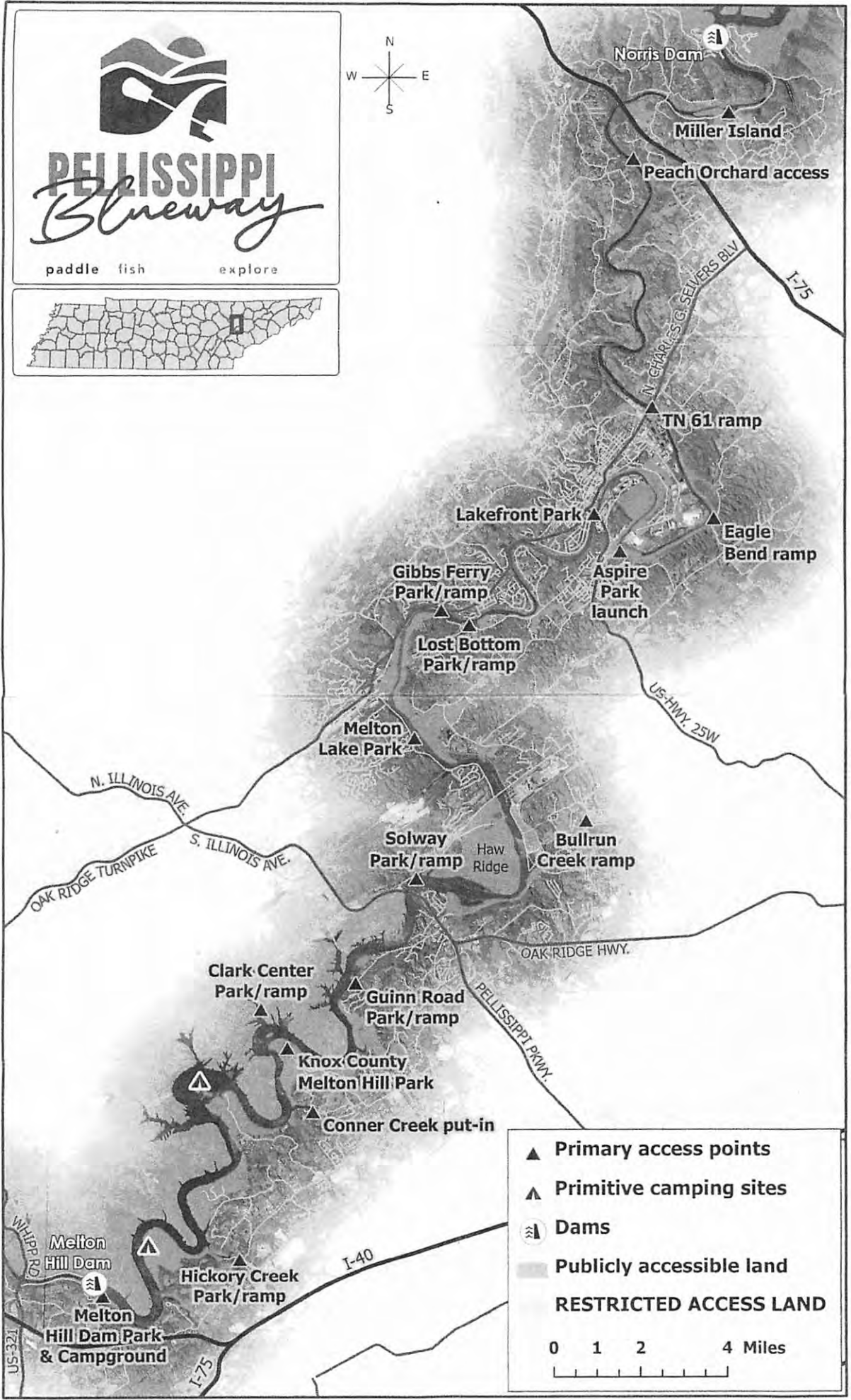
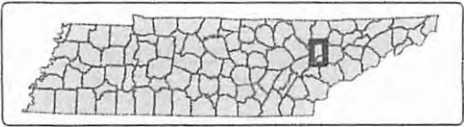
ALL SITE IMPROVEMENTS SHOWN BELOW THE LINE APPROXIMATE LIMITS OF DISTURBANCE - INCLUDING REQUIRED ADA PARKING WILL BE PROVIDED AND MAINTAINED WITHIN THE LIMIT AND STONE TO AVOID PONDING AND STABILIZED WITHIN THE LIMIT AND STONE TO AVOID VEGETATION AT EXISTING GRADE AS WELL TO AVOID IMPACTS TO EXISTING SITE

**SITE DATA:**

SECTION 101.10.10.10  
BLK. 275.000  
TRACT MAP. 1.10.0

CLINCH RIVER





- ▲ Primary access points
- ▲ Primitive camping sites
- Ⓜ Dams
- Publicly accessible land
- RESTRICTED ACCESS LAND

0 1 2 4 Miles

**The Oak Ridge Reservation**  
The 37,000-acre Oak Ridge Reservation runs along 30 miles of the northwest shore of the lower Blueway. It features over 1,000 plant species and 320 animal species. Several are rare. The area is a bird watching Mecca and boasts some of the best fishing around. The Oak Ridge Reservation has limited public access.

**Recent history of the region**  
Oak Ridge was home to uranium enrichment facilities and headquarters of the Manhattan Project during World War II. The region was an ideal location for the top-secret atomic weapons program. The US government purchased almost 64,000 acres of land for the project. It included several farming communities. The residents had to leave the area. About half that area is retained as the Oak Ridge Reservation. In 1963 Melton Hill Dam was completed, which formed Melton Hill Lake.



**Where to rent boats and bikes:**

Adventures Outdoors Center  
695 Melton Lake Drive, Oak Ridge  
[adventuresoutdoorsrentals.com](http://adventuresoutdoorsrentals.com)  
(865) 498-9951 (Shuttles can be arranged – Reservations suggested)

**Primary access sites:**

- **Miller Island** - 363-399 River Road, Rocky Top
- **Peach Orchard** - Peach Orchard Road, Clinton
- **TN 61 ramp** - 102 Sinking Springs Road, Clinton
- **Eagle Bend ramp** - 388 Mountain View Road, Clinton
- **Aspire Park** - 777 Aspire Drive, Clinton
- **Lakefront Park** - 110 S. Charles Seivers Blvd., Clinton
- **Lost Bottom Park** - 1310 Ridgeview Drive, Clinton
- **Gibbs Ferry Park** - 292 Lost Ferry Road, Clinton
- **Melton Lake Park in Oak Ridge** - 695 Melton Lake Drive, Oak Ridge
- **Bullrun Creek** - 780 New Henderson Road, Claxton
- **Solway Park** - 2005 Edgemoor Road, Oak Ridge
- **Guinn Road Park** - 4115 Guinn Road, Knoxville,
- **Clark Center Park** - 7620 Bull Bluff Road, Oak Ridge
- **Knox County Melton Hill Park** - 3230 Williams Bend Road, Knoxville
- **Conner Creek** - 35° 55.956' N 84° 13.6158' W
- **Hickory Creek Park** - 2120 Everett Road, Knoxville
- **Melton Hill Dam** - 201 Campground Road, Lenoir City


Please be a good steward of our natural resources and leave no trace!



Be safe: wear a U.S. Coast Guard approved and properly fitting flotation device, paddle in groups, be prepared for inclement weather, and carry plenty of water.

**The Pellissippi Blueway is supported by:**

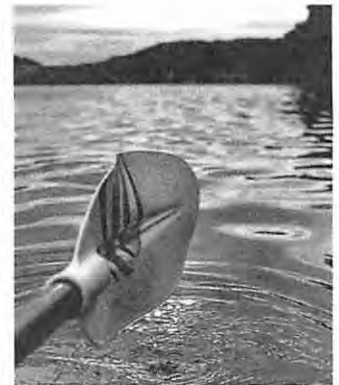
- Advocates for the Oak Ridge Reservation
- Explore Oak Ridge
- Tennessee Citizens for Wilderness Planning
- Tennessee Chapter of the Sierra Club
- The Nature Conservancy in Tennessee

Follow us: 

More information is at <https://aforr.info/pellissippi-blueway/>



A water trail for diverse recreation and enjoyment of Melton Hill Lake's natural and cultural resources



Boat, hike, swim, fish, camp and explore nature along the Pellissippi Blueway.

The Pellissippi Blueway runs from Norris Dam to Melton Hill Dam.

A good strategic plan includes SMART Goals (specific, measurable, attainable, relevant, and timely). Commissioners ranked the following nine (9) strategic priorities and goals from the needs listed in the section above:

**Priority #1: Improve Public Safety Interagency Communications**

<b>Goals:</b>
Identify Stakeholders.
Purchase New Radios.
Identify Funding Sources.
Evaluate Creating a Public Safety Task Force or Commission (Fire, EMA, EMS, Constables, 911, etc.) to Collaborate How We are Addressing Response Time, Cost of Calls, etc.
Add Stakeholders/Agencies as Voting Members to Fire Commission and Change the Name to Public Safety Commission.

**Priority #2: Balance the Needs of the Schools Versus Priorities of Entire County System**

<b>Goals:</b>
Determine What Needs are and What We are Balancing Against.
Asking Different Questions of School System – Where are We at on Capital Needs Checklist.
Instead of Just Reporting Good News Request Schools Regularly Give Capital Updates.
Request Plan for Schools.
Report Results of Retreat to Commission.
Obtain Written Project/Priority List from School System.
Obtain Capital Outlay Plan from School System.

**Priority #3: Update/Renovate Existing Public Facilities**

<b>Goals:</b>
Develop a Maintenance Plan.
Assess Facilities.
Review ESG Project.
Develop a Facilities Use Plan (Life Cycle).

**Priority #4: Build New Public Facilities**

<b>Goals:</b>
EMA and EOC funded through EOC grant of \$2.9 million.
<b>EMS 2 Oak Ridge Facilities</b> <ul style="list-style-type: none"> <li>• Need 0.5-0.75 acres for a new facility.</li> <li>• One current facility provided by the City is the worst facility in inventory and in wrong location. Identify land or other facility in correct location.</li> <li>• Review joint agreement with Oak Ridge.</li> <li>• Oak Ridge current station near Home Depot is being vacated and could possibly be a good County EMS facility – some upgrades needed but should be less expensive than a new build.</li> <li>• Oak Ridge County Commissioners to take lead on discussions with the City of Oak Ridge and others.</li> </ul>
<b>EMS Claxton Facility (need to go 24 hours – currently 12 hours)</b> <ul style="list-style-type: none"> <li>• East Tennessee Regional Health Coalition wants a building in Claxton and would like the County to be a part of that facility.</li> <li>• EMS to identify land and present to County Commission.</li> </ul>
Consider Applying for an Appalachian Regional Commission POWER grant for EMS Facilities.
<b>Justice Center</b> <ul style="list-style-type: none"> <li>• Update needs assessment.</li> <li>• Long-term plan needed that includes consolidation of facilities.</li> <li>• Study costs of fragmented facilities.</li> </ul>
<b>New Parks and Amenities</b> <ul style="list-style-type: none"> <li>• Revisit Blockhouse Valley Park (old landfill). Update master plan.</li> <li>• Consider applying for a TDEC Recreation grant (max \$500,000 and land can be matched) to help with the improvements to the Blockhouse Valley Park.</li> <li>• Meet with TVA about possible relocation of Claxton Kid’s Palace.</li> </ul>
Develop Animal Shelter Business and Funding Plan

**Priority 5: Evaluate the Structure of the Human Resources and Legal Departments**

<b>Goals:</b>
Legal Services Committee to Review Public Act to See Options Related to Law Director
Review Who Human Resources, IT, etc. are Accountable to
Request a Tourism Opinion from Law Director – Are they Allowed to Be an Autonomous Organization
<b>Review Law Director Structure and Loss of Revenue – How Does He Collect Oak Ridge Delinquent Taxes</b> <ul style="list-style-type: none"> <li>• Review 10–20-year trend of income/expenses.</li> <li>• Research why County Trustee chooses to contract the collection of delinquent taxes in county out to a third-party firm instead of using Law Director.</li> </ul>

**Study Having Full-Time Law Director Versus Retaining a Private Attorney**

- Review other county models and survey pros and cons of each model.
- Law Director to obtain study that has already been completed by CTAS and share with Commission.
- Develop succession plan for current law director as he faces retirement.
- Request Law Director to provide outline of services and job responsibilities to assist with succession plan.

**Priority #6: Consolidation of Committees with Overlapping Responsibilities**

**Goals:**

Create Easy to Understand Organizational Chart and Amend Resolutions, if needed (how were committees created/structured – private act/matrix)

**Priority #7: Better Communications with Citizens and Internally**

**Goals:**

Hire Communication Director (Mayor has current open position that will have some communication duties as part of their job description)

Reevaluate Existing Positions

Better User-Friendly Website with ADA Capabilities

Better Use of Social Media

Develop County-Wide App for Messaging Public

Provide Better Orientation for Elected Officials

**Priority #8: Engage Citizens in a Strategic Growth Plan**

**Goals:**

Host a joint workshop with the Planning Commission to:

- Review the 30 plus recent amendments to the Zoning Ordinance that the Planning Commission will be presenting to County Commission for consideration.
- Better understand what uses are allowed in certain zones.

Revisit Land Use Plan and Gather Citizen Input to the Plan (last 10-year plan was developed in 2018).

Develop a Community Facilities Plan that Inventory Existing Infrastructure (roads, utilities, etc.)

- Include condition of the infrastructure.
- Add lifespan, ranking of critical improvement/replacement needs, provide GIS inventory of assets, etc. (Cannon & Cannon currently inventorying water lines, and Gary Long just received grant to inventory roads).
- The East Tennessee Development District representatives offered to assist in developing a Community Facilities Plan.

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**Priority #9: Improve Employee Retention and Attraction**

<b>Goals:</b>
Finance Department Surveying Department on Longevity Pay and Raises.
Ask Fee Offices if They Can Absorb Longevity Pay in Department Budgets.
Consider the Possibility of Including County Employees as Members into the Boys/Girls Club as a Childcare Incentive.

It is important that all county employees and elected officials understand the values that Anderson County Government stands for and wants of those representing it. It is further recommended that County Commission annually review and update their strategic plan in a retreat setting and to bring in their department heads and office holders to present to them to better understand their departmental current and projected needs. Planning and communication are key to better government operations and relationships both internally and with stakeholders (citizens). Building trust internally and externally helps to accomplish your priorities and goals successfully.

County Commission should also consider and prioritize how they build their capital fund for future capital project needs. With the ninth (9<sup>th</sup>) highest property tax rate in Tennessee, out of 95 counties, it is important to find ways to reduce the tax burden on citizens and be more competitive in the economic development arena. Lack of available industrial properties and the high property tax rate makes Anderson County less competitive than some of their neighboring communities. It is important to find ways to grow your business base for a healthy economy. Balancing the needs of government and burden on taxpayers is often a difficult task. Starting to plan strategically is a first step to accomplishing these goals.







# Anderson County Government Employee Handbook

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**THIS HANDBOOK WAS PREPARED BY:**

ANDERSON COUNTY GOVERNMENT  
HUMAN RESOURCES AND RISK MANAGEMENT DEPARTMENT  
100 N. MAIN STREET, ROOM 102  
CLINTON, TN 37716

**YOU MAY CONTACT US IN THE FOLLOWING WAYS:**

**TELEPHONE**

865-264-6300

**E-MAIL**

[hr@andersoncountyttn.gov](mailto:hr@andersoncountyttn.gov)

**FAX NUMBER**

865-264-6259

**Note** The content of a manual does not constitute nor should it be construed as a promise of employment or as a contract between Anderson County and any of its employees.

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# 1 INTRODUCTION

This document has been developed by the Human Resources and Risk Management Department in conjunction with the Human Resources Advisory Committee in order to familiarize employees with Anderson County Government and provide information about working conditions, key policies, procedures and benefits affecting employment at Anderson County Government.

## 1.2 Changes in Policy

This manual supersedes all previous employee manuals and memorandums.

While every effort is made to keep the contents of this document current, Anderson County Government reserves the right to modify, suspend or terminate any of the policies, procedures, and/or benefits described in the manual with or without prior notice to employees.

It is the intention of Anderson County Government to adhere to all State and Federal laws. Any personnel policy found to be in conflict with a State or Federal law will be changed to ensure compliance with the law.

Amendments may be made periodically in the following process:

- Approved by the Human Resources Advisory Committee
- Reviewed by the Law Director
- Approved by the County Commission (if required), and
- Communicated to all Anderson County employees.

It is your responsibility to ensure you have the most up-to-date version of the Handbook. An updated copy will be made available on your secure employee self-service portal. All questions pertaining to information found in this handbook should be referred to the Human Resources and Risk Management Director.

## 1.3 Policies for Employees of Elected Officials

Elected Officials have the jurisdiction to create, maintain and administer separate personnel policies and procedures, and at their discretion may supplement the policies set out in this Handbook. In these cases, the Elected Officials will provide the Handbook and Policies for their employees. A copy of these documents are on file in the Human Resources and Risk Management Department.

## 2 EMPLOYEE DEFINITION AND STATUS

An "employee" of Anderson County is a person who regularly works directly for Anderson County Government on a wage or salary basis but does not include Independent Contractors or employees of any temporary staffing service that may be used to provide assistance to the County.

