

**Anderson County Board of Commissioners**  
**OPERATIONS COMMITTEE**  
**AGENDA**

**September 9, 2024**  
**6:00 p.m. Room 312**

- 1. Call to Order**
- 2. Prayer / Pledge of Allegiance**
- 3. Approval of Agenda**
- 4. Appearance of Citizens**
- 5. Elect Chairman and Vice Chairman**
- 6. Drinking Water Fork Mountain area** – requested by Commissioner Wandell, Otis Phillips
- 7. Mayor’s Report**
  1. Requesting motion to approve requested modifications to the Title VI Implementation and Compliance Document.
  2. Requesting motion to approve TDOT Agreement for Project Plan Number 125450.04 for misc. Safety Improvements near various local roads in Anderson County.
  3. Requesting motion to approve designation of Mr. Jamie Brooks as the Ombudsman per current Anderson County’s Ethics Resolution to coincide with his tenure as special counsel.
  4. Requesting motion to approve amendment to Termination of Recreational Easement Bull Run Steam Plant Reservation.
  5. Requesting motion to approve Resolution No. 24-09-1182 Recognizing September 23-27 as Clean Energy Week.
- 8. Strategic Framework Plan for City of Oak Ridge** – requested by Commissioner Verran.
- 9. 2025 County Government Holiday Schedule**
- 10. Strategic Planning Update**

**Unfinished Business**

**New Business**

**Adjourn**



## ANDERSON COUNTY GOVERNMENT

TERRY FRANK  
COUNTY MAYOR

September 4, 2024

Commissioner Tim Isbel  
Chairman, Operations Committee

RE: AGENDA

Dear Chairman Isbel and Honorable Members of Operations Committee:

I wish to add the following items to the Agenda:

1. **Requesting Motion to Approve requested modifications to the Title VI implementation and compliance document Page 3, Complaint Process, Section 1, lines 1-2)** to include the phrase "within 180 days of the alleged discrimination," along with a required complaint log format, and Four Factor Analysis. (See attached)
2. **Requesting Motion to Approve TDOT Agreement for Project Pin Number 125450.04** for Misc. Safety Improvements near various local road in Anderson County at Mile Post 33.59-D near Oliver Springs in Anderson County. See attached.
3. **Requesting Motion to Approve designation of Mr. Jamie Brooks as the Ombudsman per current Anderson County's Ethics Resolution to coincide with his tenure as special counsel.** (This motion referred via recommendation from the Legal Services Advisory Committee. See attached 8/30/24 Minutes.)
4. **Requesting Motion to Approve Amendment to Termination of Recreational Easement Bull Run Steam Plant Reservation.** (As a footnote, I have not yet executed main termination agreement. Rachel Wallace in Law Director's Office noted some confusion or lack of clarity on termination date. The amendment fully clarifies date of **December 1, 2025**. My plan is to execute both at the same time, if that is agreeable to the Committee.) See attached.
5. **Requesting Motion to Approve Resolution No. 24-09-1182 Recognizing September 23-27 as Clean Energy Week.** See attached.
6. **Update Only:** I wanted to make Operations Committee aware that we are working on a project we've named "**Access Anderson County Initiative.**" I've included the Agenda from our first meeting, so that you may see the mission behind the Initiative, and when you see the meeting on the calendar, you'll know what we're working on, and of course, you are always welcome to participate. We've met twice, to date. See attached.



ANDERSON COUNTY GOVERNMENT | 100 N MAIN ST. CLINTON TN 37716

## TITLE VI IMPLEMENTATION & COMPLIANCE

**PURPOSE:** To ensure compliance with the following:

**A) Title VI of the 1964 Civil Rights Act states:**

*"No person in the United States shall, on the ground of race, color, or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance."*

**B) TENNESSEE CODE ANNOTATED (TCA) 4-21-904**

*"It is a discriminatory practice for any state agency receiving federal funds, making it subject to Title VI of the Civil Rights Act of 1964, or any person receiving funds from a state agency, to exclude a person from participation in, deny benefits to a person, or to subject a person to discrimination under any program or activity receiving such funds, on the basis of race, color or national origin."*

**C) Title VI Limited English Proficiency (LEP)**

- "Limited English Proficiency" – is defined as the inability to speak, read, write, or understand the English language at a level that permits a service recipient to interact effectively with staff in accessing services and benefits.
- Executive Order 13166 (August 11, 2000) requires all agencies that receive federal funding to provide services that are accessible to persons with Limited English proficiency/
- Not providing services that are accessible constitutes discrimination based on national origin.

**POLICY:**

It is the policy of Anderson County Government (ACG) to comply with Federal and State mandated Title VI legislation for the purpose of ensuring that it's services do not discriminate against people because of their race, color, national origin or limited English proficiency. Should Title VI complaints arise, they will be addressed in a timely manner.

**PROCEDURES:**

1. ACG's Client Rights and Responsibilities Brochure will contain Civil Rights information. Every new client/legal representative will receive a copy of the Civil Rights Brochure as they enter services. Receipt of the Brochure shall be acknowledged by client/legal guardian signature on the permission to Treat form.
2. ACG will prominently display Title VI posters in both (English and Spanish) in all of its facilities and make them visible for all to see.