- Full-Time Regular Employees are those that work a normal, full-time work schedule of thirty (30) hours or more per week on a continual basis. These employees may be exempt or non-exempt, as defined by the Fair Labor Standards Act (FLSA). There is a copy of the FLSA on file in the Human Resources and Risk Management Department.
- Part-Time Regular Employees are those who work less than thirty (30) hours per week on a continual basis. These employees may be exempt or non-exempt. **Part-Time Employees who work a minimum of 20 hours per week are eligible for County offered supplemental (e.g. life, cancer, accident, etc.) and free benefits (e.g. telehealth, wellness, etc.). For a complete listing of related benefits, contact your Human Resources and Risk Management Department.**
- Temporary Employees are those who work either full-time or part-time with the understanding that their employment will terminate upon the completion of a specific assignment, which will not exceed more than six (6) months in a calendar year as set forth in the Affordable Care Act (ACA) guidelines. **Temporary employees are not eligible for County offered benefits, leave, or any other incentives.** These employees may be exempt or non-exempt. Temporary or Seasonal County Employees do not include workers who are employed by a temporary staffing service that may be used to provide assistance to the County.
- Seasonal Employees are those who work either full-time or part-time with the understanding that their employment is **during an increase of business**, which will not exceed more than six (6) months in a calendar year as set forth in the Affordable Care Act (ACA) guidelines. **Seasonal employees are not eligible for County offered benefits, leave, or any other incentives.** These employees may be exempt or non-exempt. Temporary or Seasonal County Employees do not include workers who are employed by a temporary staffing service that may be used to provide assistance to the County.

### 2.1 Employment Classification

Employees of Anderson County are classified as either "exempt" or "non-exempt." This is necessary because, by law, employees in certain types of jobs are entitled to overtime or compensatory pay for hours worked in excess of forty (40) hours per workweek.

If you are a "**non-exempt**" employee, you are covered by the overtime provisions of the Fair Labor Standards Act. Typically, you will receive time and one-half in compensatory time or overtime pay for any time actually worked beyond forty (40) hours in one week, instead of receiving actual pay for overtime worked, in accordance with applicable wage and hour law. (Time off such as holidays, annual leave, or sick leave does not count as time worked).

If you are an "**exempt**" employee, you are not covered by the overtime provisions of the Fair Labor Standards Act. There are several categories of exempt employees, including those bona



vide executive, administrative and professional positions. Exempt employees do not receive compensatory time regardless of time worked.

**Classifying a position as “exempt”** is made on the basis of comparing actual job duties with criteria established by the Department of Labor. A job title, for example, is not sufficient data to classify a job as exempt from overtime status. Responsibility for classifying Anderson County positions as exempt or non-exempt lies with the Human Resources and Risk Management Department and the Law Director, who should consult with the appropriate manager/supervisor with responsibility for the position.

## **2.2 Probationary Period for New Employees**

Anderson County monitors and evaluates every new employee's performance for six (6) months to determine whether further employment in a specific position or with Anderson County is appropriate.

### 3 EMPLOYMENT POLICIES

#### 3.1 Equal Employment Opportunity

Anderson County Government will recruit, hire, train, promote, and make all other employment related decisions without regard to race, color, religion, gender (except where gender is a bona fide occupational qualification), age, national origin, marital status, genetic information, political opinions or affiliations, Vietnam era or qualified special disabled veterans, recently separated veterans and other protected veterans and physical or mental disability (except where physical or mental abilities are bona fide occupational qualifications).

Anderson County Government will ensure that all hiring decisions are in accordance with the principle of equal employment opportunity by imposing only valid selection requirements. This shall include, but not be limited to, the following areas: work assignments, employment, placement, promotion, demotion, or transfer, recruitment and recruitment advertising, referrals, layoff, recall, termination, training, educational and tuition assistance, social and recreational programs, wages, other forms of compensation and job requirements.

##### Equal Employment Opportunity Grievance Procedures

It is the policy of Anderson County to establish a procedure for employees to follow in order to bring grievances of discrimination to the attention of management.

Procedure:

- If there is a **question or complaint regarding employment or hiring practices** that you are unable to resolve with your immediate supervisor, you are encouraged to make that question or complaint known to the Equal Employment Opportunity (EEO) Officer (who is the Human Resources and Risk Management Director). You will be asked to state in writing the nature and detail of the complaint. Any employee filing a complaint will not be subject to retaliation.
- The EEO Officer will **review the complaint** with your Director or Department Head and any other person with knowledge of the situation.
- You will be **advised in writing of the results** of the review and Anderson County's decision regarding the complaint.
- A record of the complaint and findings will become a part of the complaint review record, and **the file will be maintained separately from your personnel file**.
- If you do not agree with the decision of the EEO Officer, you have the **right of appeal** with the Anderson County Human Resources and Equal Employment Opportunity Commission.

### 3.2 At Will Employment

No policy, benefit, or procedure contained herein creates an employment contract for any period of time. All employees will be considered employees-at-will, with the exception of those specified Sheriff's Department employees covered by Civil Service Board rules and regulations. Employees may be terminated for failure to satisfactorily perform their duties or simply at the will of the employer, but they shall not be terminated for a discriminatory or illegal purpose.

These personnel policies have been prepared to provide you with general guidelines of the policies, rules and current employee benefits. These policies are for Anderson County Government. They do not apply to any fee offices unless specifically adopted by a fee office in accordance with the law. They are not a contract, promise or guarantee, and the policies, procedures and benefits described are subject to change, added to or removed by Anderson County at any time. Changes will be communicated to you, and your continued employment will constitute acceptance of such changes.

### 3.3 Americans with Disabilities Act

Anderson County Government complies with the Americans with Disabilities Act of 1990, US Code Annotated 101-336 (ADA), which prohibits discrimination on the basis of disability with respect to selection and hiring, advancement, discharge, compensation, training, or other terms, conditions, and privileges of employment as amended by the ADA Amendments Act of 2008 (ADAAA). A copy of the ADA and ADAAA is kept on file in the Human Resources and Risk Management Department.

We will make every effort to reasonably accommodate qualified individuals with a disability so that they can perform the essential functions of a job. Employees in need of accommodation due to a disability should make the need known to their supervisor/manager or the Human Resources and Risk Management Department. Anderson County will treat all employee accommodation requests and related information confidentially.

### 3.4 Immigration Law Compliance

**The Immigration Reform and Control Act of 1986 (IRCA) prohibits employers from hiring and employing an individual for employment in the U.S. knowing that the individual is not authorized with respect to such employment; continuing to employ an individual knowing that he or she is unauthorized for employment; and hiring any individual, including a U.S. citizen, for employment in the U.S. without verifying the individual's identity and employment authorization on Form I-9.**

All offers of employment are contingent on verification of the candidate's right to work in the United States. **On or before** the first day of work, every new employee **is required to complete section one of the I-9 form** and will be asked to provide original documents verifying his or her right to work, as required by state and/or federal law, and sign Federal Form I-9, Employment Eligibility Verification Form. **When a new hire does not present acceptable identification documents by the end of three business days after the first day of work, employees shall be terminated for failing to comply.**

### 3.5 Employee Background Check

Prior to making an offer of employment, Anderson County may conduct a job-related background check and/or driver's license verification where needed. A comprehensive background check may consist of prior employment verification, professional reference checks, education confirmation, and credit check. When appropriate, a criminal record check is performed to protect Anderson County's interest and that of its employees and clients. All background checks will be conducted in compliance with applicable federal and state law.

### 3.6 Anniversary Date

The first day an employee reports to work is their official anniversary date. This anniversary date is used to compute the following benefits:

- Vacation Time
- Personal Time
- Insurance Benefits
- Retirement Benefits
- Other opportunities within Anderson County Government

### 3.7 New Employee Orientation and Onboarding

The formal welcoming process, or "employee orientation," is conducted by the Human Resources and Risk Management Department, and includes an overview of Anderson County and its Policies.

**Elected Officials and department heads are to present new employees to the Human Resources and Risk Management Department on or before the first day of employment with Anderson County Government. The Human Resources and Risk Management Department will schedule the required in-person orientation meeting regardless of employment status.**

Anderson County offers a secure employee OnBoarding system that allows new full and part-time staff members to complete required New Hire documentation electronically prior to their first day of work. Additionally, the OnBoarding procedure(s) can be completed in the Human Resources and Risk Management Department's onsite kiosk.

### 3.8 Personnel Records and Administration

The central personnel files are public record and are maintained in the Human Resources and Risk Management Department. To review a file, contact the Human Resources and Risk Management Department to complete a Public Records Request Form.

Tennessee law (TCA Sections 10-7-502 through 10-7-507, on file in the Human Resources and Risk Management Department) requires that "all state, County and municipal records...shall at all times, during business hours, be open for...inspection by any citizen of Tennessee." The statute

applies to personnel records and allows you to review your personnel file, as well as allowing any member of the public to do so (Medical records are not part of the personnel file).

There is, however, restricted access to certain types of employee information (according to Public Chapter No. 176).

### **3.9 Change of Personal Data**

It is important that you promptly report any change of your personal information to the Human Resources and Risk Management Department. Other records, such as educational accomplishments, should also be reported as they are factors in consideration for future promotional opportunity. Be sure the Human Resources and Risk Management Department always has:

- Your correct mailing address and contact numbers such as telephone, mobile phone, etc.;
- Your marital status;
- Any increase or decrease in number of dependents;
- Any changes affecting Social Security records;
- Your correct beneficiary;
- Email Address

Anderson County offers an employee self-service portal that allows employees to self-initiate, submit and track changes electronically. This method is a secure, efficient paperless method of completing and updating forms which can now be done from any desktop computer. The Human Resources and Risk Management Department also has an onsite kiosk center available for employee use in updating their data.

### **3.10 Safety**

Anderson County takes safety very seriously, and works hard to provide, a safe workplace for employees. To help keep this safe environment, it is very important that you immediately report unsafe conditions or violations of safety rules. In addition, Anderson County believes that the prevention of accidents must be an integral part of every employee's job and must be considered equal to all other responsibilities.

Any workplace accidents, incidents, injuries or safety hazards must be reported immediately to your direct supervisor and the Human Resources and Risk Management Department. You are required to complete a Workers Compensation Accident Report and send it to the Human Resources and Risk Management Department within twenty-four (24) hours. If you are injured and unable to report immediately, then you should report the incident as soon as possible. Your supervisor will also have to file a report, as well as any witnesses to the incident.

For additional information about any safety concerns, please consult the Human Resources and Risk Management Department.

## Personal Protective Equipment

Elected Officials and Department Heads shall have discretionary authority to institute protective measures and office policies including wearing of personal protective equipment ('PPE') to reduce employee exposure to hazards when engineering and administrative controls are not feasible or effective in decreasing health and safety risks to acceptable levels.

PPE is equipment worn to minimize exposure to hazards that cause serious workplace injuries and illnesses. These injuries and illnesses may result from contact with chemical, radiological, physical, electrical, mechanical, airborne pathogens, contact contagions or other workplace hazards or public health emergencies. PPE may include items such as gloves, masks, safety glasses, shoes, earplugs or muffs, hard hats, helmets, respirators, coveralls, vests, body armor, full body suits, reflective vests and clothing, ultraviolet lighting (UV/UVC) or any other item(s) deemed suitable by the elected official or department head needed to help minimize workplace hazards or the spread of harmful disease

All employees should understand that although PPE is helpful and effective when workplace hazards are present, it does not eliminate the hazard at the source and may result in employees being exposed to the hazard if the equipment fails; therefore, employees should take additional steps to ensure the PPE is fitted correctly, comfortable, in good condition, free from defects, clean and sanitized when need. There is no absolute and failsafe protection that is 100% effective and PPE should not be substituted for sound decision-making, personal hygiene, the frequent washing of hands and used PPE items, refraining from touching your face, and the sanitizing of the workspace.

Notwithstanding any policy to contrary, all employees shall have the ability to voluntarily wear PPE at their discretion when they believe it is necessary to protect the employees' health, safety and welfare or their fellow co-workers and family members.

Employee Safety is a top priority of Anderson County Government. Safety training and the implementation of safety procedures and equipment are key components to ensuring all employees have the knowledge and tools to perform their job duties in a safe, effective manner. PPE Training and applicable safety sheets, also known as white papers, are located on the Human Resources and Risk Management section of the County web site, <https://www.anderson-county.com/humanresources/>. Onsite training can also be scheduled by contacting the Human Resources and Risk Management Department. The Human Resources Department should be consulted when questions arise about the proper PPE needed for a specific workplace hazard or illness, when PPE training is needed, and interpretation of applicable OSHA laws and regulations.

### 3.11 Employee ID Badge System/Security

Employees may be issued a photo identification (ID) badge upon employment with Anderson County Government. The employee identification card is provided for the purpose of identifying those who are employed by Anderson County Government or provide ongoing service to the County, and may be used to obtain access to certain areas of Anderson County Property (Appendix 9.1).



### 3.12 Personal Property

Anderson County Government assumes no risk for any loss or damage to personal property and recommends that all employees have personal insurance policies covering the loss of personal property left at the office or assigned parking areas.

### 3.13 Nepotism

You are not permitted to directly supervise a relative. Direct or immediate supervision includes, but is not limited to, any participation in the hiring decision, promotional decision, work assignment decision, shift assignment decision, disciplinary decision, or the evaluation process of another employee.

Violations as a result of marriage, living arrangement, promotion, or reorganization shall be resolved by transfer to another department or resignation/termination to eliminate the violation.

*For the purpose of this policy, relative means: parent, step-parent, foster parent, parent-in-law, child, spouse, brother, brother-in-law, foster brother, step-brother, sister, sister-in-law, foster sister, step-sister, grandparent, son-in-law, daughter-in-law, grandchild, aunt, uncle or other person who resides in the same household. A court-appointed legal guardian or an individual who as acted as a parent is also included within this definition.*

### 3.14 Weather-Related and Emergency-Related Closings

At times, emergencies such as severe weather, fires, power failures or other non-weather related emergencies can disrupt County operations. In such instances, the County Mayor will decide on the delayed opening and/or closure, and may consult with other Elected Officials before deciding. Official notification will come from the County Mayor's office and include the three major television news stations (WBIR, WATE and WVLT), local radio station WYSH, the County phone system and the Anderson County Government website.

**Inclement Weather without Official Closing:** Inclement weather usually does not warrant closing of County offices. Absence due to inclement weather requires you to make a personal judgment pertaining to your safety in traveling to and from work. Loss of work time for this reason is charged to your accrued compensatory time or annual leave.

If you have no compensatory time or annual leave, then the time is charged as leave without pay.

If you make the effort to report on time and actually report within a reasonable period of time (based on the circumstances of the event), you will not be required to use leave for that absence. Your supervisor will determine if you must use accrued leave for late arrival.

**Official Closings Due to Inclement Weather or other non-weather emergency:** The County Mayor will decide if Anderson County offices will be closed on normal work days during inclement weather. Closing information will be given to local media outlets. Each department should develop a notification process.

- **Regularly active full and part time employees who** are scheduled to work during an inclement weather closing, you will receive administrative pay for your regularly scheduled working hours during the period of closing.
- If you are among the critical emergency service personnel who must work, you will receive wages plus compensatory time for the hours actually worked.
- If you are not scheduled to work during an inclement weather closing, you will not be paid for the closing.
- If you are on pre-approved annual, sick or any other leave with pay during the declared times of closing, you will receive administrative leave with pay and will not have to charge that time to your leave.

**Teleworking:** Teleworking is defined as a work flexibility arrangement under which an employee performs their work duties and responsibilities from an approved worksite. The primary use of Teleworking would be during weather or emergency related closings or restrictions.

You must receive pre-approved authorization from your Department Head to participate in Teleworking. Supervisors may ask you to perform duties outside of your job description in an effort to pull together as a team to ensure essential office duties are carried out. At any time, Teleworking privileges may be revoked, and you will be required to physically report to work. Additionally, you will be considered on-call when Teleworking to ensure availability during crucial work hours.

While working remotely, you must take steps to preserve the security and confidentiality of the County's and Department's information. You must keep confidential documents and materials in secure locations and maintain password protection to the same extent as required at the workplace, and keep confidential documents and records securely stored. Any suspected loss or theft of Employer documents, materials, or information, as well as any suspected hacks or breaches of security, must be reported to your supervisor immediately.

Teleworking arrangements do not change the basic terms and conditions of employment, including rate of pay and benefits. You are expected to comply with all County and Departmental policies, procedures and performance standards.

Sample Teleworking agreements can be obtained from the Human Resources and Risk Management Department.

## 4 STANDARDS OF CONDUCT

### 4.1 General Guidelines

All employees are urged to become familiar with Anderson County Government's rules and standards of conduct and are expected to follow these rules and standards faithfully in doing their own jobs and conducting the County's business.

### 4.2 Work Schedule

The normal workweek consists of forty (40) hours. Core business hours are 8:00am to 5:00pm. Some jobs may require other hours of service. In such cases, the immediate supervisor will inform you of your work hours. Some elected office holders have the legal ability to modify the workweek hours.

### 4.3 Attendance and Punctuality

You are an important member of the Anderson County Government team. We are committed to providing the highest level of government services and functions to better serve the community. In order to accomplish this, your prompt and regular attendance is required.

In case of an illness or injury that would prevent you from reporting to work at the scheduled time, you are required to speak directly to your supervisor. If your supervisor is unavailable, you are required to speak directly to the next-level manager or Director, or to the person designated by your supervisor.

Failure to provide notification of absence for three (3) consecutive workdays may result in removal from the payroll as having resigned without notice. Employees who resign under such circumstances are not eligible for rehire.

### 4.4 Absence and Tardiness

Employees who are not at work, or who are always late, place co-workers and departments at a disadvantage. Because of this, employees who are repeatedly late for work, or who have unexcused absences from work, will be disciplined, to include possible loss of employment.