3. ACG will prominently display the name and contact information of ACG's Title VI Coordinator on the Title VI posters in all of its facilities.
4. Clients/legal guardians will be referred to Kim Jeffers-Whitaker, Title VI Coordinator, in the event additional Title VI information is needed, or if they desire to file a Title VI Complaint. ACG's Title VI Coordinator will furnish all information that is needed to file a complaint to any client/legal guardian, as applicable.
5. ACG will not prohibit equal access to program services, aids or benefits. It will not provide a different service, aid, or benefit, or provide them in a manner different than they are provided to others. It will not segregate or separately treat individuals in any matter related to the receipt of any service, aid or benefit.
6. All ACG facilities will make decisions effecting people pertaining to Title VI.
7. All employees, clients, and visitors will be respectfully addressed by their surname (i.e. Mr., Mrs., Ms., Dr., etc.).
8. When there is a language barrier, the client/client's assistant will be informed of the interpreter services we provide. Every effort will be made to locate appropriate interpreters, as client needs present. Refer to website [https://www.linguisticainternational.com/services/over\\_the\\_phone/](https://www.linguisticainternational.com/services/over_the_phone/), or the *Translator/Interpreter List* located in the TN Relay Policy (ADM-CR-9) <https://www.tennrelay.com/>
9. ACG will include a formal Title VI "Statement of Compliance" clause in its contracts with all agencies and vendors.
10. ACG will distribute Title VI information to its vendors, subcontractors, and other parties with whom it contracts so that these agencies are clearly informed of their own responsibilities under Title VI standards.
11. ACG will discipline employees found in violation of Title VI through its progressive disciplinary measures outlined in the Employee Handbook.
12. ACG will provide employee/volunteer Title VI education during initial orientation then annually thereafter.
13. ACG will follow its written procedures for hearing and reviewing Title VI Complaints, and will maintain records regarding all alleged cases of discrimination.

**MONITORING:**

1. ACG will complete Title VI Self-Surveys and submit it to TN Department of Mental Health and Substance Abuse Services by the date subscribed by TDMHSAS.
2. Title VI complaints must be filed in writing and can be filed at several different levels (clients and employees will be advised of all options):
  - a. The Local Agency Level:  
Title VI complaints must be made in writing to Kim Jeffers-Whitaker, Title VI Coordinator, if desired. The client/employees will be given a copy of their Title VI concern for their records.
  - b. The State Department Level:  
Clients/Employees will be given contact information for the State Level (i.e. TN Department of Human Rights), should they desire to file their complaint at this level.

c. The Federal Level:

Clients/Employees will be given contact information for the Federal Level, should they desire to file their complaint at this level:

Office for Civil Rights

U.S. Department of Health and Human Services

Atlanta Federal Center, Suite 3870

61 Forsyth Street, SW

Atlanta, GA 30303-8909

3. The person making the Title VI complaint has the right to file the complaint with the federal government's Office of Civil Rights at any stage of the complaint process. When the complainant chooses this option, it becomes the responsibility of the Office of Civil Rights to review the complaint. Therefore, Local or Departmental/Other Agency procedures will be suspended pending the outcome of a federally filed complaint.

**COMPLAINT PROCESS:**

1. Complaint under Civil Rights Act of 1964

Complaint form must be completed and submitted to the Title VI Coordinator **within 180 days of which the alleged discrimination took place**. It includes the name and address of the person filing the complaint, the agency/and/or person the complaint is against, the basis of the complaint, and the date of the alleged discrimination.

2. Report of Investigation

When a Title VI complaint is filed, an investigation into the alleged discrimination is made. The Local Coordinator uses this form to report the findings of the investigation. An investigative report must be attached to the form. The findings may show either:

- The agency/person was found to be in violation of Title VI.
- The agency/person was not found to be in violation of Title VI.
- The Title VI complaint was withdrawn

If the agency/person was found to be in violation of Title VI, the remedial action take to ensure future compliance must be noted.

3. Appeal from Finding

All parties involved in the complaint have the right to appeal the results/finding of the investigation.

4. Withdrawal of Complaint

This form is used to withdraw the "Complaint under the Civil Rights Act of 1964" or the "Appeal from Finding". It must include the reason for withdrawal and the signature of the person who is choosing to withdraw the complaint/appeal.

**COMPLAINT PROCEDURES:**

1. The ACG Title VI Coordinator is responsible for receiving, acknowledging, and investigating complaints, as well as reporting the findings.
2. When a complaint is filed, ACG's Title VI Coordinator must notify TDMHSAS and the person making the complaint within 24 hours.
3. Should the person making the Title VI complaint choose to submit a letter stating the complaint, the ACG Title VI Coordinator must ensure that this letter is attached to the completed Complaint Form.

- 4. The ACG Title VI Coordinator will make and distribute the following copies of all Title VI documents to the complainant and all significant ACG staff (name the titles of those identified persons):
  - a. The person making the Title VI report must receive copies of all Title VI documents related to the complaint.
  - b. The ACG Title VI Coordinator will retain copies of all Title VI documents related to the individual complaint.
- 5. If the ACG Title VI Coordinator receives a Title VI complaint, a complete agency fact finding investigation will be conducted within thirty (30) days of receipt of the complaint, and the findings will be reported to the ACG’s Executive Director/CEO and to the Tennessee Department of Mental Health and Substance Abuse Services (TDMHSAS) Title VI Coordinator.
- 6. Within five (5) calendar days of this report being made, written findings will be given to the person filing the Title VI complaint, along with notification of their right to appeal.
- 7. If the person making the Title VI complaint chooses to appeal the original decision, the Appeal form is completed and sent to the appropriate Departmental Title VI Coordinator at the Tennessee Human Rights Commission (THRC). This becomes the second level in the complaint review process.
- 8. When a finding is appealed from the Government level to another Departmental Level (i.e. THRC), a copy of the complaint, the finding – including the proposed action and the request for appeal will be forwarded from the ACG Title VI Coordinator to the appropriate next level Department Title VI Coordinator within ten (10) calendar days.
- 9. The next level Departmental Title VI Coordinator must conduct and complete a fact-finding within thirty (30) days after receipt of the appeal and convey the findings, in writing, to the concerned parties.
- 10. If the person making the Title VI complaint is not satisfied with the Department’s resolve, the option of appealing can be then made to the Federal level at the U.S. Department of Justice Civil Rights Division. . The State Department Title VI Coordinator will be available to assist with this process, as will be the ACG Title VI Coordinator, if desired.
- 11. The ACG Title VI Coordinator will inform the ACG Compliance Officer of all the Title VI complaints which are documented, and provide the ACG Compliance Officer with the results of all Title VI investigations.

\_\_\_\_\_  
Title VI Coordinator

\_\_\_\_\_  
Date

Policy and Procedure No. 7A

Effective Date: 5/12/2021

Date Revised: 8/23/2024

Date of Last Review: 8/23/2024

\*Note – Title VI posters and brochures (in English & Spanish) can be printed from the following link:  
<http://www.tn.gov/mental>

\*Note – TN Comptroller’s Fraud, Waste and Abuse posters can be obtained by calling: 1-800-232-5454



# Anderson County Government

## Four Factor Analysis

1. Number or proportion of LEP persons served or encountered in the eligible service population.

In accordance with BLS, Anderson County's possible LEP persons eligible service population is 9,950, which is 11.4% of the County's 80,234 population.

2. The frequency with which the LEP persons come into contact with the program.

Over the last two years, Anderson County Government has served 1 LEP eligible participant.

3. The nature and importance of the program, activity, or service provided by the program.

The specific need met was assistance with Spanish oral interpretation/ written translation of services rendered.

4. The resources available and costs to the recipient.

Linguistica International provides telephone interpreting (Including multi-caller support), On-Site Interpretation (Specialized interpreters by industry), Conference Simultaneous Interpreting, Secure Video Remote Interpreting(VRI) (Android, iOS, Windows, Mac, and Linux clients available), American Sign Language Interpretation(ASL) (Onsite and VRI), and Document Translations. Front line employees are also provided with Linguistica Language Identification Cards to assist with determining the proper language consultant to reach for free services.

The resources made available and provided are at no cost to the recipient. The County's Human Resources and Risk Management Department budget covers all associated cost for all resources, including education, materials, and services.



**State Proj : 01946-3445-94**



**Federal Proj : HSIP-100(79)**

---

## RAILROAD AGREEMENT

---

THIS AGREEMENT is made and entered into by, and between the **State of Tennessee** acting through its Department of Transportation (hereinafter referred to as "TDOT") and Anderson County (hereinafter referred to as the "Local Agency").

### WITNESSETH:

WHEREAS, TDOT plans to undertake Project Pin Number: 125450.04 described as Miscellaneous Safety Improvements near Various Local Roads in Anderson County at Mile Post 33.59-D (DOT#: 731035U), near Oliver Springs in Anderson County, Tennessee (hereinafter referred to as the "Highway Project") impacting a road under the maintenance jurisdiction of the Local Agency as well as the facilities of Norfolk Southern Railway Company (hereinafter referred to as the "Railroad"); and

WHEREAS, the Local Agency agrees to cooperate with TDOT and the Railroad regarding the construction of the Highway Project, and to assume ownership and the responsibility to maintain the Highway Project upon completion as detailed herein; and

WHEREAS, TDOT and Railroad have executed or will execute a separate agreement providing for the Railroad's accommodation of the Highway Project;

NOW, THEREFORE, in consideration of these premises and the mutual promises contained herein, the parties agree to provide for the services necessary for the construction and maintenance of the Highway Project under the following terms and conditions:

1. For the portion(s) of the Highway Project involving Crossing(s) DOT# 731035U, the provisions of this subsection shall apply.
  - i. As shown on the Highway Plans, access to the area designated as "construction access" is agreed to for the purpose of demolition and construction and shall terminate upon completion of the Highway Project construction. As shown on the Highway Plans, the area designated as "crossing agreement" is the area needed to accommodate the operation, inspection, and maintenance of the highway, including a maintenance area fifteen feet (15') outside the edge of pavement, subject to such requirements of the Railroad as the parties shall reasonably agree.
  - ii. The Local Agency agrees to notify the Railroad before undertaking any inspection or maintenance work within the "crossing agreement" area, including any activities within twenty-five feet (25') on either side of the centerline

of the tracks or activities which may create a hazard, cause debris, or adversely affect railroad operations, maintenance or safety. The Local Agency shall not commence such work until Railroad has approved the plans, and the Railroad agrees to use its reasonable best efforts to review and approve such plans as quickly as possible and shall not unreasonably withhold or delay its review and approval of such plans. The Local Agency shall be responsible for reasonable costs, including but not limited to, engineering review and specified safety requirements, incurred by the Railroad as a result of the Local Agency's work.