- If you have to be late or miss work, make sure to call your immediate supervisor with as much notice as soon as possible, at least thirty (30) minutes before and not later than fifteen (15) minutes after the start of work on the first day of absence. Follow any additional guidelines set by your supervisor concerning tardiness/absences.
- Be sure your supervisor gets your message; do not rely upon your co-workers delivering your message.
- You are expected to complete your scheduled work shift. Failure to complete a scheduled work shift without permission may result in disciplinary action or loss of accrued time off.

- You are expected to leave for and return from breaks and lunch within a specified time schedule. Exceeding the time schedule set for lunch and breaks may result in disciplinary action.

Excessive absenteeism as determined by your supervisor in conjunction with the Human Resources and Risk Management Director will be grounds for discipline up to and including termination.

#### **4.5 Meal and Break Periods**

It is Anderson County Government's policy that each department is responsible for implementing a Lunch Break procedure. It is the Department Head or Elected Official's responsibility to their employees to implement a fair and equitable plan for lunch breaks that meets or exceeds TCA 50-2-103(h). This information will be relayed to the employee upon the first day he or she reports to duty, by their direct supervisor.

#### **4.6 Grooming and Appearance**

**Employees are expected to present themselves in a manner that reflects the values and professionalism of the organization. Appropriate dress and grooming contribute to a positive workplace atmosphere and promote respect among colleagues and clients. All employees are required to present a clean, well-groomed appearance and maintain a high level of personal hygiene through regular bathing. Attire must be suitable for a professional work environment, including any uniforms mandated by the employee's applicable departmental guidelines. If a supervisor determines an employee's appearance and/or hygiene does not meet the established standards, they may require the employee to leave the work area to make the necessary adjustments to adhere to these guidelines.**

**Employees working near heavy machinery should not wear loose clothing or jewelry that poses a safety hazard.**

#### **4.7 Harassment Policy**

Anderson County Government strives to create and maintain a work environment in which people are treated with dignity, decency and respect. The environment should be characterized by mutual trust and the absence of intimidation, oppression and exploitation. Employees and Elected Officials should be able to work and learn in a safe, yet stimulating atmosphere. The accomplishment of this goal is essential to the mission of Anderson County Government.

For that reason, Anderson County Government will not tolerate unlawful discrimination or harassment of any kind. Through enforcement of this policy and by education of employees, Anderson County will seek to prevent, correct, and discipline behavior that violates this policy. ~~In keeping with this commitment, we will not tolerate harassment of County employees by anyone, including any supervisor/manager, Elected Official, coworker, vendor, consultant, or visitor of this Government entity.~~

All employees and Elected Officials, regardless of their positions, are covered by and are expected to comply with this policy and to take appropriate measures to ensure that prohibited conduct does not occur. Appropriate disciplinary action will be taken against any employee who violates this policy. Based on the seriousness of the offense, disciplinary action may include

verbal or written reprimand, suspension or termination of employment.

### **Prohibited Conduct Under This Policy**

Anderson County Government, in compliance with all applicable federal, state and local antidiscrimination and harassment laws and regulations, enforces this policy in accordance with the following definitions and guidelines:

#### **Discrimination**

It is a violation of Anderson County Government's policy to discriminate in the provision of employment opportunities, benefits or privileges; to create discriminatory work conditions; or to use discriminatory evaluative standards in employment if the basis of that discriminatory treatment is, in whole or in part, the person's race, color, national origin, age, religion, disability status, gender, sexual orientation, gender identity, genetic information or marital status.

Discrimination of this kind may also be strictly prohibited by a variety of federal, state and local laws, including Title VI of the Civil Rights Act 1964, the Age Discrimination Act of 1975, and the Americans with Disabilities Act of 1990. This policy is intended to also comply with the prohibitions stated in these anti-discrimination laws.

Discrimination is violation of this policy will be subject to disciplinary measures up to and including termination.

#### **Harassment**

Anderson County Government prohibits harassment, including sexual harassment, of any kind, and will take appropriate and immediate action in response to complaints or knowledge of violations of this policy. For purposes of this policy, harassment is any written, verbal or physical conduct designed to threaten, intimidate or coerce an employee, coworker, or any person working for or on behalf of Anderson County Government. Verbal taunting (including but not limited to racial and ethnic slurs) that, in the employee's opinion, impairs his or her ability to perform his or her job is included in the definition of harassment.

The following examples of harassment are intended to be guidelines and are not exclusive when determining whether there has been a violation of this policy:

- Verbal harassment includes comments that are offensive or unwelcome including but not limited to a person's nationality, origin, race, color, religion, gender, sexual orientation, age, body, disability or appearance, including epithets, slurs and negative stereotyping.
- Nonverbal harassment includes distribution, display or discussion of any written or graphic material that ridicules, denigrates, insults, belittles or shows hostility, aversion or disrespect toward an individual or group.

#### **Sexual Harassment**

Sexual harassment is a form of unlawful employment discrimination under Title VII of the Civil Rights Act of 1964 and is prohibited under Anderson County Government's anti-harassment policy. According to the Equal Employment Opportunity Commission (EEOC), sexual harassment is defined as "unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when submission to or rejection of such conduct is used as

the basis for employment decisions or such conduct has the purpose or effect of creating an intimidating, hostile or offensive working environment.

*There are two types of Sexual Harassment:*

- “Quid pro quo” harassment, where submission to harassment is used as the basis for employment decisions. Employee benefits such as raises, promotions and better working hours are directly linked to compliance with sexual advances. Therefore, only someone in a supervisor capacity (with the authority to grant such benefits) can engage in quid pro quo harassment. Examples: A supervisor promising an employee a raise if she goes on a date with him; a manager telling an employee she will fire him if he does not have sex with her.
- “Hostile work environment,” where the harassment creates an offensive and unpleasant working environment. A hostile work environment can be created by anyone in the work environment, whether it be supervisors, other employees or customers. Hostile environment harassment consists of verbiage of a sexual nature, unwelcome sexual materials or even unwelcome physical contact as a regular part of the work environment. Texts, e-mails, cartoons or posters of a sexual nature; vulgar or lewd comments or jokes; or unwanted touching or fondling all fall into this category.

Sexual harassment occurs when unsolicited and unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature:

- Is made explicitly or implicitly a term or condition of employment.
- Is used as a basis for an employment decision.
- Unreasonably interferes with an employee’s work performance or creates an intimidating, hostile or otherwise offensive environment.

Sexual harassment may take different forms. The following examples of sexual harassment are intended to be guidelines and are not exclusive when determining whether there has been a violation of this policy:

- Verbal sexual harassment includes innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, lewd remarks and threats; requests for any type of sexual favor (this includes repeated, unwelcome requests for dates); and verbal abuse or “kidding” that is oriented toward a prohibitive form of harassment, including that which is sexual in nature and unwelcome.
- Nonverbal sexual harassment includes the distribution, display or discussion of any written or graphic material, including calendars, posters and cartoons that are sexually suggestive or show hostility toward an individual or group because of sex; suggestive or insulting sounds; leering; staring; whistling; obscene gestures; content in letters and notes, facsimiles, e-mail, photos, text messages, tweets and Internet postings; or other form of communication that is sexual in nature and offensive.
- Physical sexual harassment includes unwelcome, unwanted physical contact, including touching, tickling, pinching, patting, brushing up against, hugging, cornering, kissing and fondling and forced sexual intercourse or assault.



Courteous, mutually respectful, pleasant, non-coercive interactions between employees, including men and women, that are appropriate in the workplace and acceptable to and welcomed by both parties are not considered to be harassment, including sexual harassment.

**Retaliation No hardship, loss, benefit or penalty may be imposed on an employee in response to:**

- Filing or responding to a bona fide complaint of discrimination or harassment.
- Appearing as a witness in the review of a complaint.
- Serving as an investigator of a complaint.
- Retaliation or attempted retaliation in response to lodging a complaint or invoking the complaint process is a violation of this policy. Any person who is found to have violated this aspect of the policy will be subject to sanctions up to and including termination of employment.

**Consensual Romantic or Sexual Relationships**

Anderson County Government strongly discourages romantic or sexual relationships between a Director, Elected Official or other supervisory employee and his or her staff (an employee who reports directly or indirectly to that person) because such relationships tend to create compromising conflicts of interest or the appearance of such conflicts.

In addition, such a relationship may give rise to the perception by others that there is favoritism or bias in employment decisions affecting the staff employee. Moreover, given the uneven balance of power within such relationships, consent by the staff member is suspect and may be viewed by others or, at a later date, by the staff member as having been given as the result of coercion or intimidation.

The atmosphere created by such appearances of bias, favoritism, intimidation, coercion or exploitation undermines the spirit of trust and mutual respect that is essential to a healthy work environment. If there is such a relationship, the parties need to be aware that one or both may be moved to a different department, or other actions may be taken.

If any employee of Anderson County Government enters into a consensual relationship that is romantic or sexual in nature with a member of his or her staff (an employee who reports directly or indirectly to him or her), or if one of the parties is in a supervisory capacity in the same department in which the other party works, the parties must notify the Human Resources and Risk Management Director or other appropriate County officer. Because of potential issues regarding quid pro quo harassment, Anderson County Government has made reporting mandatory. This requirement does not apply to employees who do not work in the same department or to parties who do not supervise or otherwise manage responsibilities over the other.

Once the relationship is made known to Anderson County Government, the County will review the situation with Human Resources and Risk Management Director in light of all the facts (reporting relationship between the parties, effect on co-workers, job titles of the parties, etc.) and will determine whether one or both parties need to be moved to another job or department. If it is determined that one party must be moved, and there are jobs in other departments available for both, the parties may decide who will be the one to apply for a new position. If the parties cannot

amicably come to a decision, or the party is not chosen for the position to which he or she applied, the parties will contact Human Resources and Risk Management Department, which will decide which party should be moved. That decision will be based on which move will be least disruptive to the organization as a whole. If it is determined that one or both parties must be moved, but no other jobs are available for either party, the parties will be given the option of terminating their relationship or resigning.

## **4.8 Violence in the Workplace**

Anderson County Government provides a safe workplace for all employees and Elected Officials. To ensure a safe workplace and to reduce the risk of violence, all employees should review and understand all provisions of this workplace violence policy.

### **Prohibited Conduct**

Anderson County Government does not tolerate any type of workplace violence committed by or against employees. Employees and Elected Officials are prohibited from making threats or engaging in violent activities. This list of behaviors provides examples of conduct that is prohibited:

- Causing physical injury to another person.
- Making verbal or non-verbal threatening and unethical remarks.
- Libel gestures and written communication.
- Displaying aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress.
- Intentionally damaging employer property or property of another employee.
- Committing acts motivated by, or related to, sexual harassment or domestic violence.

### **Reporting Procedures**

Any potentially dangerous situations must be immediately reported to a supervisor or the Human Resource and Risk Management Department (HR). Reports can be made anonymously, and all reported incidents will be investigated. Reports or incidents warranting confidentiality will be handled appropriately, and information will be disclosed to others only on a need-to-know basis. All parties involved in a situation will be counseled, and the results of reviews will be discussed with them. Anderson County Government will actively intervene at any indication of a possibly hostile or violent situation.

### **Risk Reduction Measures**

#### *Hiring*

HR takes reasonable measures to conduct background reviews to review candidates' backgrounds and to reduce the risk of hiring individuals with a history of violent behavior.

#### *Safety*

Anderson County Government conducts annual inspections of the premises to evaluate and determine any vulnerability to workplace violence or hazards. Any necessary corrective action will be taken to reduce all risks.

### *Individual Situations*

Although Anderson County Government does not expect employees to be skilled at identifying potentially dangerous persons, employees are expected to exercise good judgment and to inform the HR Department if any employee exhibits behavior that could be a sign of a potentially dangerous situation. Such behavior includes:

- Displaying overt signs of extreme stress, resentment, hostility or anger.
- Making threatening remarks.
- Showing sudden or significant deterioration of performance.
- Displaying irrational or inappropriate behavior.

### **Dangerous/Emergency Situations**

Employees who confront or encounter an armed or dangerous person should not attempt to challenge or disarm the individual. Employees should remain calm, make constant eye contact and talk to the individual. If a supervisor can be safely notified of the need for assistance without endangering the safety of the employee or others, such notice should be given. Otherwise, employees should cooperate and follow the instructions given. Call emergency services (911) when the situation dictates a response from police, fire or emergency medical services.

### *Enforcement*

Threats, threatening conduct, or any other acts of aggression or violence in the workplace will not be tolerated. Any employee determined to have committed such acts will be subject to disciplinary action, up to and including termination. Nonemployees engaged in violent acts on the employer's premises will be reported to the proper authorities and fully prosecuted.

Violations of this Policy by employees or those who encourage such conduct by others will be subject to appropriate corrective or disciplinary action, up to and including termination of employment.

Supervisory personnel who fail to take appropriate action upon learning of such conduct will be subject to corrective action or disciplinary action as well, up to and including termination of employment.

This policy applies to full-time and part-time employees and Elected Officials of Anderson County Government including interns. It does not apply to independent contractors, but other contract employees are included. This policy applies to any sponsors program, event or activity including, but not limited to, sponsored recreation programs and activities; and the performance by officers and employees of their employment related duties. The policy include electronic communications by any employee.

## **4.9 Bullying in the Workplace (Harassment)**

### **Statement of Commitment, Values and Purpose**

Anderson County Government is firmly committed to a workplace free from abusive conduct as defined herein. We strive to provide high quality service in an atmosphere of respect, collaboration, openness, safety, and equality. All employees have the right to be treated with dignity and respect. All complaints of negative and inappropriate workplace behaviors will be taken seriously and followed through to resolution. Employees who file complaints will not suffer negative consequences for reporting others for inappropriate behavior.

This policy applies to full-time and part-time employees and Elected Officials of Anderson County Government including interns. It does not apply to independent contractors, but other contract employees are included. This policy applies to any sponsored program, event or activity including, but not limited to, sponsored recreation programs and activities; and the performance by officers and employees of their employment related duties. The policy includes electronic communications by any employee.

### **Definition of Abusive Conduct**

Abusive conduct includes acts or omissions that would cause a reasonable person, based on the severity, nature, and frequency of the conduct, to believe that an employee was subject to an abusive work environment, which can include but is not limited to:

- Repeated verbal abuse in the workplace, including derogatory remarks, insults and epithets
- Verbal, nonverbal, or physical conduct of a threatening, intimidating, or humiliating nature in the workplace; or
- The sabotage or undermining of an employee's work performance in the workplace.

### **Abusive Conduct Does Not Include:**

- Disciplinary procedures in accordance with adopted policies of Anderson County Government.
- Routine coaching and counseling, including feedback about and correction of work performance.
- Reasonable work assignments, including shift, post and overtime assignments.
- Individual differences in style of personal expression.
- Passionate, loud expression with no intent to harm others.
- Differences of opinion on work-related concerns; or
- The non-abusive exercise of managerial prerogative.

## Employer Responsibility

Supervisors and others in positions of authority have a particular responsibility to ensure that healthy and appropriate behaviors are exhibited at all times and that complaints to the contrary are addressed in a timely manner. Supervisors will:

- Provide a working environment as safe as possible by having preventative measures in place and by dealing immediately with threatening or potentially violent situations;
- Provide good examples by treating all with courtesy and respect;
- Ensure that all employees have access to and are aware of the abusive conduct prevention policy and explain the procedures to be followed if a complaint of inappropriate behavior at work is made;
- Be vigilant for signs of inappropriate behaviors at work through observation and information seeking, and take action to resolve the behavior before it escalates;
- Respond promptly, sensitively and confidentially to all situations where abusive behavior is observed or alleged to have occurred.

## Employee Retaliation (Including Witnesses)

Employees shall treat all other employees with dignity and respect. No employee or Elected Official shall engage in threatening, violent, intimidating, or other abusive conduct or behaviors. Employees and Elected Officials are expected to assume personal responsibility to promote fairness and equity in the workplace and report any incidents of abusive conduct in accordance with this policy.

Employees should co-operate with preventative measures introduced by supervisors and recognize that a finding of unacceptable behaviors at work will be dealt with through appropriate disciplinary procedures.

### Retaliation

Retaliation is a violation of this policy. Retaliation is any act of reprisal, interference, restraint, penalty, discrimination, intimidation, or harassment against an individual or individuals exercising rights under this policy.

## 4.10 Confidential Information and Nondisclosure

In the course of your work, you may have access to confidential information about Anderson County Government, Elected Officials or other employees. It is your responsibility to keep any confidential information confidential. This does not include information that is routinely made open to the public. If you have any doubt, don't disclose the information and contact your direct supervisor, the Human Resources and Risk Management Department or the Law Director.

## 4.11 Ethical Standards

You have an individual responsibility to deal ethically and professionally in all aspects of the County's business and to comply fully with all laws, regulations and to comply with Anderson

County policies. You are expected to assume the responsibility for applying these standards of ethical conduct and for acquainting yourself with the various laws, regulations, and policies applicable to your assigned duties (Appendix 9.2).

Anderson County Government staff, Elected Officials, supervisors, directors, and managers shall uphold the highest standards of intellectual honesty and integrity in their day to day conduct, on and off the clock.

By acting as good stewards, County employees will treat colleagues, vendors, and citizens with dignity and respect while performing assigned duties and professional responsibility in an honest and ethical manner as to further Anderson County Government's mission.

Furthermore, all employees and Elected Officials shall comply with all federal, state and local government laws, regulations and policies; refrain from discrimination, harassing, or intimidation of co-workers, Elected Officials, Department Heads or citizens.

It is also advised that Anderson County employees represent and protect human health and safety by reporting inappropriate conduct to the Human Resource and Risk Management Department.