- iii. The Local Agency agrees that it shall have the legal and financial responsibility for maintaining the Highway Project upon its completion.
2. TDOT shall have no liability except as specifically provided in this Agreement.
3. This Agreement may be modified only by a written amendment executed by the parties hereto.
4. Failure by any party to this Agreement to insist in any one or more cases upon strict performance of any of the terms, covenants, conditions, or provisions of this Agreement shall not be construed as a waiver or relinquishment of any such term, covenant, condition or provision. No term, covenant, condition or provision of this Agreement shall be held to be waived, modified, or deleted except by written amendment signed by the parties hereto.
5. The Local Agency hereby agrees, warrants, and assures that no person shall be excluded from participation in, be denied benefits of, or be otherwise subjected to discrimination in the performance of this Agreement or in the employment practices of the Local Agency on the grounds of disability, age, race, color, religion, sex, national origin, or any classification protected by the Constitution or statutes of the United States or the State of Tennessee. The Local Agency shall post in conspicuous places, available to all employees and applicants, notices of nondiscrimination.
6. The Local Agency agrees to comply with all applicable federal and state laws and regulations in performing any of its obligations under this Agreement.
7. This Agreement shall be binding upon and shall inure to the benefit of the parties hereto, their respective heirs, legal representatives, successors, and assigns.
8. This Agreement shall be governed by and construed in accordance with the laws of the State of Tennessee. The Local Agency acknowledges and agrees that any rights or claims against the State of Tennessee or its employees hereunder, and any remedies arising therefrom, shall be subject to and limited to those rights and remedies, if any, available under Tennessee Code Annotated, Sections 9-8-101 through 9-8-407.
9. If any terms, covenants, conditions or provisions of this Agreement are held to be invalid or unenforceable as a matter of law, the other terms, covenants, conditions, and provisions hereof shall not be affected thereby, and shall remain in full force and effect. To this end, the terms and conditions of this Agreement are declared severable.
10. The Local Agency shall assume all liability for third-party claims and damages arising from the maintenance, existence, and use of the Project to the extent provided by Tennessee Law and subject to the provisions, terms and liability limits of the Governmental Tort Liability Act, T.C.A. Section 29-20-101 *et seq.*, and all applicable laws.

11. The Local Agency warrants that no amount shall be paid directly or indirectly to an employee or official of the State of Tennessee as wages, compensation, or gifts in exchange for acting as an officer, agent, employee, subcontractor, or consultant to the Local Agency in connection with any work contemplated or performed relative to this Agreement.
12. TDOT and the Local Agency agree that any notice provided for in this Agreement or concerning this Agreement shall be in writing, and shall be made by personal delivery, by certified mail (return receipt requested), by nationally recognized overnight delivery service (such as FedEx or UPS), or by email transmission (provided that notice shall also be given in one of the other methods prescribed herein) addressed to the respective party at the appropriate address as set forth below or to such other party or address as may be hereafter specified by written notice.

To TDOT:

Tennessee Department of Transportation  
Attention: Jay Lanius, State Railroad Coordinator  
Suite 600, James K. Polk Building  
505 Deaderick Street  
Nashville, Tennessee 37243-0329  
Email: [HQRailroadCoordinator@tn.gov](mailto:HQRailroadCoordinator@tn.gov)

With a copy if requested by TDOT to:

Leslie South, General Counsel  
Tennessee Department of Transportation  
Suite 300, James K. Polk Building  
505 Deaderick Street  
Nashville, Tennessee 37243-0326  
Email: [Leslie.South@tn.gov](mailto:Leslie.South@tn.gov)

To the Local Agency:

Terry Frank  
Anderson County Mayor  
100 N Main Street, Room 208  
Clinton, Tennessee 37716-3617  
(865) 457-6200 or (865) 457-6201  
Email: [tfrank@andersoncountyttn.gov](mailto:tfrank@andersoncountyttn.gov)

11. This Agreement may be executed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the parties have executed this Agreement.