During paid County work hours, employees are expected to devote their full-time attention and activities to Anderson County business. Employees will be subject to discipline up to, and including termination for conducting personal activities for profit during paid County work hours.

Theft of County property and funds will be investigated fully and those employees found to be responsible will be terminated and referred for criminal prosecution.

#### **4.12 Use of Equipment**

Anderson County Government will provide employees with the equipment and supplies needed to do their job. None of this equipment should be used for personal use, nor removed from the physical confines of Anderson County—unless it is approved for a job that specifically requires use of County equipment outside the physical facility.

#### **4.13 Use of Computer, Internet, Phone and Mail**

Computers and related items and software are County property and are provided for the use of County employees for conducting County business. These items include, but are not limited to, hardware, software, and computer files and documents.

**The Multi-Factor Authentication (MFA) policy sets requirements for access to the Anderson County Government network and email systems and is designed to minimize the potential security exposure to Anderson County from damages which may result from unauthorized use of internal and external services. Multi-factor authentication (MFA) adds a layer of security which helps deter the use of compromised credentials. (Appendix 9.5)**

Employees do not have personal privacy rights or any reasonable expectation of privacy when it comes to information composed, created, received, downloaded, retrieved, stored, transmitted, viewed or sent using Anderson County Government's electronic communications devices. While the County respects the privacy and security needs for all individuals, authorized County representatives have the right to access and review electronic files, messages, mail, websites accessed, etc. for legitimate business reasons.



The County has the right to monitor any and all of its computers. This includes, but is not limited to:

- Monitoring your Internet usage;
- Reviewing any downloaded or uploaded material;
- Reviewing information technology sent or received by you; and/or
- Monitoring the content of stored files on your computer.

Electronic communications and the internet are for use on job-related activities during work hours. However, it is okay to use email and the Internet for personal (not for profit) use on a very limited basis. Remember, this is a privilege, and any and all communications may be monitored, and if you abuse this privilege, the County may take it away from you. Any use of the County's information technology systems to violate any policy of the County, including but not limited to the Harassment Policy or the Code of Ethics, is also a violation of the policy and will be grounds for discipline up to and including termination.

**Passwords:** Employees shall maintain the confidentiality of all computer information and resources to which they have access by using passwords that are not obvious and easy to detect. Employees will not share passwords or disclose password to anyone.

**Prohibited Uses:** Inappropriate, illegal, threatening, and/or sexually explicit material is strictly prohibited; this includes, but is not limited to: the creation, receipt, transmission, sending, download, display, viewing, circulation or storage of such material. The email system may not be used to solicit or to conduct personal business ventures.

#### **4.14 Social Media Policy**

At Anderson County Government, we understand that social media can be a fun and rewarding way to share your life and opinions with family, friends, and co-workers around the world. However, use of social media also presents certain risks and carries with it certain responsibilities. To assist you in making responsible decisions about your use of social media, we have established these guidelines for appropriate use of social media.

This policy applies to all Elected Officials and employees who work for Anderson County Government. Elected Officials, Department Heads, and supervisors should contact the Human Resources and Risk Management Department for guidance in administering the policy.

##### **Guidelines**

In the rapidly expanding world of electronic communication, social media can mean many things. Social media includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else's web log or blog, journal or diary, personal web site, social networking or affinity web site, web bulletin board or a chat room, whether or not associated or affiliated with Anderson County Government, as well as any other form of electronic communication.

The same principles and guidelines found in Anderson County Government policies and their

basic beliefs apply to your activities online. Ultimately, you are solely responsible for what you post online. Before creating online content, consider some of the risks and rewards that are involved. Keep in mind that any of your conduct that adversely affects your job performance, the performance of fellow associates or otherwise adversely affects members, customers, citizens, suppliers, people who work on behalf of Anderson County Government or legitimate business interests may result in disciplinary action up to and including termination.

### **Know and Follow the Rules**

Carefully read these guidelines, the Anderson County Government Statement of Ethics Policy, the Anderson County Government Information Policy, the Anderson County Government Violence in the Workplace and the Discrimination & Harassment Prevention Policy, and ensure your postings are consistent with these policies. Inappropriate postings that may include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject you to disciplinary action up to and including termination.

### **Be Respectful**

Always be fair and courteous to fellow associates, customers, members, citizens, suppliers, or people who work on behalf of Anderson County Government. Also, keep in mind that you are more likely to resolve work-related complaints by speaking directly with your coworkers or by utilizing Human Resource & Risk Management Department's Open Door Policy than by posting complaints to a social media outlet. Nevertheless, if you decide to post complaints or criticism, avoid using statements, photographs, video, or audio that reasonably could be viewed as malicious, obscene, threatening, harassing, or intimidating, that disparage customers, citizens, members, associates or suppliers, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion, or any other status protected by law or County policy.

### **Be Honest and Accurate**

Make sure you are always honest and accurate when posting information or news, and if you make a mistake, correct it quickly. Be open about any previous posts you have altered. Remember that the Internet archives almost everything; therefore, even deleted postings can be searched and unearthed. Never post any information or rumors that you know to be false **or have not verified for truthfulness** about Anderson County Government, fellow associates, members, citizens, customers, suppliers, or people working on behalf of Anderson County Government.

### **Post Only Appropriate and Respectful Content**

Do not create a link from your blog, website, or other social networking site to an Anderson County Government website without identifying yourself as an Anderson County Government associate.

Express only your personal opinions. Never represent yourself as a spokesperson for Anderson County Government unless authorized.

If Anderson County Government is a subject of the content you are creating, be clear and open about the fact that you are an associate and make it clear that your views do not represent

those of Anderson County Government, fellow associates, members, customers, suppliers or people working on behalf of Anderson County Government.

If you do publish a blog or post online related to the work you do or subjects associated with Anderson County Government, make it clear that you are not speaking on behalf of Anderson County Government. It is best to include a disclaimer such as "The postings on this site are my own and do not necessarily reflect the views of Anderson County Government".

### **Using Social Media at Work**

Refrain from using social media while on work time or on equipment we provide, unless it is work-related as authorized by your manager or consistent with the County Equipment Policy. Do not use Anderson County Government email addresses to register on social networks, blogs or other online tools utilized for personal use. Additionally, if you access your social media using Anderson County Government equipment, your account may be subject to monitoring without notice or prior consent.

### **Retaliation is Prohibited**

Anderson County Government prohibits taking negative action against any associate for reporting a possible deviation from this policy or for cooperating in a review. Any associate who retaliates against another associate for reporting a possible deviation from this policy or for cooperating in a review will be subject to disciplinary action, up to and including termination.

If you have questions or need further guidance, please contact your Human Resource and Risk Management Department.

## **4.15 Use of Computer Software**

Anderson County Government does not condone the illegal duplication of software. The copyright law is clear. The copyright holder is given certain exclusive rights, including the right to make and distribute copies. Title 17 of the U.S. Code states that "it is illegal to make or distribute copies of copyrighted material without authorization" (Section 106). The only exception is the user's right to make a backup copy for archival purposes (Section 117) on file in the Human Resources and Risk Management Department.

## **4.16 Smoking Policy**

As required by Tennessee law, smoking is prohibited in County owned enclosed spaces, including County owned vehicles. Smoking is only allowed in designated outdoor areas, which can be identified by asking your supervisor or appropriate signage.

## **4.17 Substance Abuse Policy**

Anderson County Government is committed to providing a safe work environment and to fostering well-being and health of its employees and Elected Officials.

That commitment is jeopardized when any Anderson County employee illegally uses drugs on or off the job, comes to work under their influence, possesses, distributes, or sells drugs in the workplace, or abuses alcohol on the job,

Therefore, Anderson County has established the following policy, pursuant to T.C.A. §§ 50-9-100 *et. Seq.*:

- It is a violation of County policy for any employee or Elected Official to use, possess, sell, trade, offer for sale, or offer to buy illegal drugs or otherwise engage in the illegal use of drugs on or off the job.
- It is a violation of County policy for any employee or Elected Official to report to work under the influence of, or while possessing in ~~his or her~~ **their** body, blood or urine, illegal drugs in any detectable amount.
- It is a violation of County policy for any employee or Elected Official to report to work under the influence of, or impaired by alcohol during work hours.
- It is a violation of County policy for any employee or Elected Official to use prescription drugs illegally, i.e., to use prescription drugs that have not been legally obtained, or in a manner, or for a purpose other than is prescribed. However, nothing in this policy precludes the appropriate use of legally prescribed medication.
- Violations of this policy are subject to disciplinary action up to and including termination.
- It is the responsibility of the County's supervisors to counsel employees whenever they see changes in performance or behavior that suggest an employee has a drug problem. Although it is not the supervisor's job to diagnose personal problems, the supervisor should encourage such employees to seek help and advise them about available resources for getting help. Everyone shares responsibility for maintaining a safe work environment, and co-workers should encourage anyone who has a drug problem to seek help.

The goal of this policy is to balance our respect for the employees' constitutional rights with the need to maintain a safe, productive, and drug-free environment. The intent of this policy is to offer a helping hand to those who need it, while sending a clear message that the illegal use of drugs and the abuse of alcohol are incompatible with employment at Anderson County.

The County offers an Employee Assistance Program (EAP) benefit for employees and their dependents. The EAP provides confidential assessment, referral and short-term counseling for employees who need or request it. If an EAP refers to a treatment provider outside the EAP network, cost may be covered by the employee's medical insurance, but the cost of such outside services are ultimately the employee's responsibilities.

Confidentiality is assured. NO information regarding the nature of the personnel problem will be made available to supervisors or any other Anderson County employee, nor will it be included in the permanent personnel file.

Participation in the EAP will not affect an employee's career advancement or employment, nor will it protect an employee from disciplinary action if substandard job performance continues. The EAP is a process used in conjunction with discipline, not a substitute for discipline.

The EAP can be accessed by an employee through self-referral or through referral by a supervisor. Human Resources and Risk Management Department will **make EAP information available on the secure employee portal and may** distribute information about the EAP to

employees for their confidential use.

### **General Procedures**

Any employee reporting to work visibly impaired will be deemed unable to perform required duties and will not be allowed to work. If possible the employee's supervisor will first seek another supervisor's opinion to confirm the employee's status.

Next, the supervisor will consult privately with the employee to determine the cause of the observation, including whether substance abuse has occurred. If, in the opinion of the supervisor, the employee is considered impaired, the Human Resources and Risk Management Director should be contacted and the employee will be sent home or to a medical facility by taxi or other safe transportation alternative, dependent on the determination of the observed impairment and accompanied by the supervisors or another employee. If necessary, a drug or alcohol test may be in order. An impaired employee will not be allowed to drive.

Employees or applicants shall only be subjected to drug and alcohol testing based on articulable manifestations constituting reasonable suspicion of drug or alcohol use on the job, or random and pre-employment drug testing protocol for safety sensitive positions, or a search warrant based on probable cause.

### **Opportunity to Contest or Explain Test Results**

Employees and job applicants for safety sensitive positions who have a positive confirmed drug or alcohol test result may explain or contest the result to the medical review officers within five (5) working days after receiving written notification of the test result from the medical review officer. If an employee's or job applicant's explanation or challenge is unsatisfactory to the medical review officer, the medical review officer shall report a positive test result back to the County. Any employee or applicant may contest the drug test result pursuant to rules adopted by the Tennessee Department of Labor.

### **Confidentiality**

The confidentiality of any information received by the employer through a substance abuse testing program shall be maintained, except as otherwise provided by law.

### **Job Application Drug Testing**

All job applicants for safety sensitive positions at Anderson County will undergo testing for substance abuse as a condition of employment. Any applicant with a confirmed positive test result will be denied employment. Safety Sensitive positions are those employees who perform job duties fraught with such risks of injury to others that even a momentary lapse of attention can have a disastrous consequence, such as, but not limited to employees, driving emergency vehicles or heavy equipment, carrying firearms or other weapons, employees using machinery that require constant attention, or testing required by law.

Applicant(s) will be required to submit to urinalysis testing at a laboratory chosen by Anderson County, and by signing a consent agreement will release Anderson County from liability.

If the physician, official, or lab personnel have reasonable suspicion to believe that the job applicant has tampered with the specimen, the applicant will not be considered for employment.

Anderson County will not discriminate against applicants for employment because of a past history of drug or alcohol abuse. It is the current illegal use of drugs and/or abuse of alcohol that prevent employees from performing their jobs properly and Anderson County will not tolerate such behavior.

### **Employee Drug Testing**

Anderson County has adopted testing practices to identify employees who use illegal drugs on or off the job, or who abuse alcohol on the job. It shall be a condition of employment for all safety sensitive employees to submit to substance abuse testing under the following circumstances:

- When there is reasonable suspicion of impairment has been observed. "Reasonable suspicion" is based on a belief that an employee is using or has used drugs or alcohol in violation of the employer's policy drawn from specific objective manifestations of impairment and articulable facts and reasonable inferences drawn from those facts in light of experience. Among other things, such facts and inferences may be based on, but not limited to, the following:
  - Observable phenomena while at work such as direct observation of substance abuse or the physical symptoms or manifestations of being impaired due to substance abuse;
  - Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance;
  - A report of substance abuse provided by a reliable and credible source;
  - Evidence that an individual has tampered with any substance abuse test during his or her employment with the County;
  - Information that an employee has caused or contributed to an accident while at work while under the influence of drugs or alcohol; or
  - Evidence that an employee has used, possessed, sold, solicited or transferred drugs while working, or while on the employer's premises, or while operating the employer's vehicle, machinery or equipment.
- When reasonable suspicion of impairment has been observed and the employee has caused or contributed to an on-the-job injury that resulted in a loss of work-time, which means any period of time during which an employee stops performing the normal duties of employment and leaves the place of employment to seek care from a licensed medical provider. An employer may send employees for a substance abuse test if they are involved in on-the-job accidents where personal injury or damage to County property occurs, but only if reasonable suspicion is observed.
- As part of a follow-up program to treatment for drug abuse and upon consent of employee or additional reasonable suspicion has been observed.
- Routine fitness-for-duty drug or alcohol testing for safety sensitive positions. A covered employer must require an employee to submit to a drug or alcohol test if the test is conducted as part of a routinely scheduled employee fitness-for-duty medical

examination where the examinations are required by law, regulation, or part of the covered employer's established policy, or one that is schedule randomly for all members of an employment classification group identified as safety sensitive.

### **Alcohol Testing**

The consumption of alcoholic beverages on Anderson County's premises is prohibited. An employee whose normal faculties are impaired due to alcoholic beverages, or whose blood alcohol level test at any detectable amount, while on duty shall be guilty of misconduct, and shall be subject to discipline up to and including termination.

### **Refusal to Submit**

Failure to submit to a required substance abuse test also is misconduct and also shall be subject to discipline up to and including termination.

### **Important Information for Job Applicants and Employees**

When an employee or job applicant for safety sensitive positions submits to a drug and/or alcohol test, they will be given a form by the specimen collector that contains a list of common medication and substances which may alter or affect the outcome of a drug or alcohol test.

This form will also have a space for the donor to provide any information that he/she considers relevant to the test, including the identification of currently or recently used prescription or non-prescription medication or other relevant information. A copy of the information form should be kept by the job applicant or employee for their personal use.

If the job applicant or employee has a positive confirmed test result, a medical review officer will attempt to contact the individual in order to privately discuss the findings with that person.

It is the responsibility of every employee or job applicant to notify the testing laboratory of any administrative or civil action brought pursuant to TCA §§ 50-9-100 *et. seq.*, Drug- Free Workplace Programs.

The provisions of this policy are subject to any applicable collective bargaining agreement or contract and include the right of appeal to the applicable court.

Substance abuse testing for job applicants and employees who apply for safety sensitive positions will include a urinalysis screen for the following drugs:

- Any controlled substance not medically prescribed to the applicant or employee.
- Any "Alcoholic Beverage", all liquid medication containing ethyl alcohol (ethanol). Please read the label for content. For example; Vicks Nyquil is 25% (50 proof) ethyl alcohol, Comtrex is 20% (40 proof), Contac Severe Cold Formula Night Strength is 25% (50 proof) and Listerine is 26.9% (54 proof).
- Amphetamines: "Speed", "uppers", etc.
- Cannabinoids: THC, marijuana, hashish, "pot", "grass", "hash", etc.
- Cocaine: "coke", "crack", etc.



- Phencyclidine: PCP.
- Opiates: Narcotics, Heroin, Codeine, Morphine.
- Benzodiazepines.
- Methamphetamines.

*\*An employer must test for these substances in order to be certified. The Rules & Guidelines of the Drug-Free Workplace Program do not prohibit an employer from testing for a broader range of substances.*

#### **4.18 Complaint Procedure**

Anderson County Government will courteously treat any person who invokes this complaint procedure and will handle all complaints swiftly and confidentially to the extent possible in light of the need to take appropriate corrective action. Lodging a valid complaint will in no way be used against the employee or have an adverse impact on the individual's employment status. Because of the damaging nature of harassment to the victims and to the entire workforce, aggrieved employees are strongly urged to use this procedure. However, filing groundless or malicious complaints is an abuse of this policy and will be treated as a violation. All employees are responsible to help assure that we avoid harassment in the workplace. If you feel that you have witnessed harassment, you are to immediately notify the supervisor, manager, department head, elected official or the Director of Human Resources and Risk Management Department.