ANDERSON COUNTY:

STATE OF TENNESSEE  
DEPARTMENT OF TRANSPORTATION:

BY: \_\_\_\_\_

BY: \_\_\_\_\_  
Howard H. Eley, Commissioner

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

DATE: \_\_\_\_\_

APPROVED AS TO FORM:

APPROVED AS TO FORM:

BY: \_\_\_\_\_

BY: \_\_\_\_\_  
Leslie South, General Counsel

TITLE: \_\_\_\_\_

**Anderson County Legal Services Advisory Committee  
Meeting Minutes: August 30, 2024**

**Members Present:** Terry Frank, Tracy Wandell, Josh Anderson, Tim Shelton, Russell Barker, Regina Copeland, Johnny Alley, Jeff Cole, Rex Lynch, and Gary Long

**Members Absent:** Sabra Beauchamp

**Others Present:** Kim Jeffers-Whitaker, Denise Palmer, LEEAN Tupper, Nichole Brooks, Shain Vowell, Zach Allen, and Annette Prewitt

Terry Frank called the meeting to order at 10:02 a.m.

Commissioner Wandell made a motion, seconded by Gary Long, to approve the minutes of the August 8, 2024, meeting. **Motion carried.**

Nichole Brooks, Anderson County Law Director's Office, provided Committee members with an update about current litigation cases.

**Addressing the Vacancy in the Law Director's Office**

Mayor Frank noted that County Commission had approved funding, and a purchase order was issued for Jamie Brooks to serve for 90 days as special counsel, effective September 1, 2024. Mayor Frank stated she will ensure Mr. Brooks' signature on the PO. Mr. Brooks is to be provided with a computer and e-mail, and he has met with office staff and the mayor, and he will begin attending Budget and Operations Committee meetings as well as being on-site and available to address the county's daily legal needs.

→ → [ Commissioner Anderson moved to recommend to the Operations Committee that Jamie Brooks be named as the county's ombudsman to address any ethics complaints that might be received over the next 90 days. Seconded by Commissioner Wandell. **Motion carried.** ]

Supervision of staff: Commissioner Wandell moved to name Nichole Brooks as overseeing the office staff over the next 90 days, with the county mayor to have supervisory duties for approving time off and signing time sheets, and any hiring or firing questions must be presented to the Legal Services Committee. Seconded by Gary Long. **Motion carried.**

Commissioner Wandell moved to allow Mayor Frank, Kim Jeffers-Whitaker, and Nichole Brooks to develop the law director's job description draft, concurring with the requirements spelled out in the existing private act, and to e-mail the draft of the job description to committee members for review prior to posting. Seconded by Gary Long. **Motion carried.**

Commissioner Wandell moved to post the job opening for 30 days. Seconded by Johnny Alley. **Motion carried.**

Mayor Frank's office asked Lt. Governor Randy McNally's office about the deadline for submitting any changes to the existing private act. The state office responded that private acts can be introduced all through session, and there should be three legislative days to pass them.

After some general discussion, the meeting was adjourned at 11:16 a.m.

Latest Publication: August 2024

# TENNESSEE **Town & City**

Home

## Cities must submit updated ethics standards, contact info to BECF by end of year



By **KATE COIL**

*TML Communications Specialist*

A new law is requiring municipal and other government boards to submit to the state and keep updated both their code of ethics and contact information for their ethics officer by the end of the year.

A newly revised subsection of Tennessee Code §8-17-104 related to ethical standards for publicly elected officers and employees requires entities such as municipal, county, utility district, and school boards to have and keep up-to-date contact information regarding the board's ethical codes and ethics officer with the Tennessee Bureau of Ethics and Campaign



Bill Young, executive director

Finance by no later than Jan. 1, 2024.

The law also impacts any "board, commission, authority, corporation or other instrumentality that is created by two or more local government entities." The revision comes from Senate Bill 158/House Bill 182 and was signed into law by Gov. Bill Lee on Feb. 27, 2023. A list of entities that are not in compliance with the law by Jan. 31, 2024, will be submitted to the lieutenant governor and speaker of the house.

of the Tennessee Bureau of Ethics and Campaign Finance Ethics Commission (BECF)

Bill Young, executive director of the Tennessee Bureau of Ethics and Campaign Finance Ethics Commission (BECF), said his office promoted the passage of the bill as a way to help build up public confidence that government entities throughout the state are operating ethically and that citizens have recourse on the local level. The new law is a more updated version of one previously on the books.

"Under the past law that was in statute, each local governmental entity as defined by the statute has been required for years to submit their local code of ethics with us," Young said. "The Legislature passed that as part of the Ethics Reform Act of 2003. They are required to not only file that code with us but to also file any updated amendments with us. We then put all that information on the website so everyone has access to it. As to how updated our website is, we don't know. We suspect with certain entities it may be a little outdated."

Young said BECF supported the revision of the law because they are increasingly being contacted with local concerns that are not within the bureau's purview.

"We don't handle a local advocate complaint," he said. "We refer them back to the local jurisdiction for their ethics officer or whoever is responsible to do an investigation and figure out whether or not there is a problem with a local code of ethics. We only do state ethics here. The problem we run into is that we do not have a list of the folks at those entities who handle ethics complaints. We always assume it's probably the general counsel, but it's not always."

He hopes the new legislation will not only notify the entities named in statute of their responsibility but to also provide better resources for the public. While there is a submission deadline, Young said there is no penalty for entities not in compliance save their names being submitted to legislative leadership. The goal, he said, is to get up-to-date information and all entities into compliance.



In addition to an updated code of ethics, BECF is also seeking updated contact

Updated codes of ethics and contact information for ethics officers

are due to the BECF by Jan. 1, 2024.

information for the ethics officer appointed by the board. Young said usually this is legal counsel for the board or commission. The name, business address, phone number, and email address of the ethics officer must also be submitted to the BECF. If a new ethics officer is appointed, this information must be updated with the BECF within 30 days.

"Generally, if someone is accused of violating the ethics code, that officer is the one who handles the complaint and investigates if there has been a violation," Young said. "If we get a complaint, we usually refer it to the local attorney. We get more complaints than you would think. We have a very limited jurisdiction on ethics to a certain set of state officials. We even have a limited jurisdiction over the General Assembly and Executive Branch. We have no jurisdiction over the locals, which is intentional. You would want that handled by the locals and not us."

Overall, Young said having this information will help build trust between the public and government entities in a time when that trust seems to be eroding.

"Particularly in smaller places, they have no idea that they are responsible for the code of ethics," he said. "It gets to be a big issue when someone makes a complaint under it. We want that handled on the local level. We are all held to ethical standards. We all have ethical codes we follow to ensure we are doing the job we are required to do, and that there is nothing unethical going on. It also gives our citizens the opportunity to make those complaints. The Tennessee Supreme Court has a very sophisticated review system. The governor does too. The House and Senate have their own ethics officers. The message to our citizens is that we are all doing appropriately the job we are required to do, and if someone is doing something inappropriately there is a mechanism for that to hit the light of day and be dealt with."

Young said this also allows local entities to better move any complaints through the local level, so they don't reach the Comptroller's Office or state attention.

"We want everyone in compliance; we don't want this to be a 'gotcha,'" he said. "We want to show the citizens of this state that we take ethics seriously. We take people doing the right things seriously. When people are in compliance, it shows people we are serious about what we do and hopefully have confidence in our government. This is an attempt to make sure we are all in compliance with our ethical and legal responsibility, providing full transparency to our citizens, and that we take our ethical obligations seriously. We want people to understand if they have a complaint there is somewhere they can go to have their complaint heard."

BCEF will be sending out a mailer with information on the new requirements and Any questions about the deadlines, ethics codes, or ethics officers can contact Lauren Topping, general counsel with the BCEF, at [lauren.topping@tn.gov](mailto:lauren.topping@tn.gov) or (615)-741-7959.



Document: Tenn. Code Ann. § 8-17-104



Previous

Next >

## Tenn. Code Ann. § 8-17-104

### Copy Citation

Current through the 2023 First Extraordinary Session of the General Assembly. The Tennessee Code Commission may make editorial changes to this version and may relocate or redesignate text. Those changes will appear on Lexis Advance after the publication of the certified volumes and supplements. Pursuant to T.C.A. §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code. Until the annual issuance of the certified volumes and supplements, references to the updates made by the most recent legislative session should be to the Public Chapter and not T.C.A. Case annotations are current through September 15, 2023.

**TN - Tennessee Code Annotated Title 8 Public Officers And Employees Chapter 17 Ethical Standards for Officials and Employees**

### 8-17-104. Standards open to public inspection — Filing standards and amendments with ethics commission — Notifications.

(a) Each entity covered by this chapter shall maintain, for public inspection, the ethical standards of such entity and shall cause a copy of the adopted standards to be filed with the ethics commission. Any amendments or other modifications to the ethical standards shall also be filed with the commission as soon as practical after adoption by the governing body.

(b) By no later than January 1, 2024, each entity covered by this chapter shall notify the ethics commission, either in writing or electronically by email, of the primary person responsible for administering and enforcing the entity's ethical standards. The entity also shall provide the commission with the person's contact information, including the person's business address, phone number, and email address. The entity shall notify the commission of any change in such responsibility within thirty (30) calendar days of such change and shall provide the name and contact information for an interim official serving in this capacity until such time as a permanent successor can be identified.

(c) By no later than January 31, 2024, and on each January 31 thereafter, the commission shall notify the speaker of the house of representatives and the speaker of the senate, as well as the comptroller of the treasury, of each entity that is not in compliance with this part.

### History

---

Acts 2006 (1st Ex. Sess.), ch. 1, § 49; 2023, ch. 37, § 5.

## Tenn. Code Ann. § 8-17-105

### Copy Citation

Current through the 2023 First Extraordinary Session of the General Assembly. The Tennessee Code Commission may make editorial changes to this version and may relocate or redesignate text. Those changes will appear on Lexis Advance after the publication of the certified volumes and supplements. Pursuant to T.C.A. §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code. Until the annual issuance of the certified volumes and supplements, references to the updates made by the most recent legislative session should be to the Public Chapter and not T.C.A. Case annotations are current through September 15, 2023.