##### **Formal/Informal Complaint**

A complaint is defined as a statement by an employee about a problem or situation which concerns the employee and which the employee wishes to bring to the attention of the County. There are two types of complaints that can be used as a tool to ensure a proper outcome:

- **Informal Complaint** - Informal complaints may be submitted orally or written and may be presented to the employee's supervisor, manager, department head, Elected official or the Director of Human Resources and Risk Management Department. The County may respond to an informal complaint within ten (10) working days of being received. The objective of any complaint procedure is to be thorough while maintaining confidentiality.
- **Formal Complaint** - Formal complaints must be submitted in writing, signed, and dated to the employee's supervisor, manager, Department Head, Elected Official, or the Director of Human Resources and Risk Management Department. The formal complaint procedure can be found below.

Complaints concerning allegations of criminal conduct will be referred to the proper law enforcement authority or District Attorney General's Office for review. Normal time limitations embodied in this handbook for notifications and responses to allegations and complaints will not apply to cases involving criminal conduct or referrals to third-party investigators.

Anderson County's goal is to remain within the timeline set forth throughout; though, the goal is to conduct the review discretely while compiling all-inclusive data to ensure the procedure remains confidential and conclusive.

When formal/informal complaints relate to an isolated event, and is not an ongoing situation, the employee must bring the matter to the attention of the County within 30 days of its occurrence.

If such a complaint remains unresolved ten days after it is submitted, the employee may proceed with filing a formal grievance, as set forth below. The employee has a maximum of 60 days from the date of the event, or adverse decision, (whichever is later), to file a formal complaint. Failure to follow this timeframe may result in the grievance being rejected. However, complaints may be accepted when it is determined timeliness was clearly beyond the control of the employee.

### **Complaint Process Reporting**

#### *Employees:*

Any employee who feels he or she has been subjected to abusive conduct is encouraged to report the matter orally or in writing to a supervisor including his or her supervisor, manager, appointing authority, elected official, or to the Human Resources and Risk Management Director. Employees should not feel obligated to report their complaints to their immediate supervisor first before bringing the matter to the attention of one of the representatives identified above.

Any employee seeking to file a complaint should ensure the complaint consists of precise details of each incident of abusive conduct including dates, times, locations, and any witnesses. Formal complaints must be documented in writing.

#### *Witnesses:*

An employee who witnesses or is made aware of behavior that may satisfy the definition of abusive conduct (as defined herein) should report any and all incidents as set forth herein.

#### *Supervisors:*

Supervisors must timely report known incidents involving workplace abuse, intimidation, or violence to the Human Resource and Risk Management Director. Supervisors and appointing authorities are required to take reasonable steps to protect the complainant, including, but not limited to, separation of employees involved.

If you feel wronged by an employment action or decision, including disciplinary action such as a warning, suspension, termination, or by an Anderson County Government policy being incorrectly applied, the best course of action is to discuss these differences with your direct supervisor, Department Head and/or the Human Resources and Risk Management Director in an attempt to reach a prompt and fair resolution of the problem.

If you are having a problem or question related to your work, supervisor, or co-worker, you should consult your immediate supervisor as soon as possible.

- If your supervisor seems unwilling or unable to address the matter, you have the option to discuss your concerns with your Department Head or Elected Official.
- If your problem or complaint is a situation that constitutes a violation of the Ethics Policy, Federal, State, or local laws and the Department Head or Elected Official seems unwilling or unable to address the matter, you have the right to discuss your concerns with the Director of Human Resources and Risk Management or Ombudsman/County Law Director.
- You can also ask to speak to any other departmental supervisor or the Human Resources and Risk Management Director without your supervisor being present. However, in this case, the person with whom you meet has the right to share information from this meeting with your supervisor.

## **Confidentiality**

To the extent permitted by law, Anderson County Government will maintain the confidentiality of each party involved in an abusive conduct investigation, complaint or charge, provided it does not interfere with the ability to investigate the allegations or to take corrective action. However, state law may prevent the employer from maintaining confidentiality of public records. Therefore, Anderson County Government cannot guarantee confidentiality.

The employee assistance program (EAP) provides confidential counseling services to Anderson County employees. Individuals wishing to discuss an incident confidentially or seeking information and advice of a personal nature are encouraged to contact the EAP. The role of the EAP in such cases will be limited to personal counseling and treatment for the person who is then an EAP client. Contacting the EAP will not qualify as notification to Anderson County Government of a potential harassment or discrimination issue (see below complaint procedure for more on how to notify the County of an issue or complaint).

During the complaint procedure, the confidentiality of the information received, the privacy of the individuals involved, and the wishes of the complaining person will be protected to as great a degree as is legally possible. The expressed wishes of the complaining person for confidentiality will be considered in the context of the County's legal obligation to act on the charge and the right of the charged party to obtain information. In most cases, however, confidentiality will be strictly maintained by the County and those involved in the investigation. In addition, any notes or documents written by or received by the person(s) conducting the review will be kept confidential to the extent possible and in accordance with any existing state or federal law.

## **Informal Complaint Procedure**

The person complained against, known as the respondent, will be notified that an allegation has been made against them and informed of the review procedure.

## **Review**

Reviews of alleged abusive conduct shall be conducted as soon as practicable and in accordance with the policies and practices of Anderson County Government. The objective of the review is to ascertain whether the behaviors complained of occurred, and therefore, will include interviewing the complainant, accused, and witnesses with direct knowledge of the alleged behaviors.

All interviews will be appropriately documented. The review will be conducted thoroughly, objectively, with sensitivity, and with due respect for all parties. The reviewer will provide a copy of the investigative report to the appointing authority for further action. All affected parties will be informed of the findings.

## **Formal Complaint Procedure**

Anderson County Government has established the following procedure for lodging a formal complaint of alleged harassment, discrimination, violence, or retaliation of Anderson County Policy violations. The County will treat all aspects of the procedure confidentially to the extent reasonably possible.

- An individual who feels harassed, discriminated, or retaliated against may initiate the

complaint procedure by filing a complaint in writing with Anderson County Government's Human Resources and Risk Management (HR) Director. No formal action will be taken against any person under this policy unless HR has received a written and signed complaint containing sufficient details to determine if the policy may have been violated. The complainant (the employee making the complaint) may obtain the complaint form from the Human Resources and Risk Management Department. If a supervisor or manager becomes aware that harassment or discrimination is occurring, either from personal observation or as a result of an employee coming forward, the supervisor or manager should immediately report it to the HR Director.

- If an individual employee witnesses what is suspected to be harassment, ~~he/she~~ **they** should also file a written complaint with the HR Director.
- Upon receiving a complaint or being advised by a supervisor or manager that a violation of policy may be occurring, the HR Director will notify the Elected Official or Department Head and review the complaint with the County's legal counsel.
- Within five (5) working days, ~~when applicable~~ **if possible**, of receiving the complaint, the HR Director will notify the person(s) charged [hereafter referred to as "respondent(s)"] of a complaint; and
- Initiate the review to determine whether there is a reasonable basis for believing that the alleged violation of this policy occurred.
- During the review, the HR Director, together with legal counsel, other management **or** HR employees, will interview the complainant, the respondent and any witnesses to determine whether the alleged conduct occurred.
- Within fifteen (15) working days, if possible, of the complaint being filed (or the matter being referred to the HR Director), the HR Director or other person conducting the review will conclude the review and submit a written report of ~~his or her~~ **their** findings to the appropriate County representatives.
- If it is determined that harassment or discrimination in violation of this policy has occurred, the HR Director will recommend appropriate disciplinary action. The appropriate action will depend on the following factors: a) the severity, frequency and pervasiveness of the conduct; b) prior complaints made by the complainant; c) prior complaints made against the respondent; and d) the quality of the evidence (e.g., first-hand knowledge, credible corroboration).
- If the review is inconclusive or if it is determined that there has been no violation of policy, but potentially problematic conduct may have occurred, the HR Director may recommend appropriate preventive action.
- Within five (5) working days, if possible, after the review is concluded, the HR Director will meet with the complainant and the respondent separately, notify them of the findings of the review, and inform them of the action being recommended.
- The complainant and the respondent may submit statements to the HR Director challenging the factual basis of the findings. Any such statement must be submitted no later than five working days after the meeting with the HR Director in which the findings of the review are discussed.

- Within ten (10) working days, if possible, from the date the HR Director meets with the complainant and respondent, the County representatives involved will review the report and any statements submitted by the complainant or respondent, discuss results of the review with the HR Director and other management staff as may be appropriate, and decide what action, if any, will be taken. The HR Director will report the County's decision to the complainant, the respondent and the appropriate management assigned to the department(s) in which the complainant and the respondent work. The County's decision will be in writing and will include findings of fact and a statement for or against disciplinary action. If disciplinary action is to be taken, the respondent will be informed of the nature of the discipline and how it will be executed.

### **Corrective Action**

In the event of a finding of abusive conduct, the employer will take immediate and appropriate corrective action. Remedies may be determined by weighing the severity and frequency of the incidences of abusive conduct and in accordance with existing disciplinary policies of Anderson County Government.

Any employee or Elected Official who engages in conduct that violates this policy, or who encourages such conduct by others, will be subject to corrective action. Such corrective action may include but is not limited to participation in counseling, training, and disciplinary action up to and including termination, or changes in job duties or location.

Supervisory personnel who allow abusive conduct to continue or fail to take appropriate action upon learning of such conduct will be subject to corrective action. Such corrective action may include, but is not limited, to participation in counseling, training, or disciplinary action up to and including termination, or changes in job duties or location.

While Anderson County Government encourages all employees to raise any concern(s) under this policy and procedure, Anderson County Government recognizes that intentional or malicious false allegations can have a serious impact on innocent people. Individuals falsely accusing another of violations of this policy will be disciplined in accordance with the disciplinary policy of Anderson County Government.

Any employees exhibiting continuing emotional or physical effects from the incident in question should be informed of established employee assistance programs or other available resources.

When abusive conduct has been confirmed, the employer will continue to keep the situation under review and may take additional corrective actions if necessary. Preventative measures may also be taken to reduce the reoccurrence of similar behavior or action.

### **Alternative Legal Remedies**

Nothing in this policy may prevent the complainant or the respondent from pursuing formal legal remedies or resolution through local, state or federal agencies or the courts.

## **4.19 Promotions, Transfers and Reassignments**

**Promotions:** Anderson County continually strives to promote employees and fill job vacancies on an equal opportunity basis. Promotions are based on an objective criteria of each vacancy and the candidates involved.

**Transfers:** It is the policy of Anderson County that it may, at its discretion, initiate or approve

employee job transfers. You may request a voluntary job transfer by applying for a posted position.

**Reassignments:** When you reassign from one County department to another, all unused annual and sick leave will be transferred. Retirement and any other fringe benefits also will be transferred with the employee. Any compensatory time shall be used or paid out before transfer.

## 4.20 Suspensions and Demotions

The Department Head or Elected Official, or the appointed supervisor, may suspend you without pay for matters of poor performance or inappropriate conduct. You may *not* take annual leave, sick leave or compensatory leave ("comp time") while on suspension.

## 4.21 Employment Termination/Resignation

Your employment with Anderson County Government is a voluntary agreement between you and the County. We regret when it becomes necessary to terminate the employment of one of our employees. An employee's service will terminate and no further time of service will accrue if any one of the following conditions occurs:

- You resign,
- You are discharged,
- You fail to report to work for three (3) consecutive days without notification,
- You fail to report to work at the termination of a leave of absence or a vacation,
- You signify your intent to leave employment and leave the premises.

You may resign at any time; however, Anderson County requests that you submit your intent to resign in writing at least two (2) weeks prior to the effective date of resignation. Whenever an employee desires to resign, the County may choose to either allow you to continue to work until the effective date of resignation, request that you cease work immediately depending on the circumstance surrounding the resignation, or any mutually acceptable combination of the above. When you resign, all property of Anderson County Government must be returned immediately.

On occasion, you may wish to revoke the notice of resignation. Revocation of the resignation notice is treated on a case-by-case basis; strictly at the discretion of your supervisor, Department Head or Elected Official. There is no guarantee that the employee may return to the same position.

## 4.22 Exit Interview

Anderson County is dedicated to the development and retention of employees. And as such, the exit interview plays an integral part in understanding why employees choose to leave. It is important to capture information about our work environment and the factors that may lead to your choice to leave the County.

During this interview, the Human Resources and Risk Management Department representative will share any information with you about termination of benefits and your right to continue, your benefits as an individual. We will also answer any questions you have concerning the

termination of these benefits. The Human Resources and Risk Management Department will meet with Elected Officials or Department Heads to provide information obtained at the exit interview in an effort to improve the departmental operations.

#### **4.23 Solicitations and Distributions**

Non-employees are not permitted to solicit verbally or by distribution of written material to Anderson County employees or the general public for commercial purposes during work hours in work areas.

Solicitations by Anderson County employees made to other Anderson County employees are permitted only in non-work areas and during non-work hours.



## **5 COMPENSATION POLICIES**

### **5.1 Job Classification**

All job classifications are based on an analysis of the duties and responsibilities of each position and include minimum requirements of education, training, experience, skills, knowledge, and abilities necessary for the job. The Human Resources and Risk Management Department keeps job descriptions on file. When you begin a new position, you should receive a copy of your job description.

### **5.2 Base Compensation**

Anderson County Government strives to pay salaries that are competitive with those in our community and industry, while recognizing individual effort and contribution to the success of the County, as well as the current economic condition of the County. Each position is rated according to experience, knowledge, training, duty, complexity, leadership, effect of errors, communication, problem solving, physical demands, potential work hazards, stewardship/responsibility, and education.

Employees are generally hired at the Minimum Rate of the position's pay grade, but may receive a different amount depending on experience and skill level or other relevant factors.

### **5.3 Timekeeping Procedures**

The recording of work hours is considered a legal record of time worked and is used as a means to accurately compensate employees. The maintenance of these records serves many purposes, such as, ensuring you are paid in a timely manner and monitoring holiday and accrued leave hours. Each office is responsible for maintaining proper time records within their department.

It is the responsibility of each non-exempt employee to ensure that his or her time records are accurate and correct. Your supervisor will explain to you the official time recording method specified for your department.

Only your supervisor can authorize corrections or changes to the time record.

Anyone who willfully falsifies a time record will be subject to immediate dismissal.

### **5.4 Overtime Pay**

In accordance with the Fair Labor Standards Act, Anderson County generally grants nonexempt employees compensatory time off instead of payment for the time worked in excess of forty (40) hours in a workweek. Compensatory time will be granted at time and one-half for all time worked in excess of forty (40) hours.

Overtime is calculated based on time worked, not time compensated. Time not worked (e.g., sick pay, vacation pay, jury duty pay, or similar compensation for non-worked days) does not count toward the forty (40) hours of worked time. Overtime must be approved in advance. Failing to do so may warrant disciplinary action.

With approval, you may use accrued compensatory time within a reasonable period after making the request if your absence does not unduly disrupt the operations of the department.

Compensatory time is cumulative to a maximum of 240 hours (160 hours of actual overtime worked) for all eligible Anderson County employees. No hours of compensatory time may be accrued beyond the maximum of 240 hours, except under the following circumstances:

If your additional work hours were for public safety activity, an emergency response activity, or a seasonal activity, you may accrue no more than 480 hours of compensatory time (320 hours of actual overtime worked).

## **5.5 Payroll and Paydays**

Anderson County Government pays its employees on a bi-weekly basis. Payroll checks are paid by direct deposit, and pay stubs will be available every other ~~Thursday~~ **Friday**. Some pay dates may occur earlier due to holidays.

## 6 EMPLOYEE BENEFITS

### 6.1 Benefits Summaries and Eligibility

Anderson County Government has established a variety of employee benefit programs designed to assist you and your eligible dependents in meeting the financial burdens that can result from illness and disability, and to help you plan for retirement. The various benefit programs are not only an important part of your compensation; they also provide security and protection for you and your dependents.

**In accordance with ACA guidelines**, you are typically eligible for benefits when you work an **average minimum** of thirty (30) hours per week, on a regular basis. These benefits include: medical coverage, vision coverage, dental coverage, flexible benefits, disability, life insurance, and retirement. Specific eligibility requirements for any particular benefit are subject to the terms and conditions of the particular benefit and governed by the relevant plan documents.

Anderson County Human Resources and Risk Management Department will determine the effective date of coverage for your benefits. Typically, it is the first of the calendar month following thirty (30) days of continuous employment. For example, if you were hired on January 5<sup>th</sup>, coverage would go into effect March 1<sup>st</sup>.

For complete information regarding any of our benefit programs, please refer to the Summary Plan Descriptions, which are **made available on your secure employee portal** ~~provided to you separately~~ or contact the Human Resources and Risk Management Department for another copy.

Generally benefits end the last day of the month in which you actively work. If you do not receive paychecks to cover the entire month **of coverage** ~~(and have premiums deducted)~~, you may be required to submit a personal check to cover your portion of benefit costs.

### 6.2 Health Insurance and Dental Insurance

You must enroll for coverage within (30) days of employment or **sixty (60) days** an eligible qualifying event. Temporary employees, seasonal employees, and interns are not eligible for medical coverage. Complete benefit packets are provided at new hire orientation. Although Anderson County pays the largest portion of the insurance cost for employees, you are also expected to share in the cost of health benefits.

### 6.3 Identification Cards

If you enroll in medical, **vision** or dental benefits, identification cards will be mailed to your home address. If you ~~should do~~ not receive your card, or lose it, please contact the Human Resources and Risk Management Department to request a new identification card.

## **6.4 — Short Term Disability Insurance**

~~Eligible employees are covered by Anderson County Government short term disability plans after one hundred eighty (180) days of continuous full-time employment. This base benefit is paid in full by the County on your behalf. Short Term Disability insurance is designed to assist an employee with income should the employee become partially or totally disabled and be unable to perform the essential functions of his or her job. The summary plan descriptions explain short term disability benefits.~~

## **6.5 Life, Accidental Death and Dismemberment Insurance**

The Anderson County Government Group Life Insurance covers all eligible employees. This insurance is payable in the event of the employee or dependent's death, in accordance with the policy, while the employee is insured. Accidental Death and Dismemberment Insurance is in the same amount of, and is in addition to, the employee's life insurance coverage. The summary plan booklet provided by our insurance company includes details on employee life insurance and accidental death and dismemberment coverage.

While Anderson County provides a basic Life and AD&D insurance policy, employees have the option to purchase additional coverage at their own expense. This information will be provided to employees during new hire orientation.

## **6.6 COBRA Notification**

According to the federal Consolidated Omnibus Budget Reconciliation Act (COBRA) of 1985, in the event of your termination of employment with Anderson County Government or loss of eligibility to remain covered under Anderson County's group health, vision, FSA, and dental insurance program, employees and their eligible dependents may have the right to continued coverage under Anderson County's group program for a limited period of time at their own expense. More information on COBRA is available in the Human Resources and Risk Management Department.

## **6.7 Insurance Deductions**

You are responsible to review your paycheck to ensure the appropriate benefit deductions have been taken. Your medical, dental, vision, life insurance, and any voluntary product deductions will be taken out of twenty-four (24) pay periods per year. There will be two (2) pay periods each year in which no insurance deductions will be taken.

If you miss a paycheck due to a work absence or unpaid time, you are responsible to contact Human Resources and Risk Management Department at 865-264-6300 to make payment arrangements. Insurance payments are due the 1<sup>st</sup> day of each month.

## **Benefit Coverage and Premiums During Leave (Including Workers' Compensation)**

Health, pharmacy, vision and dental insurance benefits (core benefits), will continue at the level and under the conditions that coverage would have been provided if you had continued active employment. During any period of leave approved, the County shall continue to contribute the employer's portion toward the employee's core benefits. You will be eligible to continue these core benefit coverages provided you pay the related premiums equal to the employee contribution rates in effect at the time and any subsequent increase that may occur during the leave. During any period of leave approved, the County shall continue to cover the cost of your employer paid group term basic life insurance.

During any period of leave approved, you shall make arrangements with the Human Resources and Risk Management Department to pay the cost of other benefits for which you would ordinarily be responsible during any period of unpaid leave. Payment will be required in advance of the leave date or as soon as practicable after the start of the leave date and will cover the anticipated duration of the leave. The Human Resources and Risk Management Department shall terminate any benefits for which you have not made appropriate payment after such payment is past due for thirty (30) days. You shall be obligated to repay to Anderson County Government any insurance premiums which the County paid on your behalf.

All plan benefits are subject to vendor contractual language. Under no circumstances will Anderson County Government or its agents be held responsible for the vendor's implementation of certificate guidelines.

## **6.8 Annual Enrollment/Transfer Period**

Health plans, benefit designs, eligibility rules, and premiums are subject to change each plan year based on the previous year's claims experience. Announcements concerning changes for the upcoming plan year are made during annual enrollment/transfer period. You are required to review your notices, home mailings, emails and department memos for information about the benefits for the upcoming year.

The Human Resources and Risk Management Department conducts Insurance Board of Trustees meetings along with open enrollment meetings for those needing assistance and information regarding the benefits. Additionally, plan year benefits and modifications are communicated via an Employee Benefit Guide. The Guide is made available prior to enrollment and uploaded on the County's employee portal for your convenience.

**It is your responsibility to stay informed of benefit changes.**

## **6.9 Workers' Compensation**

You are protected under the State of Tennessee Workers' Compensation Law for injuries and occupational diseases that result "out of and in the course of employment." This includes injuries that take place when you are performing tasks you were hired or directed to perform.

If you should experience an on-the job injury or illness you are required to report the incident to your supervisor immediately, and complete a Workers Compensation Packet in its entirety and submit to the Human Resources and Risk Management Department within twenty-four (24) hours of the injury:

- Choose a physician from the panel of primary physicians provided to you by your supervisor,
- Keep all appointments with physicians as scheduled or notify the Human Resources and Risk Management Department to have the appointment rescheduled,
- Notify the Human Resources and Risk Management Department and your supervisor if the physician tells you not to return to work, to work with restrictions, and when he/she releases you to full duty.
- Give your supervisor a copy of Return to Work forms you receive from the physician.

If you require emergency medical treatment, you should use the emergency room at any local hospital. Notification to the Human Resources and Risk Management Department should be made immediately.

The Risk Management Insurance provider has final authority to determine if a claim is accepted as a Workers' Compensation injury or is rejected and should be applied to your medical insurance.

## 6.10 Retirement Plan

Anderson County Government participates in the Tennessee Consolidated Retirement System (TCRS). Membership to the retirement plan is mandatory for all full-time employees and the five percent (5%) employee contribution will begin **the first day of the month following after** the six (6) month probation period. For those new hires who have prior TCRS membership, the TCRS probationary period will be waived and payroll deductions will start the following month after your date of hire. Anderson County Government contributes to the retirement fund for all eligible employees. TCRS information is available in the Human Resources and Risk Management Department or on the state website at <https://treasury.tn.gov/Retirement/Information-and-Resources/TCRS-Overview-and-Self-Service>

Effective fiscal year 2021, Anderson County part-time and full-time, regular employees will have the option to participate in the State of Tennessee's 401k and 457b. These optional retirement plans are available without County matching funds. The State's 401k and 457b information is available in the Human Resources and Risk Management Department or on the site website at <https://treasury.tn.gov/Retirement/Information-and-Resources/401-k-457-Investing>.

If you are considering retirement from Anderson County, you need to schedule a meeting with the Human Resources and Risk Management Department approximately three (3) months before your retirement date.

### 120 Day Contract Provision:

In accordance with T.C.A., Section 8-36-805, retired TCRS members can accept temporary employment without suspension of retirement benefits. The retired member must have been

retired 60 days and cannot accrue additional retirement credits as a result of employment.

Additionally, compensation cannot exceed 60% of the retiree's final year's salary plus 5% compounded annually since retirement. Disability retirees are subject to a disability earnings limitation in addition to these limits on the number of days worked and salary.

#### **Law Enforcement and EMS Retiree Return to Work Option**

**In accordance with TCA § 8-36-809 and TCA § 8-36-811, retired TCRS law enforcement officer or emergency medical services employee ("EMS") members may return to work with a Tennessee Consolidated Retirement System ("TCRS") covered employer without the suspension of benefits if certain conditions are met, except those who are receiving a disability benefit. Through this reemployment opportunity for TCRS retirees, members will receive a salary and draw a retirement benefit; however, the member's monthly retirement benefit will be reduced to seventy percent (70%) while reemployed with a TCRS-covered employer. Once the form has been approved for the qualifying retiree, TCRS will reduce the member's monthly gross benefit by 30%. While working under these Return-to-Work provisions, the member will not accrue additional TCRS service credit.**

The department head must approve and TCRS paperwork. **TCRS paperwork** must be provided to the State and filed with the Human Resources & Risk Management Department prior to start date.



## 7 TIME-OFF BENEFITS

### 7.1 Holiday Policy

Time off work to enjoy the holidays is important to everyone. Anderson County Government provides paid holidays to all full-time employees. Part-time and temporary employees are not eligible to receive paid holidays. Anderson County Government will generally observe the following holidays:

- New Year's Day
- Martin Luther King's Birthday
- President's Day
- Good Friday
- Memorial Day
- Juneteenth
- Independence Day
- Labor Day
- Veteran's Day
- Thanksgiving
- Christmas

However, Anderson County Commission will annually establish a holiday calendar. Once approved by County Commission, the holiday calendar for that year will be distributed to employees.

Every effort will be made to allow all employees off on each designated holiday. If it is necessary for an employee to work on a holiday, the employee will be compensated at a rate which is one and one-half times the employee's regular rate of pay for the hours actually worked. The employee may elect to receive compensatory leave time which will be earned at the rate of one and one-half hours for each hour actually worked during the holiday.

If you are eligible for paid holidays, you will receive pay for each holiday, whether or not you are scheduled to work on those days, or time off the preceding or following work day. The amount of pay is prorated to the number of hours you work each week, not the hours in a day. This means you will receive the same amount of pay for each holiday. If the holiday falls on a day when you are scheduled to work fewer hours than the holiday credit hours you receive, you will take the remaining hours another day. If the holiday falls on a day when you are scheduled to work more hours than the holiday credit you receive, you will need to "make-up" those additional hours.

If a holiday falls within your vacation period, the day will be treated as a holiday and not as annual leave. If you are off sick the day before and/or the day after a holiday, your supervisor may request a doctor's certificate in order for the employee to be eligible for holiday pay.

Hours per Week	Holiday/Vacation Credit
40	8.00
39	7.75
38	7.50
37	7.50
36	7.25
35	7.00
34	6.75
33	6.50
32	6.50
31	6.25
30	6.00

### 7.1.1 Veteran's Day Policy – Sheriff's Department and EMS

Effective 2023, all Sheriff's Department and EMS employees receive the right to observe Veteran's Day so long as they are compliant with Tennessee Annotated Code 15-1-105 that states that the employee must be a veteran within the statutory definition with the requisite documentation such as a DD Form 214 or other comparable certification. The veteran employee must also request, in writing, Veteran's Day off at least thirty (30) days in advance, pursuant to T.C.A. § 15-1-105(b)(1). There can be no more than three (3) veteran employees off to ensure that public health and safety is not negatively impacted due to their absence, per T.C.A. § 15-1-105(b)(3).

### 7.2 Vacation Time

Time away from work allows you to pursue personal interest, relax and enjoy outside activities. Anderson County Government encourages employees to take their vacation days each year. Your annual vacation time is based upon the length of continuous service (employment) you have with the County as of your anniversary (hire) date of each year. An employee is not eligible to use vacation time until the employee has completed six (6) months of continuous service, at which time five (5) days of vacation will be available. The remaining five (5) days will be available on the employee's anniversary date. Vacation hours will be pro-rated from your anniversary date through June 30<sup>th</sup>. From that point forward, vacation hours will be applied on

or around July 1<sup>st</sup> as a lump sum. The following schedule is based upon a 40 hour work week. Employees who work less than forty (40) hours per week will have adjusted vacation leave (number of hours per week divided by five (5) days).

Years of Service	Days of Leave
0-3	10
4-7	12
8-11	15
12-15	18
16-19	21
20-23	23
24+	25

Vacation time may be accumulated and carried forward to the next year in an amount not to exceed one hundred sixty (160) hours. Any accumulated hours exceeding the one hundred sixty (160) hours limit will convert to sick time, for retirement purposes.

Vacation leave may be used only at times approved in advance by the employer. All efforts will be made to accommodate your request; however, vacation leave is normally approved to meet the work requirements and needs of the County. Subject to your supervisor's approval, vacation leave may be taken at any time as long as you schedule in advance.

Upon the termination of employment, you will be entitled to payment for any unused vacation time which has accrued as of the termination date.

### 7.3 Sick Leave

The purpose of sick leave is to give employees time to visit a doctor or to recover from an illness or injury. ***If you are sick – by all means, stay home!***

Sick leave is considered a privilege and not a right. Full time employees will receive full pay for a work day, with the exception of EMS 24-hour shift employees who will receive pay based on a twelve hour day. Sick leave in the amount of twelve (12) work days per year is earned at the rate of one (1) work day per month. If an employee is in a paid status for one-half the month, he/she will be credited one day of sick leave for the month. Accumulated sick leave has no value except for the purpose granted, and in the event of retirement **from Tennessee Consolidated Retirement**, accumulated sick leave may be credited toward retirement provided this is permitted under the rules and regulations of the Tennessee Consolidated Retirement System. Otherwise, all unused sick leave shall be forfeited. **and will not be paid out to employees upon the end of employment. It is the employee's responsibility to ensure any unused sick leave is reported to Tennessee Consolidated Retirement for immediate or future credit.**

You may qualify for sick leave pay when unable to perform assigned work due to the following:

- An employee's own illness;
- An employee's ~~medical or dental~~ **wellness** appointment which cannot be accomplished during off-duty hours;
- To care for an employee's child, spouse, parent, or a relative residing in employee's home as a result of an illness;
- To accompany a spouse, child, or parent to ~~medical or dental~~ **wellness** appointments;
- Enforced quarantine of the employee in accordance with community health regulations;
- Childbirth, adoption, or foster care placement;
- Maternity leave on an employee, because of pregnancy, childbirth, or related medical condition, may use up to four (4) months of accrued sick leave;
- On-the-job injury.

You are required to notify your immediate supervisor as soon as possible, at least thirty (30) minutes before and not later than fifteen (15) minutes after the start of work on the first day of absence. You should have a continued line of communication with your supervisor regarding extended sick leave absences. Partial sick days may be taken in increments of two (2) hours, but not less. Employees who become ill during the period of their vacation may request that their vacation be temporarily terminated and the time charged to sick leave.

The Department of Labor regulations require an employee to be incapacitated for three (3) full days **for the same condition** before the employee's health condition invokes the protection of Family Medical Leave. Absences more than three (3) days to care for a sick or injured member of the employee's family is considered a Family and Medical leave eligible event as well (refer to Section 7.7 Family and Medical Leave for more information).

In order to substantiate extended periods of time taken off due to your personal or family related illness, the County may request a doctor's verification of the illness if you are absent three (3) or more consecutive workdays or if your absences are excessive.

The physician's statement must include the dates of absence due to illness, job restrictions (if any), expected prognosis, and projected return to work date. If you are unable to return to work on the estimated date, another statement must be obtained with another estimated or firm date of return. If you do not furnish this statement, you may be subject to disciplinary action up to and including discharge.

Employees who have used all of their accumulated sick leave will not receive financial compensation for additional days of leave needed due to illness or injury. For any additional time needed, the employee will be considered on leave without pay status unless the employee has accumulated vacation time or compensatory leave time available, subject to supervisor's approval.

## 7.4 Bereavement Leave

In the case of an immediate family member's death, you may take up to a maximum of three (3) paid working days to arrange and/or attend the funeral of an immediate family member without charge to your leave time. Two additional days of sick leave may be granted to provide a total of five days absence for this purpose. Any additional time off must first be approved by the employee's supervisor and shall be vacation leave, compensatory time leave, or leave without pay. Immediate family members include:

- Spouse (current)
- Parent
- Son or Daughter
- Brother or Sister
- Grandparent
- Grandchild
- Step-relative and In-laws of those above categories

You may use up to three (3) consecutive days of accrued leave for the bereavement of other persons not listed above. This leave will be deducted from your sick leave balance. If no sick leave remains, you must use compensatory time or take vacation leave. If no compensatory time or vacation leave time is available, it will be considered leave without pay. Amount of leave and approval will be from your direct supervisory.

## 7.5 Jury and Witness Duty

All employees are entitled to take a leave of absence for jury **or subpoenaed witness** duty. If you receive a jury summons **or witness subpoena**, you must notify your supervisor immediately. You must ~~advise your immediate supervisor as soon as a summons or notification is received and also must provide to the supervisor~~ a copy of the notification letter **to your supervisor**. Witness duty must pertain to job-related business ~~for to receive an~~ excused absence with regular pay. This also includes a subpoena to court on non-work related issues.

**For any non-work-related witness duty, you must provide a copy of the subpoena to your supervisor to receive an excused absence and approval of leave. You may utilize accrued personal or vacation hours to cover your leave. ~~This also includes a subpoena to court on non-work related issues.~~**

If you complete at any time during jury or witness duty your assignment within three (3) hours, you are expect to return to work immediately.

## 7.6 Military Reserves or National Guard Leaves of Absence

Regular, full-time employees who are members of any military reserve component, including the Tennessee Army and the Air National Guard, will be granted a leave of absence for all periods of military service during which they are engaged in the performance of duty or training for this state or for the United States of America under competent orders. While on leave, the employee will receive their regular compensation for a period not to exceed 30 working days or equivalent

to 240 hours per calendar year, plus any additional days that may result from a call to active duty by the Governor pursuant to the explicit terms of Tenn. Code Ann. 58-1-106.

Such requested leave shall be supported with copies of the armed forces order and submission of verified attendance record signed by the commanding officer upon return to regular, full-time County employment.

Regular, full-time employees will be granted a leave of absence without pay for the purpose of being inducted into or otherwise entering military duty. If not accepted, the employee will be reinstated at the same rate of pay and without loss of seniority, benefits or status. If accepted for service, the employee may be eligible for reinstatement upon being released from active duty upon meeting the conditions set out in T.C.A. Title 8, Chapter 33 relative to employees in military service, and in accordance with the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), 38 U.S.C. 4301-4333.

Employees in military service shall be governed by the requirements of, and shall have all of the rights and benefits conferred upon such persons by state law found in T.C.A. Title 8, Chapter 33, and under USERRA, which is on file with the Human Resources and Risk Management and Risk Management Department.

Leave exceeding this limit may be charged to accrued annual leave, holidays, compensatory time, or the employee may elect to take leave without pay. Employees who elect to utilize leave must submit the request to their supervisor who then must communicate the leave with the Human Resources and Risk Management Department.

An employee required to report for military training shall show the appropriate orders to their supervisor. A Change of Status form shall be completed and forwarded, along with a copy of the employee's military orders, to the Human Resources and Risk Management Department. USERRA Section 4312 (c) / 20 CFR 1002.9-103 states reemployment rights are subject to cumulative length of service to not exceed five (5) years. Department Heads should communicate all employee military leave to the Human Resources and Risk Management Department to ensure required record keeping of cumulative military leave.