**TN - Tennessee Code Annotated** **Title 8 Public Officers And Employees** **Chapter 17 Ethical Standards for Officials and Employees**

### 8-17-105. Adoption of models of ethical standards.

**(a)** The municipal technical advisory service (MTAS) for municipalities, the county technical assistance service (CTAS) for counties, and the Tennessee School Boards Association (TSBA) for school districts, in order to provide guidance and direction, shall disseminate models of ethical standards for officials and employees of those entities. The models shall be filed with the commission. Any municipality, county or school district that adopts the ethical standards for officials and employees of local government or school districts promulgated by MTAS, CTAS or TSBA is not required to file the policy with the commission but shall notify the commission in writing that the policy promulgated by MTAS, CTAS or TSBA was adopted and the date the action was taken.

**(b)**

**(1)** In order to provide guidance and direction to water, wastewater, and gas authorities created by a private act or under the general law and to utility districts, the Tennessee Association of Utility Districts (TAUD) shall prepare a model of ethical standards for officials and employees of water, wastewater, and gas authorities created by private act or under the general law and of utility districts. The model must be submitted to the Tennessee board of utility regulation for its review and approval pursuant to § 7-82-702(a)(6). The board shall approve by order the TAUD model of ethical standards before the model is adopted by a water, wastewater, or gas authority created by a private act or under the general law or by a utility district. After the board approves

the TAUD model, the TAUD model must be filed with the commission.

**(2)** The governing body of a water, wastewater, or gas authority created by a private act or under the general law, or of a utility district, that adopts ethical standards for its officials and employees shall either adopt the TAUD model of ethical standards approved by the board or adopt ethical standards that are more stringent than the TAUD model. If a water, wastewater, or gas authority created by a private act or under the general law, or a utility district, adopts ethical standards that are different from and more stringent than the TAUD model, then the more stringent ethical standards must be submitted to the board, which shall make a finding by order that the ethical standards adopted are more stringent than the TAUD model.

**(3)** [Deleted by 2023 amendment.]

**(4)** [Deleted by 2023 amendment.]

### History

Document: Tenn. Code Ann. § 8-17-106



Previous

Next

### Tenn. Code Ann. § 8-17-106

#### Copy Citation

Current through the 2023 First Extraordinary Session of the General Assembly. The Tennessee Code Commission may make editorial changes to this version and may relocate or redesignate text. Those changes will appear on Lexis Advance after the publication of the certified volumes and supplements. Pursuant to T.C.A. §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code. Until the annual issuance of the certified volumes and supplements, references to the updates made by the most recent legislative session should be to the Public Chapter and not T.C.A. Case annotations are current through September 15, 2023.

**TN - Tennessee Code Annotated Title 8 Public Officers And Employees Chapter 17 Ethical Standards for Officials and Employees**

#### 8-17-106. Removal from office for failure to adopt ethical standards — Violations of standards.

(a) Members of a governing body of an entity covered by this chapter who fail to adopt ethical standards as provided in this chapter shall be subject to removal from office as provided in chapter 47 of this title.

(b) Violations of ethical standards by officials or employees of entities covered by this chapter shall be enforced in accordance with provisions of existing law; provided, that no civil penalties for a violation of title 3, chapter 6, part 3 shall be imposed by the ethics commission on an employee of entities covered by this chapter. The ethics commission shall instead refer the commission's findings and recommendations for appropriate action to the appropriate official with supervisory authority over the person.

#### History

Acts 2006 (1st Ex. Sess.), ch. 1, § 49; 2007, ch. 322, § 2.

Previous

Next



1101 Market Street, Chattanooga, Tennessee 37402

September 3, 2024

**SENT VIA ELECTRONIC MAIL ONLY TO [TFRANK@ANDERSONCOUNTYTN.GOV](mailto:TFRANK@ANDERSONCOUNTYTN.GOV)**

The Honorable Terry Frank  
Anderson County Mayor  
100 North Main Street, Ste. 208  
Clinton, Tennessee 37716

**TVA TRACT NO. XBRSP-6RE,S.1X – FIRST AMENDMENT TO GRANT OF TERM  
RECREATIONAL EASEMENT – BULL RUN STEAM PLANT RESERVATION**

Attached for your review please find the original First Amendment to Grant of Term Easement for the above-referenced tract. If you have any questions or would like to request revisions to the instrument, please contact me (423) 751-3260 or via email at [lemelton@tva.gov](mailto:lemelton@tva.gov).

If no changes are necessary, please print (one-sided only) and execute the instrument before a Notary Public and return the original signed and notarized instrument to my attention at 1101 Market Street, BR 4B-C, Chattanooga, Tennessee 37402. Trackable delivery method is preferred.

Once TVA has received the signed and notarized instrument, we will obtain execution on behalf of the United States of America and forward the original instrument to you for your records and recording.

We appreciate your cooperation in finalizing this transaction.

Sincerely,

A handwritten signature in black ink that reads "Lorie M. Hunt". The signature is written in a cursive style.

Lorie M. Hunt  
Manager, Legal Services  
Realty Services

Attachment

cc: M. Clemmons, LP 5E-C  
S. E. Cook, RR East  
M. S. Turnbow, LP 5D-C  
Realty Files, BR 4B-C

This instrument prepared by:

Lorie M. Hunt, Attorney  
Tennessee Valley Authority  
1101 Market Street, BR 4B  
Chattanooga, Tennessee 37402-2801  
Telephone: (888) 817-5201

FIRST AMENDMENT  
TO  
GRANT OF TERM RECREATIONAL EASEMENT  
BULL RUN STEAM PLANT RESERVATION

This FIRST AMENDMENT TO GRANT OF TERM RECREATIONAL EASEMENT, made and entered into on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between the UNITED STATES OF AMERICA (sometimes hereinafter referred to as "GRANTOR"), 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 "GRANTEE").