In accordance with Section 4317 (b) / 20 CFR 1002.168 of USERRA mandating regular, full-time employee's benefits be reinstated immediately upon reemployment, all returning military personnel must report to the Human Resources and Risk Management Department as soon as possible to complete benefit enrollment.

## **7.7 Family/Medical Leaves of Absence**

All employees who: 1) have been employed by Anderson County Government for at least twelve (12) months, and 2) have been employed for at least 1,250 hours of service during the twelve (12) month period immediately preceding the commencement of the leave, shall be entitled to benefits under the Family and Medical Leave Act (FMLA). Eligible employees should provide as much notice as possible, but at least a thirty (30) day notice, of their intention to take FMLA. Notice should be made to the Human Resources and Risk Management Department. Required Department of Labor (DOL) Notification Forms can be retrieved from your HR Department. In emergency situations, less notice may be given. Employees entitled to FMLA may take up to a total of twelve (12) weeks of leave per year:

- The birth or adoption of a son or daughter and to care for the newborn;
- The placement with the employee of a son or daughter for adoption or foster care;

- To care for the employee's spouse, son or daughter, or parent, with a serious health condition;
- Because of a serious health condition that makes the employee unable to perform the functions of ~~his or her~~ **their** job;
- **Maternity Leave: Employees who ~~are disabled~~ qualify under the ADA as a person with a disability** because of pregnancy, childbirth, or related medical conditions may also be entitled to take a Family and Medical Leave of Absence;
- The employee experiences a qualifying exigency that arises out of the fact that a spouse, parent, or child has been called to or is on active duty as a member of the National Guard or military reserves, or regular armed forces.

### **Military Caregiver Leave**

An employee who is the spouse, parent, child or next of kin of a current or past member of the armed forces (including the regular armed forces) who was injured while on active duty may be eligible for up to twenty-six (26) weeks of FMLA leave in a twelve (12) month period, for certain specific qualifying reasons related to the care of the family member.

### **Leave Duration**

An eligible employee is entitled to take a total of twelve (12) weeks of unpaid leave under FMLA during a twelve (12) month period; the twelve (12) month period begins on the first day of the first approved day of FMLA. A rolling twelve (12) month period, measured backward from the date the leave commences, will be used to determine the amount of FMLA leave available to an employee.

*For example:*

- An employee who becomes eligible for FMLA on September 1, 2010 does not have an established FMLA twelve (12) month period until the employee requests this leave for a particular purpose.
- Pursuant to an appropriate first request, the above employee goes on a FMLA on January 15, 2011. This employee's twelve (12) month leave period runs from January 15, 2011 to January 14, 2012. On January 15, 2012, or any date thereafter, the employee is eligible for a second twelve (12) weeks of FMLA, provided that the employee has worked 1250 hours during the previous twelve (12) months.
- **In addition to FMLA twelve (12) weeks of unpaid leave, and in accordance with Tenn. Code § 4-21-408, eligible employees who give three (3) months' advance notice may elect supplementary absence for an additional four (4) weeks, not to exceed four (4) months, for adoption, pregnancy, childbirth and nursing an infant.**

An employee's entitlement to an FMLA leave for the birth or placement of a child expires twelve (12) months after the birth or placement. The right to take FMLA applies equally to male and female employees. A father, as well as a mother, can take family leave for the birth, placement, or adoption or foster care of a child. An expectant mother may take FMLA before the birth of a child for prenatal care or if ~~her~~ **their** condition makes ~~her~~ **their** unable to work. In any case in



which husband and wife are both employees of Anderson County Government, the combined (total) number of workweeks of leave entitlement under this policy is twelve (12) weeks during any twelve (12) month period.

In some cases, FMLA leave may begin before the actual placement or adoption of a child if an absence from work is required for the placement or adoption or foster care to proceed.

For military caregiver leave, the employee and employee spouse may be limited to a combined total of twenty-six (26) weeks of leave in a twelve (12) month period, including the types of leave listed above in this paragraph.

### **Intermittent Leave**

In certain circumstances, FMLA leave may be taken on an intermittent or reduced leave schedule. Leave taken for childbirth or placement (adoption or foster care) may not be taken on an intermittent or reduced schedule. This leave may be taken only within twelve (12) months of the date of the birth or placement of the child.

A pregnant employee may take intermittent leave for prenatal examinations or for her own condition, such as for periods of severe morning sickness.

Leave taken to care for a spouse, child, or parent or for the serious health condition of the employee or for military caregiver leave may be taken on an intermittent or reduced schedule when medically necessary.

- For example, one who takes intermittent leave under this policy, who normally works a five (5) days a week schedule and who takes one day of leave under this policy will use one-fifth of one week of leave available. With this intermittent schedule, the employee could take one day (one-fifth of a week) for up to fifty-two (52) weeks (or one year) to get the full twelve (12) weeks of FMLA.
- Under a reduced schedule for FMLA, if a full-time employee who regularly works five (5) days a week must take off one half of the workweek, one half week (or two and one half days) of leave under this Policy is used each week. Thus it could take the employee up to twenty-four (24) weeks to use the entire entitlement of FMLA.
- An exempt employee taking FMLA by the hour is not a violation of the employee's exempt status under the Fair Labor Standards Act.

If leave is taken on an intermittent or reduced work schedule, the County retains the discretion to transfer the employee temporarily to an alternative position with equivalent pay and benefits that better accommodates the employee's leave schedule.

### **Notification Procedure**

You are responsible for notifying your immediate supervisor and the Human Resources and Risk Management Department, preferably in writing, that a leave of absence will be required. The Human Resource and Risk Management Department will provide you with the required forms as mandated by the Department of Labor (DOL). FML forms must be submitted to the Human Resources and Risk Management Department by you or your provider in accordance with Federal Guidelines, which is currently fifteen (15) days from the time you receive the required forms. If FML is approved, the Human Resources and Risk Management Department will notify you and your supervisor, as required by the DOL.

The Human Resources and Risk Management Department is responsible for compliance with

this policy ensuring that all employees eligible for FMLA are granted time off in a non-discriminatory manner. The Human Resources and Risk Management Department is responsible for ensuring that you are provided with a written notice detailing the specific expectations and your obligations and explaining the consequences of a failure to meet these obligations. Medical certification is required for leave due to your own serious health condition or that of a family member **before** approving a request for Family or Medical leave or **before** an employee may return to work at the conclusion of a leave. All FML Forms must be submitted to the Human Resources and Risk Management Department to ensure the County remains compliant with Health Insurance Portability and Accountability Act (HIPPA) guidelines.

During FML, your immediate supervisor and/or the Human Resources and Risk Management Department may request you to report periodically (~~typically every two weeks~~) on the status of the situation and your intention to return to work. If the amount of leave that you need changes, you must notify the Human Resources and Risk Management Department within three (3) business days of the date you know of the change and circumstances. The Human Resources and Risk Management Department will provide the requirements of the requested extension and notify your supervisor of the change. You are responsible for remaining in contact with your supervisor or the Human Resources and Risk Management Department during your **intermittent** absence.

### **Pay During Leave**

All FMLA absences are **considered** unpaid. However, you shall first take any paid leave available under the provisions and limitations of Sick Leave; then exhaust any accrued compensatory time under the provisions of Compensatory Leave; then ~~may choose~~ **will be required** to exhaust any paid Annual Leave available under the provisions of Annual Leave, **including Vacation and Personal Leave**, and then shall be in a leave without pay status for the balance of the twelve (12) week leave period. Any sick and/or annual leave time taken will be regarded as part of FMLA leave.

You will continue to accrue sick and annual leave time during an approved FMLA leave of absence if you remain in pay status; however, employees taking leave shall not accrue sick and annual leave time while in a no pay status. You are considered to be in a pay status any time the County is paying your salary/wages.

### **Benefits Coverage and Premiums during Leave**

Health, pharmacy, vision, and dental benefits (core benefits) will continue at the level and under the conditions that coverage would have been provided if you had continued active employment. During any period of leave approved, the County shall continue to contribute the employer's portion toward the employee's core benefits. You will be eligible to continue Group Insurance coverage provided you pay the related premiums equal to the employee contribution rates in effect at the time and any subsequent increase that may occur during the leave. During any period of leave approved, the County shall continue to cover the cost of your employer paid group term life insurance.

During any period of leave approved, you shall make arrangements with the Human Resources and Risk Management Department to pay the cost of other benefits for which you would ordinarily be responsible during any period of unpaid leave. Payment will be required in advance of the leave date or as soon as practicable after the start of the leave date and will cover the anticipated duration of the leave. The Human Resources and Risk Management Department shall terminate any benefits for which you have not made appropriate payment after such payment is past due for thirty (30) days. You shall be obligated to repay to Anderson

County Government any insurance premiums which the County paid on your behalf, if you fail to return to Anderson County Government employment after an approved period of leave, and if you fail to return to work.

All plan benefits are subject to vendor contractual language. Under no circumstances will Anderson County Government or its agents be held responsible for the vendor's implementation of certificate guidelines.

### **Return to Work**

It is your responsibility to timely respond to any inquiry concerning your intention to return to work and to advise the County, specifically the Human Resources and Risk Management Department, as soon as you know that you will not be returning to work.

When you are due to return to work from FMLA from injury or illness to yourself, you must present a fitness for duty certificate that you are able to resume work. The County may delay reinstatement until the certification is submitted by you. A fitness for duty certification from an employee's health care provider that you are able to resume work shall be in accordance with Anderson County Government's customary and uniformly applied procedures. A fitness for duty certificate must be completed by the same health care provider that attended the illness that necessitated the FMLA absence.

Examples of situations where your right to reinstatement may be limited follow:

- If you fail to provide a required fitness-for-duty certificate;
- If you are unable to perform the essential functions of the job, with or without reasonable accommodation;
- If you fraudulently obtain FMLA Leave

If you are unable to return to work on the estimated date, you must notify the Human Resources and Risk Management Department prior to the return date and must obtain a new statement with another estimated or firm date of return. If you fail to notify Anderson County Government or furnish this statement you may be subjected to disciplinary action up to and including discharge.

An employee who returns from FMLA within twelve (12) weeks from the commencement of the leave is entitled to be returned to the same position the employee held when leave commenced, or to an equivalent position with equivalent benefits, pay, and other terms and conditions of employment.

The Department of Labor Notice of Rights can be found in Appendix 9.3. For additional information concerning FMLA, employees should consult with the Human Resources and Risk Management Department.

## **7.8 Voting Leave**

Anderson County Government strongly encourages its employees to fulfill their civic responsibility to their community by expressing their right to vote. The purpose of this policy is to compensate employees of Anderson County Government for time required to vote during work hours in local, state, or national elections.

Anderson County strongly encourages its employees to utilize the early voting period to lessen the burden of staffing shortages, or exercise their voting privileges during regularly scheduled off days; however, if necessary and previously approved by the employee's supervisor, any employee entitled to vote in an election in this state may be absent from work for a reasonable period of time, not to exceed three (3) hours, necessary to vote while the polls are open in the County where the employee resides. An employee who is absent from work to vote may not be subjected to any penalty or reduction in pay for such absence, if the employee complies with this policy.

If the shift of an employee begins three (3) or more hours after the opening of the polls or ends three (3) or more hours before the closing of the polls of the County where the employee is a resident, the employee may not take time off under this section.

Supervisors reserve the right to stagger personnel in order to cover business needs and specify the time the employee may be absent. Request for such absence shall be made to the employer before twelve o'clock (12:00) noon of the day before the election. Employees may not use voting leave to extend scheduled work hours to exceed total scheduled work hours.

To be eligible for voting leave, employees must:

- Have prior approval from their supervisor,
- Be registered to vote,
- Vote, and
- Be scheduled to work on Election Day during the hours of 7:00am and 7:00pm local time.

Overtime is calculated based on time worked, not time compensated. Time spent on voting leave will not be counted as hours worked for the purpose of computing overtime pay in any given workweek.

## 7.9 Maternity/Paternity Leave

In accordance with Tennessee Code Annotated 4-21-408 (copy on file in Human Resources and Risk Management Department), Maternity/Paternity leave is granted to employees for a maximum of sixteen (16) weeks, with the first twelve (12) weeks of leave falling under the Family Medical Leave Act (FMLA) and remaining four (4) weeks as maternity/paternity leave. TCA 4-21-408 is an unpaid leave benefit. You must be employed full-time for at least twelve (12) months to receive maternity/paternity leave.

You must provide at least four to six (4-6) weeks advance notice of your anticipated date of departure, except in those cases where medical emergency prevents this notice, and state the length of your requested leave and your intention to return to full-time employment after leave.

You are required to use your accrued **Sick and Compensatory** leave (~~vacation, sick, comp~~) **including Vacation and Personal leave**, and then shall be in a leave without pay status for the balance of your maternity/paternity leave. Accrued leave and maternity/paternity leave are used at the same time – you do not take your accrued leave first and then take maternity/paternity leave.

The purpose of this leave is to provide time off for pregnancy, childbirth, nursing, and /or

bonding with the infant. If the County finds that you pursued other employment opportunities or worked part-time or full-time for another employer during the period of maternity/paternity leave, then the County does not have to reinstate you at the end of your leave period.

### **Pregnancy Workers Fairness Act**

**As required by the federal Pregnant Workers Fairness Act (PWFA), Anderson County will provide reasonable accommodations to employees and applicants with limitations related to pregnancy, childbirth or related medical conditions, unless the accommodation will cause undue hardship to the County's operations.**

**An employee may request an accommodation due to pregnancy, childbirth or a related medical condition by submitting the request in writing to the Human Resources and Risk Management Department (HR). The accommodation request should include an explanation of the pregnancy-related limitations, the accommodation needed and any alternative accommodation(s) that might be reasonable. Depending on the nature of the accommodation, the individual may be requested to submit a statement from a health care provider substantiating the need for the accommodation. Upon receipt of a request for accommodation, HR will contact the employee to discuss the request and determine if an accommodation is reasonable and can be provided without significant difficulty or expense, i.e., undue hardship. Each accommodation request will be individually assessed.**

**An employee may request paid or unpaid leave as a reasonable accommodation under this policy; however, Anderson County will not require an employee to take time off if another reasonable accommodation can be provided that will allow the employee to continue to work.**

### **Pay During PWFA Leave**

**All PWFA absences are considered unpaid. However, you shall first take any paid leave available under the provisions and limitations of Sick Leave; then exhaust any accrued compensatory time under the provisions of Compensatory Leave; then will be required to exhaust any paid Annual Leave available under the provisions of Annual Leave, including Vacation and Personal Leave, and then shall be in a leave without pay status. Any sick and/or annual leave time taken will be regarded as part of PWFA leave.**

**You will continue to accrue sick and annual leave time during an approved PWFA leave of absence if you remain in pay status; however, employees taking leave shall not accrue sick and annual leave time while in a no pay status. You are considered to be in a pay status any time the County is paying your salary/wages.**

**The County prohibits any retaliation, harassment or adverse action due to an individual's request for an accommodation under this policy or for reporting or participating in an investigation of unlawful discrimination under this policy.**

## **7.10 Personal Leaves of Absence**

If you exhaust all your vacation and sick leave and still need time off for personal or health reasons that may or may not qualify for other federal leave accommodations, you may apply for an unpaid leave of absence for a period of up to three (3) months if you are a full-time

employee. The request for leave must be given to your supervisor and your department director at least thirty (30) days prior to the start of the requested leave unless the leave is an emergency.

Your supervisor (or department director) may or may not approve your request for a leave of absence. The decision is at ~~his/her~~ **their** discretion, unless the leave qualifies under ~~the FMLA or the Tennessee Maternity Leave Act~~ **State and Federally mandated leave**. Some of the matters considered in approving the request are your length of service, employment record, and the reason for the absence.

If your leave is approved you will be responsible for continuing to report periodically to your supervisor if requested.

While you might originally request a leave of absence for a period of three (3) months, it is possible that extensions may be granted. However, the total leave and extensions for any one cause cannot exceed one (1) year. You do not accrue sick and vacation leave while you are on an **unpaid** approved leave of absence.

You must notify your supervisor of the anticipated date of your return to work prior to that date. Your supervisor is responsible for immediately notifying the Human Resources and Risk Management Department.

If you fail to return to work at the conclusion of your leave of absence, you will be terminated from employment. If you are unable to return to work, you are responsible for requesting an extension (in advance) from your supervisor or department director.

There may be changes in your employee benefits during a leave of absence. Please contact the Human Resources and Risk Management Department to determine what changes you may experience.

## **7.11 Paid Personal Leave or Administrative Leave**

At the discretion of the Elected Official or Department Head, paid personal leave or administrative leave may be granted.

Paid administrative leave must be for a good cause or substantial allegation or wrong doing determined by the employer. Administrative leave is not available in conjunction with or following a decision by employer or employee for voluntary or involuntary termination.

It is the County's general policy to grant up to three (3) days of paid personal leave to its employees. This leave must be granted in advance. The privilege of personal leave is permissive only and may be restricted or eliminated when it is not convenient for the employee to take personal leave or where the employee takes excessive personal leave. Personal leave is earned at the rate of twenty-four (24) hours per year and is applied at the beginning of each fiscal year, July 1<sup>st</sup>. Personal leave will be prorated at two (2) hours per month from date of hire until June 30<sup>th</sup> for employees hired mid-year. Personal leave that is remaining at the end of the fiscal year will be converted to sick leave and accumulated on the records of the employee as sick leave.

## 8 ACKNOWLEDGMENT

I, \_\_\_\_\_ acknowledge that I have received a copy and/or link to the Anderson County Employee Handbook, and I do commit to read and follow these policies. Policies that have been discussed are as follows (but are not limited to):

*(Check/Initial acknowledging that said policy was given to you)*

### \_\_\_\_\_ Section 3 Employment Policies

- 3.1 Equal Employment Opportunity & Grievance Procedures
- 3.3 Americans with Disabilities Act

### \_\_\_\_\_ Section 4 Standards of Conduct

- 4.6 Harassment & Complaint Process
- 4.7 Violence in the Workplace & Enforcement
- 4.8 Bullying in the Workplace & Complaint Process
- 4.17 Complaint Process

I am aware that if, at any time, I have questions regarding Anderson County Government policies I should direct them to my supervisor or the Human Resources and Risk Management Department.

I know that Anderson County Government policies and other related documents do not form a contract of employment and are not a guarantee by Anderson County Government of the conditions and benefits that are described within them. Nevertheless, the provisions of such County policies are incorporated into the Acknowledgement, and I agree that I shall abide by its provisions.

I also am aware that Anderson County Government, at any time, may on reasonable notice, change, add to or delete from the provisions of the County policies.

\_\_\_\_\_  
Employee's Printed Name

\_\_\_\_\_  
Position

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Date



## 9 APPENDICES

### 9.1 Employee Badge / Building Access System

#### 1. PURPOSE:

- a. To help ensure the safety and security of the employees of Anderson County Courthouse, Jolley Building, General Sessions II and all satellite office locations, it is the policy of Anderson County Government that all employees, including volunteer employees, are required to visibly display their badge on their person while on Anderson County property. In addition, contractors and their employees may also be required to obtain a badge by the issuing official and display identification including their name and the company they work for. This Policy further establishes uniform procedures for employee badge policies regarding utilization, distribution, replacements and return and/or destroy upon termination.

#### 2. ORGANIZATIONS AFFECTED

- a. All Anderson County Government Departments and Offices, as well as any persons providing on-going services to Anderson County Government.

#### 3. DEFINITIONS

- a. **Anderson County Government Employee Badge:** A badge provided by the organization for the purpose of identifying those who are employed by Anderson County Government or provide on-going service to the County. The badge will contain the facial photo, name, ACG Department affiliation and select credentials of the wearer.
- b. **Access Control System:** The badge system in place is to provide a reasonably safe and secure environment for the Anderson County Courthouse, Jolley Building, General Sessions II and all satellite offices.
- c. **Issuing Official:** Elected Officials, Department Heads or their designees who are authorized to request issuance, door access deletion/addition, replacement or surrender of badge for their assigned locations only.
- d. **Badge Office:** A facility maintained by the Anderson County Sheriff Office with assistance from the Human Resources and Risk Management Department and/or IT Department, as approved by the ACSO, for the issuance and management of badges.
- e. **Official Capacity:** Includes any time while in Anderson County Government property working for or representing the County, including break periods.
- f. **Property:** Any property owned or leased by Anderson County Government.

#### 4. PROCEDURE:

- a. Select employees and other persons formally associated with or acting on behalf of Anderson County Government that perform activities on the property, will be issued an official Anderson County Government employee identification badge. The badge will be issued by an Issuing Official, and must be worn prominently on the outer clothing between shoulder and waist with the photo side out when an employee is in an official capacity.
- b. It is the responsibility of the Issuing Official to ensure that every individual required to possess a badge obtains it the first day they begin work at Anderson County Government. To obtain a badge, the Issuing Official must complete the required badge form.
- c. Multiple Locations: If an employee must have access to multiple locations due to the nature of their position, each Department Head must approve the Multi-Location Employee Badge form via signature as the Issuing Official, authorizing access to their individual department.
- d. Use of Identification Badge will:
  - i. Provide reliable and controlled identification.
  - ii. Provide a cost-efficient and controlled method of obtaining access to certain areas of the property.
  - iii. Confirm to other members of the workforce the authorized presence of a person.
- e. The face of the badge will contain the following:
  - i. Name (first, middle initial, last). If space for the full name is insufficient, the first name may be reduced to an initial. Hyphenated last names will be allowed. *Security Exception:* If an individual feels the appearance of their full name on the badge may present a significant personal threat, they can petition for an exception to the policy. To do so, the individual should submit a request to the Department Head stating the reason for the request. The Department Head will evaluate and approve or disapprove the request. If approved, the Department Head will file a request with the Badge Office to issue a replacement badge. At a minimum, the replacement badge will bear the possessor's last name and office on the front.
  - ii. Photograph – a full-face color image with exceptions for ACCSO personnel and any others deemed necessary by the Issuing Official who require no photo for their own security.
  - iii. Credentials – a maximum of nine (9) alpha character may appear on a separate line.
  - iv. Department – the responsible department or organization issuing the badge.

- v. Anderson County Seal – the County seal along with Anderson County Government will appear on the badge.
- f. The official badge may not be defaced, pierced or visually obstructed in any manner. Stickers, pins or other items affixed to the badge will impair its purpose and performance.
- g. The badge will be used solely by the person authorized by the Issuing Official, and under no instances will it be transferred to another individual. If an employee is found to allow others to utilize their badge in any capacity, they may face disciplinary actions up to termination.
- h. Employees will only be authorized to be issued on badge.
- i. Lost, damaged or stolen badges must be reported immediately to the issuing department and to the Badge Office. Failure to do so may result in disciplinary action, due to the possibility of unauthorized usage and/or access to government offices. A replacement badge will be provided when:
  - i. Person's name changes (supporting documentation required);
  - ii. The badge breaks (old badge turned in);
  - iii. Badge is lost or misplaced (subject to applicable fee).
- j. The badge will be maintained until the relationship with Anderson County Government has been terminated, or upon demand of the employee's supervisor or department head. If an employee terminates employment or transfers from one department to another, it is the responsibility of the Issuing Official in the department which the employee is leaving to obtain the badge from the employee and submit the change to the Badge Office for destruction. In the case of a transfer, it is the responsibility of the Issuing Official in the employee's new department to ensure that the employee is issued a new badge with appropriate department listed. Upon termination of employment, the Badge Office will suspend the badge in the system immediately allowing the buildings and staff to remain secure.
- k. Issuing Officials are responsible for establishing their office procedure that assures adherence to all guidelines contained in this policy. Disciplinary action is strongly recommended to be taken if an employee chooses not to abide by the Policy.

#### 5. BADGE TO SERVE AS KEY CARD

- a. There will be a series of badge readers throughout the Anderson County Courthouse, Jolley Building and various satellite locations. The employee badges will serve as keys to access certain areas, as well as the courthouse after hours. Courthouse doors will automatically lock and unlock during designated times.
- b. To ensure that the building will be unlocked for certain meetings after hours, the individual responsible for the meeting must submit in writing/email the request to the designated person(s) at the Anderson County Sheriff's Office.

- c. The badge DOES NOT have the ability to lock any interior office doors. The assigned badge only has the ability to serve as a way to gain entry while tracking the entries for security purposes. You must physically lock the interior doors, as they DO NOT have strikes on them.
- d. Elected Official and Department Heads will have the authority to request reports for their assigned locations/offices/doors only. Reports will be supplied within seven (7) days of the request.

## 6. ACCESS CONTROL SYSTEM

- a. It is the responsibility of the Anderson County Sheriff's Office as the Badge Office to monitor the function, proper operation, individual programming and issuance of badges for the access control system. Additionally, the IT Director and the Human Resources and Risk Management Department may be called upon to assist with the programming and issues with the access control system.
- b. Issuing Officials will be responsible for authorizing the level of access each employee has to their specific department.
- c. Elected Officials, Department Heads/Managers, etc. will orient individuals on the specific procedures for entering and exiting the department to ensure their staff remain in compliance with this policy as well as each departments' procedures.
- d. In the event of an emergency, two temporary access badges will be maintained in the Sheriff's Office Dispatch and must be logged out by the temporary user(s). These badges will only be used in situations such as a bomb threat or medical emergencies.
- e. The temporary access badges will be a different color then the standard "white" issued cards.

## 9.2 Receipt of Anderson County Government Badge Policy

As indicated by my signature below, I hereby acknowledge receipt of a copy of the Employee Badge Policy. I further acknowledge that I will read the Policy and any questions which I have will be addressed to my Supervisor, Human Resources and Risk Management Department and/or the Anderson County Sheriff's Office.

\_\_\_\_\_  
Employee's Printed Name

\_\_\_\_\_  
Position

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Date

## **9.3 Code of Ethics – Anderson County Government**

### **Section 1. Definitions.**

(1) "County" means Anderson County Tennessee, which shall include all boards, committees, commissions, authorities, corporations, or any other instrumentalities of Anderson County Government appointed or created by the County, or an official of the County, and including the County School Board, the County Election Commission, the County Health Department, and Utility Districts of the County.

(2) "Official and employee" means and includes any Anderson County official, singular or plural, whether elected or appointed, officer, employee, or any member of any board, agency, commission, authority or corporation (whether compensated or not) or any person employed or appointed by Anderson County.

(3) "Personal interest" means, for the purpose of disclosure of personal interests in accordance with this Code of Ethics, a financial interest of the official or employee, or a financial interest of the official's or employee's spouse or child living in the same household, in the matter to be voted upon, regulated, supervised, decided or otherwise acted upon in an official capacity.

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

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

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

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

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

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

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

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

Nothing contained within this policy shall prevent employees from obtaining secondary employment for off-duty time, provided that such employment is approved by the supervising department director or elected official.

### **Section 5. County Ethics Commission.**

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

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

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

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

The Commission shall convene as soon as practical after their appointment and elect a Chair and Secretary. All meetings, with the exception of executive sessions, shall be open to the public and publicly noticed in a newspaper of general circulation in the County for at least one time no less than five (5) days prior to the meeting. The Ethics Commission Secretary shall prepare an agenda for each meeting subject to approval by the Commission Chair. All meeting notices, agendas and supporting materials shall be mailed or hand-delivered to members no less than five (5) days prior to the scheduled meeting.



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

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

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

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

### **Section 6. Complaints.**

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

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

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

### **Section 7. Ombudsman.**

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

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

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

### **Section 8. Enforcement Options.**

Prior to making a decision on any available enforcement options the Ethics Commission may, by majority vote, request a hearing to receive additional information regarding any ethics complaint noticed to the Commission by the Ombudsman.. When Ethics Commission hearings are conducted the accused employee or official shall have the right to be represented by counsel, appear and be heard before the Commission and present all relevant evidence in support or defense of their alleged conduct. Accused employees or officials shall be notified by certified mail of the hearing date no less than five (5) days prior to the hearing. Continuances shall be granted for good cause only. Continuance requests shall be in writing and directed to the Commission Chair for decision.

The Commission may, upon majority vote:

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

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

## **Section 9. Applicable State Laws.**

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

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

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

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

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

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

**Conflict of Interest – T.C.A. §5-21-121** is part of the County Financial Management System of 1981, lawfully adopted and in effect in Anderson County. It prohibits the director, purchasing agent, members the committee, members of the county legislative body, or other officials, employees, or members of the board of education or highway commission from being financially interested or have any personal interest, either directly or indirectly, in the purchase of any supplies, materials or equipment for the county.

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

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

**Gifts – T.C.A. § 5-21-121** provides that no firm, corporation, partnership, association or individual furnishing any such supplies, materials or equipment, shall give or offer not shall the director or purchasing agent or any assistant or employee accept or receive directly or indirectly from any person, firm, corporation, partnership or association to whom any contract may be awarded, by rebate, gift or otherwise, any money or other things of value whatsoever, or any promise, obligation or contract for future reward or compensation

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

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

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

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

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

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

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

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

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

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

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

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

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

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## 9.4 Notice of Rights (FMLA)

### EMPLOYEE RIGHTS AND RESPONSIBILITIES UNDER THE FAMILY AND MEDICAL LEAVE ACT

#### Basic Leave Entitlement

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- for incapacity due to pregnancy, prenatal medical care or child birth;
- to care for the employee's child after birth, or placement for adoption or foster care;
- to care for the employee's spouse, son, daughter or parent, who has a serious health condition; or
- for a serious health condition that makes the employee unable to perform the employee's job.

#### Military Family Leave Entitlements

Eligible employees whose spouse, son, daughter or parent is on covered active duty or call to covered active duty status may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is: (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness\*; or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.\*

**\*The FMLA definitions of "serious injury or illness" for current servicemembers and veterans are distinct from the FMLA definition of "serious health condition".**

#### Benefits and Protections

During FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

#### Eligibility Requirements

Employees are eligible if they have worked for a covered employer for at least 12 months, have 1,250 hours of service in the previous 12 months\*, and if at least 50 employees are employed by the employer within 75 miles.

**\*Special hours of service eligibility requirements apply to airline flight crew employees.**

#### Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and

a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

#### Use of Leave

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

#### Substitution of Paid Leave for Unpaid Leave

Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

#### Employee Responsibilities

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

#### Employer Responsibilities

Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

#### Unlawful Acts by Employers

FMLA makes it unlawful for any employer to:

- interfere with, restrain, or deny the exercise of any right provided under FMLA; and
- discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

#### Enforcement

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

**FMLA section 109 (29 U.S.C. § 2619) requires FMLA covered employers to post the text of this notice. Regulation 29 C.F.R. § 825.300(a) may require additional disclosures.**



For additional information:  
1-866-US-WAGE (1-866-487-9243) TTY: 1-877-889-5627  
[WWW.WAGEHOUR.DOL.GOV](http://WWW.WAGEHOUR.DOL.GOV)

U.S. Department of Labor | Wage and Hour Division



WHD Publication 1420 Revised February 2013

## 9.5 Multi-Factor Authentication Policy

As indicated by my signature below, I hereby acknowledge receipt of a copy of the Employee Badge Policy. I further acknowledge that I will read the Policy and any questions which I have will be addressed to my Supervisor, Human Resources and Risk Management Department and/or the Anderson County Sheriff's Office.

### I. INTRODUCTION

The purpose of this policy is to define the Multi-Factor Authentication (MFA) requirements for access to the Anderson County Government network and email systems. This policy is designed to minimize the potential security exposure to Anderson County from damages which may result from unauthorized use of internal and external services. Multi-factor authentication (MFA) adds a layer of security which helps deter the use of compromised credentials.

### II. SCOPE

This policy applies to all staff members of the Anderson County Government community who access restricted or confidential data outlined within this policy, and for those who may require remote (off site) access to email and the other services within the County's network environment. There may be extraordinary instances when a member has a legitimate need to use the services outside the scope of this policy. The Department Head and IT Director must approve, in advance, exception requests based on the balancing of the benefit versus the risk to the County. Exceptions for individuals with disabilities will be addressed on an individual basis with the County's Human Resources and Risk Management Department (HR).

### III. DEFINITIONS

Multi-factor Authentication (MFA) is a method of authentication that requires more than one verification method to ensure it is really you logging into your account. MFA adds a critical second layer of security when users sign-in to their County PC workstations & Microsoft Office 365 Email. It does this by requiring more than one method of verifying that it is really you logging into the account.

Local Access is any access to organizational information systems by users (or processes acting on behalf of users) where such access is obtained by direct connections without the use of networks.

Network Access is access to organizational information systems by users (or processes acting on behalf of users) where such access is obtained through network connections (i.e., nonlocal accesses).

Remote Access is a type of network access that involves communication through external networks (e.g., the Internet).

### IV. POLICY

With new technological advances, it is easy for individuals to inadvertently fall victim to highly sophisticated phishing attacks. This could give a hacker unauthorized access to the County network and information system (Network).

The Anderson County Information Technology Department (IT) has taken several steps to protect and monitor our Network. As part of its efforts, the IT Department has established a Multi-Factor Authentication (MFA) Policy which provides a crafted method of protection for Local Government data processing that utilizes and stores sensitive personal and financial information.

In order to access Government resources and the Network, all individuals will be required to engage in one additional step beyond the normal logon process. Individuals will be required to register a second approved device. The MFA system will send a message to the device which the individual must use to authenticate. Upon successful completion of this two (2) step authentication process, the individual will be able to access the system.

Any exceptions to this policy must be approved by the appropriate department head and the IT Director.

## **V. ENFORCEMENT**

This policy regulates the use of all MFA access to the Anderson County Government network(s) and users must comply with established appropriate and acceptable use policies per the Anderson County Employee Handbook.

All Elected Officials and Department Heads shall ensure their staff and contracted staff use MFA for County access and for all user accounts managed systems.

IT network data and email processing services will be terminated immediately if any suspicious activity is observed. Service will remain disabled until the issue has been identified and resolved. Any Anderson County Government employee found to have intentionally violated the any of the County's acceptable use policies will be subject to loss of privileges. If the matter involves illegal or criminal conduct, the matter will also be referred to the proper law enforcement authority. By choosing to use Anderson County Government systems, you hereby agree to all terms and conditions listed above.

## **VI. USER REQUIREMENTS**

All members are required to register their user credentials for remote access to the County's MS Office 365 environment. If a staff member does not register their user credentials, they will not be permitted remote access to the County's MS Office 365 service.

The County's determined verification method is:

1. Multifactor Authentication App from the App Store or Playstore
2. SMS Text Message with a code
3. Hardware Token that uses Randomly Generated OTP (one-time password)
4. Hardware Token that uses FIDO (USB Key)

## **VII. LOST OR STOLEN DEVICE**

All lost or stolen devices should be reported immediately to the IT Department, so that device may be denied access to the County's MS Office 365 services.

Staff are responsible for securing their personal digital keys/token to safeguard its loss or theft.

A replacement charge of \$50.00 may be applied for any lost or stolen digital key/token.



## **VIII. POLICY INFORMATION**

### Continuous Improvement

The content of this document is subject to regular review based on input from Anderson County Government Elected officials, department heads and supervisors. All recommendations for development should be submitted to the Anderson County Government IT Director and HR Director for review and consideration.