W I T N E S S E T H:

WHEREAS GRANTOR and GRANTEE entered into a Grant of Term of Recreational Easement effective October 24, 2002, of record in Book 1309, page 632, in the Office of the Register of Anderson County, Tennessee, over a parcel of land designated in TVA's land records as Tract No. XBRSP-6RE, for a term of thirty (30) years (Easement);

WHEREAS GRANTOR and GRANTEE, mutually desire to amend the term of said Easement; and

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

NOW THEREFORE, in consideration of the premises and the mutual promises recited herein and the recitals above which are incorporated herein by reference, GRANTOR and GRANTEE agree as follows:

1. The Easement shall terminate on **December 1, 2025**, subject to the exceptions, reservations, restrictions, covenants, conditions, and/or limitations as set forth therein.
2. GRANTEE, in consideration of the removal and disposal activities to be performed by TVA, at TVA's sole cost, shall not be entitled to any refund of the consideration paid for the Easement.

Except as amended hereby, said Easement shall continue in full force and effect in accordance with the terms thereof.

This Amendment 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

Anderson County, Tennessee  
Board of Commissioners

RESOLUTION NO. 24-09-1182

**A RESOLUTION RECOGNIZING SEPTEMBER 23-27 AS CLEAN ENERGY WEEK**

**WHEREAS**, Tennesseans want affordable, clean, and readily abundant forms of energy; and

**WHEREAS**, clean energy is now an important part of America's power capabilities, and nuclear power is at the heart of this country's energy future; and

**WHEREAS**, Anderson County is home to public and private businesses and educational institutions that are leading the nation in research and development, including nuclear energy technology, and energy solutions for energy-efficiency, manufacturing, and transportation; and

**WHEREAS**, Tennessee's nuclear power plants provide 45% of the state's electricity; and

**WHEREAS**, nuclear energy is a zero-emission clean energy source, with a land footprint that is small, making it an environmentally friendly source of power – producing more electricity on less land than any other clean-air source;

**WHEREAS**, safe nuclear energy is integral in powering the economic prosperity of Anderson County and the Tennessee Valley.

**NOW THEREFORE, WE**, the Anderson County Board of Commissioners, meeting in regular session on this, the 16<sup>th</sup> day of September, 2024, do hereby proclaim September 23-27, 2024 as Clean Energy Week in Anderson County, and we recognize the importance of nuclear energy as a clean power source.

**IN WITNESS WHEREOF**, we have hereunto set our hands and caused the Seal of Anderson County, Tennessee, to be affixed this 16<sup>th</sup> day of September, 2024.

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

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

**ATTEST:**

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



**Access Anderson County Initiative**  
**Kick-Off Meeting**  
Thursday, August 1, 2024  
Anderson County Courthouse, Room 118A  
4:30 p.m.

**Mission:** To improve directional and electronic access to Anderson County Government Services

**Why:** Clear and effective government signage, as well as website navigation, can help county government officials and departments communicate effectively with citizens, as well as improve safety. It can also help provide citizens with the information they need to access government facilities and resources.

**Where are we headed?** The final goal is to execute improvements to signage, information, website, and direction for citizens, and ensure a plan for ongoing maintenance and care of information, website, direction, etc.

**How will we accomplish our final goal?**

**1. Planning**

Make a list of Anderson County government facilities

Make a list of "I want to" Anderson County government services that citizens need

**2. Organizing**

a.) Form a group(s) of volunteers to walk through government facilities to identify gaps in signage and other barriers to accessing government services/operations.

b.) Form a group of volunteers to recommend ways to improve access to information on the Anderson County website, including the ability to download and submit forms.

**3. Data Gathering**

# Anderson County Government Holiday Schedule 2025

- |                                      |                       |                            |
|--------------------------------------|-----------------------|----------------------------|
| ▪ <b>News Years Day</b>              | Wednesday             | January 1                  |
| ▪ <b>Martin Luther King, Jr. Day</b> | Monday                | January 20                 |
| ▪ <b>Presidents Day</b>              | Monday                | February 17                |
| ▪ <b>Good Friday</b>                 | Friday                | April 18                   |
| ▪ <b>Memorial Day</b>                | Monday                | May 26                     |
| ▪ <b>Juneteenth</b>                  | Thursday              | June 19                    |
| ▪ <b>Independence Day</b>            | Thursday<br>Friday    | July 3<br>July 4           |
| ▪ <b>Labor Day</b>                   | Monday                | September 1                |
| ▪ <b>Veterans Day</b>                | Tuesday               | November 11                |
| ▪ <b>Thanksgiving</b>                | Thursday<br>Friday    | November 27<br>November 28 |
| ▪ <b>Christmas</b>                   | Wednesday<br>Thursday | December 24<br>December 25 |